



Development Control (South) Committee
TUESDAY 20TH AUGUST 2013 AT 11.00a.m.
COUNCIL CHAMBER, PARK NORTH, NORTH STREET, HORSHAM

Councillors:	David Jenkins (Chairman)	
	Sheila Matthews Vice-Chairman)	
	Roger Arthur	Liz Kitchen
	Adam Breacher	Gordon Lindsay
	Jonathan Chowen	Brian O'Connell
	Philip Circus	Roger Paterson
	Roger Clarke	Sue Rogers
	George Cockman	Kate Rowbottom
	David Coldwell	Jim Sanson
	Ray Dawe	Diana van der Klugt
	Brian Donnelly	Claire Vickers
	Jim Goddard	

Tom Crowley
Chief Executive

AGENDA

1. Apologies for absence
2. To approve as correct the minutes of the meeting of the Committee held on 16th July 2013
3. To receive any declarations of interest from Members of the Committee – *any clarification on whether a Member has an interest should be sought before attending the meeting*
4. To receive any announcements from the Chairman of the Committee or the Chief Executive
5. To consider the following reports and to take such action thereon as may be necessary

Head of Planning & Environmental Services
Appeals

Applications for determination by Committee - Appendix A

Item No.	Ward	Reference Number	Site
A1	<i>Billingshurst and Shipley</i>	DC/13/0735	Land East of Billingshurst to North and South of A272 East Street Billingshurst
A2	<i>Henfield</i>	DC/13/0787	Land at Junction of Stonepit Lane and West End Lane Henfield
A3	<i>Chantry</i>	DC/13/0609	RMC Engineering Services Ltd Workshops Storrington Road Washington Pulborough
A4	<i>Chantry</i>	DC/12/2260	Land North of Mill Stream Medical Centre Ryecroft Lane Storrington
A5	<i>Billingshurst and Shipley</i>	DC/13/1027	Hoes Farm Coolham Road Shipley Horsham
A6	<i>Billingshurst and Shipley</i>	DC/13/1015	Well Farm Adversane Billingshurst
A7	<i>Chanctonbury</i>	DC/12/1276	Westlands Farm Billingshurst Road Ashington
A8	<i>Chantry</i>	DC/13/1006	Fryern Park Farm Fryern Park Fryern Road Storrington
A9	<i>Chantry</i>	DC/12/2345	Land North of Oldfield Cottage Fryern Road Storrington
A10	<i>Chanctonbury</i>	DC/13/0901	Venters Storrington Road Thakeham Pulborough
A11	<i>Cowfold, Shermanbury and West Grinstead</i>	DC/13/0984	Abbots Lea Littleworth Lane Partridge Green
A12	<i>Chantry</i>	DC/13/0906	Trevellan Kithurst Park Storrington Pulborough
A13	<i>Billingshurst and Shipley</i>	DC/13/1132	St Andrews Farm Coolham Road Brooks Green Horsham
A14	<i>Cowfold, Shermanbury and West Grinstead</i>	S106/623	Old Barn Nurseries Worthing Road Dial Post Horsham
A15	<i>Cowfold, Shermanbury and West Grinstead</i>	DC/13/1021	Brighthams Farm Bines Road Partridge Green

- 6.** Items not on the agenda which the Chairman of the meeting is of the opinion should be considered as urgent because of the special circumstances

DEVELOPMENT CONTROL (SOUTH) COMMITTEE
16th July 2013

Present: Councillors: David Jenkins (Chairman), Sheila Matthews (Vice-Chairman), Roger Arthur, Jonathan Chowen, Philip Circus, Roger Clarke, George Cockman, David Coldwell, Brian Donnelly, Jim Goddard, Gordon Lindsay, Brian O'Connell, Sue Rogers, Kate Rowbottom, Jim Sanson, Diana van der Klugt, Claire Vickers

Apologies: Councillors: Adam Breacher, Ray Dawe, Liz Kitchen, Roger Paterson

DCS/12 **MINUTES**

The minutes of the meeting of the Committee held on 18th June 2013 were approved as a correct record and signed by the Chairman.

DCS/13 **INTERESTS OF MEMBERS**

<u>Member</u>	<u>Item</u>	<u>Nature of Interest</u>
Councillor Diana van der Klugt	DC/13/0752	Personal and Prejudicial – she is a Director of The Wiggonholt Association, who have objected to the application

DCS/14 **ANNOUNCEMENTS**

There were no announcements.

DCS/15 **APPEALS**

Appeals Lodged
Written Representations/Household Appeals Service

<u>Ref No</u>	<u>Site</u>	<u>Appellant(s)</u>
DC/12/1997	4A West Street, Storrington	Mr Ray Kwok
DC/12/2332	The Annexe, The Hollies, Nightingale Lane, Storrington	Mr Patrick and Mrs Vivien Ong

Appeal Decisions

<u>Ref No</u>	<u>Site</u>	<u>Appellant(s)</u>	<u>Decision</u>
DC/13/0059	28 Station Road, Billingshurst	Mrs Natalie Van De Braam	Allowed
DC/12/1905	The Orchard, Storrington Road, Thakeham	Mr J Mills	Dismissed
DC/13/0152	1 The Birches, West Chiltington	Mr Duncan Paul Driver	Dismissed

DCS/15 Appeals (cont.)
Appeal Decisions (cont.)

DC/12/0791	Heatherdene, Shoreham Road, Small Dole	Mr and Mrs S Bailey	Dismissed
DC/12/1275	60 Acorn Avenue, Cowfold	Mr Malcolm Etherton	Dismissed

DCS/16 **PLANNING APPLICATION: DC/13/0752 – ERECTION OF UP TO 102 DWELLINGS, INCLUDING 40% AFFORDABLE HOUSING, WITH ASSOCIATED ACCESS (OUTLINE PLANNING)**

SITE: LAND NORTH OF SOUTH WOOD MELTON DRIVE STORRINGTON

APPLICANT: WATES DEVELOPMENTS

(Councillor Diana van der Klugt declared a personal and prejudicial interest in this application as she was a Director of the Wiggonholt Association, who had objected to the application. She withdrew from the meeting and took no part in the consideration of the item.)

The Head of Planning & Environmental Services reported that this application sought outline planning permission for the erection of up to 102 dwellings, with associated access. The main access would be from a new junction at the south-west corner leading to Fryern Road, with an additional service access towards the north of the site and an emergency access at the south-east corner of the site. Additional footways were also proposed. The outline application also indicated that there would be 40% affordable housing, 223 parking spaces, buffer planting along the boundaries and an open space and play area.

The site was just to the north of the built-up area of Storrington, east of Fryern Road and adjoining the rear of eight properties on Melton Drive. It comprised a large open agricultural field with landscape buffers along its northern, eastern and southern sides. The dwellings in Melton Drive were set within large gardens set back from the front boundary by at least 30 metres.

There were open agricultural fields to the east and north of the site, including some buildings and associated farmhouses. There were more agricultural fields beyond an avenue of Oak trees to the west of the site.

The National Planning Policy Framework 2012; Local Development Framework Core Strategy Policies CP1, CP2, CP3, CP4, CP9, CP12, CP13 and CP19; Local Development Framework General Development Control Policies DC1, DC2, DC3, DC5, DC6, DC7, DC8, DC9, DC18, DC22 and DC40; the Facilitating Appropriate Development Supplementary Planning Document (SPD); and the Planning Obligations SPD were relevant to the determination of this application.

There was no relevant planning history in respect of this application.

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee, together with responses received

DCS/16 Planning Application: DC/13/0752 (cont.)

subsequent to the publication of the report from the County Archaeologist, the County Ecologist and the Housing Services Manager. In particular, it was noted that Storrington & Sullington Parish Council, West Chiltonton Parish Council and Thakeham Parish Council objected to the application. 218 letters, a petition containing 200 signatures and a survey carried out by 'Save Our Storrington', all in objection to the proposal had been received. One letter of support had been received. Three members of the public spoke in objection to the application and two representatives of the applicant addressed the Committee in support of the proposal. A representative of the Parish Council spoke in objection to the application.

The application had been submitted under the auspices of the Facilitating Appropriate Development (FAD) Supplementary Planning Document (SPD). This document had arisen from the need to provide flexibility to ensure that there was sufficient housing supply during the life of the existing adopted Core Strategy. The document set out the requirements against which such planning applications for development, on greenfield and brownfield sites adjoining defined settlement boundaries in the District, would be considered. Whilst, potentially, the application site fell within the remit of the FAD SPD and could be considered as being suitable for development, it was necessary for the proposal to meet the requirements of all the relevant criteria for support to be given for the development of up to 102 dwellings on a site outside the Built-up Area.

Storrington was a Category 1 settlement, as defined by Policy CP5, and was therefore potentially capable of accommodating some expansion, infilling and redevelopment. It was considered that an objection to the general principle of development could not be sustained, taking into consideration the comments of the Planning Inspector in recent appeals for 78 residential units at Sandgate Country Park and 46 dwellings at Daux Avenue and as the proposal met the first criteria of the FAD.

However, it was considered the proposed residential subdivision would fail to protect, conserve and/or enhance the key characteristics of the surrounding areas. The development pattern of the proposed development would be at odds with its locally distinctive surroundings and would permanently and adversely change the character of the area. There would be little relationship in plot size, road pattern and the density of housing to the abutting residential interface, which was an issue that could be considered in principle, relative to the number of dwellings proposed. The proposed density was even greater than the more recent estates to the south-east and was similar to residential areas in the centre of Storrington, which was clearly out of context in regard to the site's location.

It was considered that the proposed development would appear isolated and would not integrate and contribute to the sense of place of its surroundings. The accommodation of up to 102 dwellings on the site would result in a density that would not sit comfortably within the existing setting.

DCS/16 Planning Application: DC/13/0752 (cont.)

The air quality assessment submitted by the applicant indicated that the current proposal would increase nitrogen dioxide concentrations at 16 of the 18 identified receptor locations when considered as a 'stand-alone' development, and at all receptor sites when the cumulative impact of other committed developments was assessed. It was considered that in the context of Storrington, nitrogen dioxide concentrations within the air quality management area were significantly in excess of the UK air quality objective and the cumulative impact of even small additional increases in pollution would be counter to the objectives of the air quality action plan for Storrington, which was to bring pollution levels to within the air quality objective limits. This added weight to the view that this application could not be supported.

It was also considered that the application failed to address satisfactorily Criteria 12 and 17 of the FAD SPD in relation to transport and access, including provision for pedestrians and cyclists to access local facilities.

Members accepted there was a need for more housing land to be identified and given planning permission in order to help meet the shortfall in the five year supply. However, this needed to be balanced against other factors, including concerns regarding the excessive density of the proposed development and its impact on the townscape, potential adverse impacts on the landscape, the possibility of the development compounding existing problems in relation to air quality and uncertainty about the suitability of the site for the number of dwellings proposed in highway terms. In balancing these considerations, Members considered that in this case the potential harm outweighed any potential benefits and the application was therefore considered unacceptable.

RESOLVED

That application DC/13/0752 be determined by the Head of Planning & Environmental Services, in consultation with the Chairman and Vice-Chairman of the Committee and the local Members, to allow the reasons for refusal to be amended to include reference to the National Planning Policy Framework. The preliminary view of the Committee was that the application should be refused.

DCS/17 **PLANNING APPLICATION: DC/13/0730 – AMENDMENTS TO PARTIALLY COMPLETED DEVELOPMENT DC/12/0747 (DEMOLITION OF EXISTING DERELICT GREENHOUSES AND PARTS OF THE EXISTING BOUNDARY WALL (TO PROVIDE ACCESS) AND THE ERECTION OF 41 NEW (2-BED DWELLINGS) FOR RETIRED PEOPLE (INCLUDING 16 AFFORDABLE FLATS) PLUS GARAGES AND PARKING ON LAND ADJACENT TO ST JOSEPH'S ABBEY) INVOLVING CHANGES TO THE SOUTH ELEVATION OF BLOCK B, SUN ROOMS FOR UNITS 17 - 22 TO BE REVISED AND DOORS ADDED TO THE GARDEN STORE**
SITE: ORCHARD GARDENS CHURCH STREET STORRINGTON
APPLICANT: BEEHCROFT DEVELOPMENTS

The Head of Planning & Environmental services reported that this application sought permission for a material amendment to DC/12/0747 for the erection of 41 dwellings for retired people, which had been considered by the Committee in July 2012 (Minute No. DCS/28 (17.07.12) refers). The proposal involved changes to the roofs and balconies on the south elevation of Block B (units 17 – 22) and the addition of doors to the garden store

The applicant sought changes to the original design to overcome problems with the design of the catslide roofs which were found to leak if the normal drainage were blocked, and address the amenity area on the balconies which was considered too small. The proposal would remove the catslide roof slopes and introduce flat roof balconies whilst making no changes to the ground floor layout or to the ridge height.

The majority of the application site was located within the built-up area as defined within the Local Development Framework. However, an area of land south east of the proposed dwellings, required for additional ecological mitigation, was located outside the built-up area. That part of the site located within the built-up area had been allocated for development under policy AL10 of the Site Specific Allocations of Land Document. The western extent of the site was within the Storrington Conservation Area and an Area of Archaeological Importance. St Josephs Abbey, a grade II Listed Building, was located to the south west of the site.

The National Planning Policy Framework 2012; Local Development Framework Core Strategy Policies CP1, CP2, CP3, CP4, CP5, CP12, CP13, CP16 and CP19; Local Development Framework General Development Control Policies DC2, DC5, DC7, DC8, DC9, DC10, DC12, DC18, DC31 and DC40; and the Horsham District Local Development Framework Policy AL10 were relevant to the determination of this application.

Relevant planning history included:

DC/08/0238	Erection of 3 x 2-storey buildings comprising 26 x 2-bed, 13 x 3 - bed and 1 x 4-bed dwellings plus managers flat with 2-bed and guestroom and access	Withdrawn
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DCS/17 Planning Application: DC/13/0730

DC/08/0239	Demolition of existing outbuildings and parts of the boundary wall (Conservation Area Consent)	Withdrawn
DC/09/2025	Demolition of existing derelict buildings and part of boundary wall (to provide access) and the erection of 40 new dwellings and 1 unit of managers accommodation (comprising 10 x 2-bed, 13 x 3-bed, 1 x 4-bed, 1 x 2-bed flat and 16 x 2-bed units of sheltered accommodation) for retired people, garaging and access (Full Planning)	Granted
DC/09/2028	Demolition of existing derelict buildings and part of boundary wall to provide access (Conservation Area Consent)	Granted
DC/12/0747	Demolition of existing derelict greenhouses and parts of the existing boundary wall (to provide access) and the erection of 41 new (2-bed dwellings) for retired people (including 16 affordable flats) plus garages and parking on land adjacent to St Joseph's Abbey	Granted

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee. In particular, it was noted that the Parish Council objected to the application. Six letters of objection had been received. Two members of the public spoke in objection to the application.

Planning permission had already been granted for the demolition of the derelict greenhouses and parts of the existing boundary wall and the erection of 41 dwellings for retired people plus garages and parking (DC/12/0747). The principle of the main development had therefore been established and the amendments proposed were the only matters to be assessed under the current application. The development was already in the process of being built and foundations and walls were being erected.

The current application, which sought amendments to six units within Block B of the development on the southern boundary of the site, proposed no changes to the ground floor layout or to the ridge of the main roof but sought the removal of the catslide roof slopes and the introduction of flat roof balconies with timber balustrades. A double door was also proposed on the southern elevation of the bin and garden store.

Whilst a number of objections to the application had been received on the grounds of overlooking, the principle of balconies had been established as part of the original planning permission, which permitted French doors onto balconies

DCS/17 Planning Application: DC/13/0730

created through the catslide roof resulting in a degree of overlooking to the south. It was therefore considered that the balconies now proposed would not give rise to a greater degree of overlooking than already permitted, such as to justify refusal of the application.

However, Members expressed concern regarding the removal of the existing fir trees along the southern boundary and considered that a satisfactory landscaping scheme, including replacement trees and landscaping along the southern boundary should be submitted prior to the granting of any permission.

Members therefore considered that the proposal was acceptable, in principle.

RESOLVED

- (i) That a planning agreement be entered into to secure a restriction on the occupancy of the buildings, the provision of affordable units, the use of the car park and garden for public purposes, the restoration of the Burmese Gate and financial contributions towards community facilities, fire and rescue services and transport infrastructure.
- (ii) That, subject to the completion of the agreement in (i) above and the receipt of a satisfactory landscaping scheme, application DC/13/0730 be determined by the Head of Planning & Environmental Services, in consultation with Local Members. The preliminary view of the Committee was that the application should be granted.

DCS/18 **PLANNING APPLICATION: DC/13/0796 – AMENDMENT TO DC/12/0747 (DEMOLITION OF EXISTING DERELICT GREENHOUSES AND PARTS OF THE EXISTING BOUNDARY WALL (TO PROVIDE ACCESS) AND THE ERECTION OF 41 NEW (2-BED DWELLINGS) FOR RETIRED PEOPLE (INCLUDING 16 AFFORDABLE FLATS) PLUS GARAGES AND PARKING) TO INCLUDE THE ADDITION OF A REFUSE STORE TO SERVE BLOCK C**
SITE: ORCHARD GARDENS CHURCH STREET STORRINGTON
APPLICANT: BEEHCROFT DEVELOPMENTS

The Head of Planning & Environmental services reported that this application sought permission for a material amendment to DC/12/0747 for the erection of 41 dwellings for retired people, which had been considered by the Committee in July 2012 (Minute No. DCS/28 (17.07.12) refers). The proposal sought the addition of a refuse store for Block C. The store would have a ridge height of 4.4 metres and would be approximately four metres by four metres and located 2.7 metres from the eastern boundary.

The majority of the application site was located within the built-up area as defined

DCS/18 Planning Application: DC/13/0796 (cont.)

within the Local Development Framework. However, an area of land south east of the proposed dwellings, required for additional ecological mitigation, was located outside the built-up area. That part of the site located within the built-up area had been allocated for development under policy AL10 of the Site Specific Allocations of Land Document. The western extent of the site was within the Storrington Conservation Area and an Area of Archaeological Importance. St Josephs Abbey, a grade II Listed Building, was located to the south west of the site. Two residential properties were located to the north of the site and one to the east. There was a two metres high close boarded fence to the eastern boundary of the site.

The National Planning Policy Framework 2012; Local Development Framework Core Strategy Policies CP1, CP2, CP3, CP4, CP5, CP12, CP13, CP16 and CP19; Local Development Framework General Development Control Policies DC2, DC5, DC7, DC8, DC9, DC10, DC12, DC18, DC31 and DC40; and the Horsham District Local Development Framework Policy AL10 were relevant to the determination of this application.

Relevant planning history included:

DC/08/0238	Erection of 3 x 2-storey buildings comprising 26 x 2-bed, 13 x 3 - bed and 1 x 4-bed dwellings plus managers flat with 2-bed and guestroom and access	Withdrawn
DC/08/0239	Demolition of existing outbuildings and parts of the boundary wall (Conservation Area Consent)	Withdrawn
DC/09/2025	Demolition of existing derelict buildings and part of boundary wall (to provide access) and the erection of 40 new dwellings and 1 unit of managers accommodation (comprising 10 x 2-bed, 13 x 3-bed, 1 x 4-bed, 1 x 2-bed flat and 16 x 2-bed units of sheltered accommodation) for retired people, garaging and access (Full Planning)	Granted
DC/09/2028	Demolition of existing derelict buildings and part of boundary wall to provide access (Conservation Area Consent)	Granted
DC/12/0747	Demolition of existing derelict greenhouses and parts of the existing boundary wall (to provide access) and the erection of 41 new (2-bed dwellings) for retired people (including 16 affordable flats) plus garages and parking on land adjacent to St Joseph's Abbey	Granted

DCS/18 Planning Application: DC/13/0796 (cont.)

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee. In particular, it was noted that the Parish Council raised no objection to the application. Two letters of objection had been received.

In response to concerns expressed by the occupiers of the neighbouring dwelling closest to the bin store, amended plans had been received moving the bin store further into the site, increasing the gap to the eastern boundary from 1.2 metres to 2.7 metres. This would then provide an area of land for soft landscaping between the building and the existing close boarded fence. It was considered that the increased distance would be sufficient to mitigate the visual impact of the building and that it would not harm the amenities of the neighbouring occupier.

The plans also showed that the permitted allotments would be replaced by a seating area. The area concerned measured seven metres by seven metres, a very confined area in which to provide allotments. It was therefore considered that a seating area would be a more appropriate use and was unlikely to generate any more noise than an allotment use. A distance of 2.6 metres would be retained to the eastern boundary for soft landscaping.

Members therefore considered that the proposal was acceptable in principle.

RESOLVED

- (i) That a planning agreement be entered into to secure a restriction on the occupancy of the buildings, the provision of affordable units, the use of the car park and garden for public purposes, the restoration of the Burmese Gate and financial contributions towards community facilities, fire and rescue services and transport infrastructure.
- (ii) That subject to the completion of the agreement in (i) above, application DC/13/0796 be determined by the Head of Planning & Environmental Services. The preliminary view of the Committee was that the application should be granted.

DCS/19 **PLANNING APPLICATION: DC/13/0903 – CONSTRUCTION OF A CONCRETE SKATEPARK IN THE CAR PARK AT REAR OF STEYNING LEISURE CENTRE AND INSTALLATION OF 15 REPLACEMENT CAR PARKING SPACES**
SITE: STEYNING LEISURE CENTRE HORSHAM ROAD STEYNING
APPLICANT: FRIENDS OF MEMORIAL PLAYING FIELD

Application withdrawn.

DCS/20 **PLANNING APPLICATION: DC/12/1276 – DEMOLITION OF EXISTING BUILDINGS, PROVISION OF SECOND ACCESS AND FORMATION OF AN EQUINE HOSPITAL AND ASSOCIATED FACILITIES**
SITE: WESTLANDS FARM BILLINGSHURST ROAD ASHINGTON
APPLICANT: MR ROBERT VAN PELT

The Head of Planning & Environmental services reported that this application sought permission for the demolition of three agricultural buildings and the erection of an equine hospital building comprising reception, waiting room, operating theatre, examination rooms, x ray rooms, offices, pharmacy, MRI, CT and Gamma rooms and, within the roof space, a staff rest room, bedsits and dormitory. There would also be a stable building, bone scan stables, hay and feed store, waste building, clinical waste store, trot up lanes, sandschool, lunge ring, 43 car parking spaces and a fully landscaped area to the east of the site. A second access to the site was also proposed.

The front section of the main building would measure 33 metres by 41.4 metres and have a ridge height of approximately seven metres. The rear of the building would have a ridge height of 8.8 metres with two single storey elements either side. The main stable building would consist of two blocks measuring 11 metres by 21 metres each. There would also be three smaller stables.

The site was located within a countryside location to the south of Billingshurst Road. The existing buildings had formed part of Westlands Farm and were within a yard area. The rest of the site was pasture. Westlands Farmhouse to the northwest was not part of the application site.

There was a vehicle access point to the northwest corner of the site. The front boundary of the site consisted of native hedgerow with numerous mature oak trees within the highway verge. A Grade II listed building, Priors Barn, was to the east of the site, and a Grade II listed building, Bennetts Farm, was located on the north side of Billingshurst Road.

The National Planning Policy Framework 2012; Local Development Framework Core Strategy Policies CP1 and CP15; and Local Development Framework General Development Control Policies DC1, DC2, DC9, DC13, DC26, DC29 and DC40 were relevant to the determination of this application.

Relevant planning history included:

AS/5/66	Extension of existing dutch barn (outline)	Granted
AS/26/95	Prior notification to erect barn	Refused
AS/30/95	Prior notification to erect an agricultural building	Refused
AS/22/96	Prior notification to erect an agricultural barn	Refused
AS/28/96	Erection of Barn	Granted

DCS/20 Planning Application: DC/12/1276 (cont.)

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee. In particular, it was noted that the Parish Council supported the application. Five letters of objection, four of support and one of comment had been received. Two members of the public spoke in objection to the application. The applicant, an associate of the applicant and the applicant's agent addressed the Committee in support of the proposal. A representative of the Parish Council spoke in support of the application.

It was acknowledged that the applicant had spent a long period of time trying to find an appropriate site for the relocation of this equine hospital and, in an attempt to address some of the concerns expressed regarding the proposed development, had removed the proposed artificial insemination building from within the outlook of the neighbouring Grade II Listed Building and had amended the proposal to address the Highway Authority's comments regarding the provision of the new access.

Members considered that the principle of this development on this site could be supported as both the National Planning Policy Framework and Policy CP15 sought to support economic growth in rural areas. To promote a strong rural economy, it was considered that local and neighbourhood plans should support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings.

However, as currently proposed, Members considered that the proposal would have a cumulative landscape and visual impact on the character of the rural area and, in particular, would harm the setting and residential amenities of the neighbouring Grade II Listed Building. Therefore, whilst Members supported the application in principle, further amendments were required to overcome these concerns.

RESOLVED

That consideration of planning application DC/12/1276 be deferred until the next meeting of Committee to seek amendments to the proposal to overcome the concerns expressed regarding the impact on the neighbouring listed building.

DCS/21 **PLANNING APPLICATION: SDNP/13/00104/FUL – RETENTION OF EXISTING MOBILE HOME TO THE REAR OF 492 SULLINGTON LANE**
SITE: 492 SULLINGTON LANE, STORRINGTON
APPLICANT: MR GRAHAME KITTLE

The Head of Planning & Environmental services reported that this application

DCS/20 Planning Application: DC/12/1276 (cont.)

sought planning permission for the retention of a mobile home. It had been clad with boarding by the current occupier and was 3.5 metres wide and 9.2 metres long with a height of approximately 2.5 metres. The mobile home would be occupied by a part time farm worker.

The site was located within the South Downs National Park in a rural location on the western side of Sullington Lane. The mobile home was to the southwest of 492 Sullington Lane, which was a two storey semi detached property. The mobile home had its own garden area and shared access and parking with 492 Sullington Lane. An area of decking had been created next to the mobile home. Due to the open nature of the immediate vicinity the mobile home could be viewed from Sullington Lane.

The National Planning Policy Framework 2012; Local Development Framework Core Strategy Policies CP1, CP2, CP3, CP13 and CP15; and Local Development Framework General Development Control Policies DC1, DC2, DC9, DC27 and DC40 were relevant to the determination of this application.

Relevant planning history included:

DC/09/2000	Removal of existing caravan and the siting of a mobile home to the rear of the property (Temporary Permission)	Granted
SG/21/59	Renewal of consent for a caravan	Granted
SG/21/58	Siting of a caravan for a year	Granted

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee. In particular, it was noted that the Parish Council objected to the application. Three letters of support and one of no objection had been received. The applicant and one member of the public spoke in support of the proposal.

Permission for the siting of this mobile home had originally been granted in March 2010 for a temporary period of three years, with occupancy restricted to a person solely or mainly working or last working in the locality in agriculture or in forestry, or a widow or widower of such a person and any resident dependants (DC/09/2000). The current application was for the retention of this mobile home and again related to its occupation by an agricultural worker.

As the site was located within the South Downs National Park, in a rural countryside location it needed to be considered under the requirements of the National Planning Policy Framework which advised that: "To promote sustainable development in rural areas, housing should be located where it will enhance or

DCS/20 Planning Application: DC/12/1276 (cont.)

maintain the vitality of rural communities.... Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances such as: the essential need for a rural worker to live permanently at or near their place of work in the countryside.”

The Agricultural Adviser stated that there was a need for a worker to be available to meet the welfare requirements of the cattle and, taking into account the labour requirements of the unit, under the current stocking levels there would be a requirement for 1.2 workers. However, the Adviser concluded that she was satisfied that the applicant, who lived in the main farmhouse, was able to provide for the needs of the enterprise and there was no essential need for a second worker to live on site to provide for the welfare requirements of the stock. Additionally, there were a number of dwellings within the holding which could be used if a second worker were required. It was therefore considered that, if there had been found to be a justified essential need for a further worker, they could be accommodated within the existing housing stock without the need for the siting of a mobile home on the site.

Members therefore considered that the current application did not meet the requirements of Development Plan policy, as no essential need had been established for an agricultural worker in this location and, in any case, there was existing housing stock on the unit. It was also considered that the provision of an independently occupied mobile home would be out of keeping with the character of the locality.

RESOLVED

- (i) That application SDNP/13/00104/FUL be refused for the following reason:

The Local Planning Authority is not satisfied from the information provided that there is an essential need for the retention of a mobile home for an agricultural worker in this location. Therefore it is considered that the proposed mobile home being not considered essential to its rural location would harm the special quality of its countryside location and would constitute an undesirable element of sporadic development in the rural area. The proposal therefore conflicts with policies DC1, DC2, DC9 and DC29 of the Horsham District Council Local Development Framework: General Development Control Policies (2007), and policies CP1 and CP15 of the Horsham District Local Development Framework Core Strategy (2007).

DCS/20 Planning Application: DC/12/1276 (cont.)

- (ii) That, subject to the expediency of taking such action, enforcement action be taken to secure the removal of the mobile home with a compliance period of six months.

DCS/22 **PLANNING APPLICATION: DC/13/0859 – A NEW PLANNING PERMISSION TO REPLACE EXTANT PERMISSION DC/09/1729 (PROPOSED DEVELOPMENT OF 15 NO. COMMERCIAL (B8) AND OFFICE (B1) USE UNITS ARRANGED IN 4 NO. BLOCKS WITH ASSOCIATED PARKING PROVISION) IN ORDER TO EXTEND THE TIME LIMIT FOR IMPLEMENTATION**
SITE: BRIGHTSTONE CONSTRUCTION LIMITED STAR ROAD PARTRIDGE GREEN
APPLICANT: PHILLIPS AND SON (ALTON) LTD

The Head of Planning & Environmental Services reported that this application sought permission for an extension of the time limit for the implementation of the previously approved application DC/09/1729 for 15 commercial and office units arranged in four blocks with associated parking provision (Minute No. DCS/110 (15.12.09) refers).

The site was located in the built-up area and was also within a defined Employment Protection Zone. It was within the Star Road Trading Estate off the B2135 and had previously included a large factory and commercial coal yard which had been cleared. Star Road Trading Estate comprised a mixture of uses, with open countryside and a sewage treatment works to the south. The nearest residential properties in Partridge Green were some distance away to the north.

The National Planning Policy Framework 2012; Local Development Framework Core Strategy Policies CP1, CP3, CP10 and CP11; and Local Development Framework General Development Control Policies DC9, DC19, DC20 and DC40 were relevant to the determination of this application.

Relevant planning history included:

DC/05/2797	Commercial development of 5,698 sq metres comprising 27 business units for B1,B2 and B8 uses	Refused
DC/06/1878	Commercial development of 4,627 sq metres comprising 17 business units for B1 and B8 uses	Granted
DC/08/0619	Commercial development of 15 units for B8 and B1 use arranged in 4no. blocks along with associated parking	Granted

DCS/22 Planning Application: DC/13/0859 (cont.)

DC/09/1729	Development of 15 no. commercial (B8) and office (B1) use units arranged in 4 no. blocks with associated parking provision (amendment to previously approved (DC/08/0619)	Granted
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The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee. In particular, it was noted that the Parish Council raised no objection to the application. The applicant's agent addressed the Committee in support of the proposal.

Since the granting of planning application DC/09/1729 there had been a material change in planning policy with the publication of the National Planning Policy Framework (NPPF), a core principle of which related to supporting a prosperous economy.

The current application sought an extension of the time limit for implementing DC/09/1729 and Government guidance required local planning authorities to take a positive and constructive approach towards applications for the extension of time limits, as this might improve the prospect of sustainable development being taken forward quickly. The development proposed had already been judged to be acceptable in principle, when the application was first considered.

It was considered that the economic policies of the Horsham District Local Development Framework used to determine the original application were generally compliant with the core planning principles of the NPPF.

Therefore, given the previous permission for the development of this site and the need to promote and encourage a strong and competitive economy as part of the core planning principles of the NPPF, Members considered that there had been no material change in circumstance that would warrant a refusal of this application.

RESOLVED

- (i) That an updated planning agreement be entered into to secure a financial contribution towards transport infrastructure in the Parish of West Grinstead.
- (ii) That subject to the completion of the planning agreement in (i) above, application DC/13/0859 be determined by the Head of Planning & Environmental Services. The preliminary view of the Committee was that the application should be granted.

DCS/23 **PLANNING APPLICATION: DC/13/0827 – RETROSPECTIVE APPLICATION FOR CHANGE OF USE FROM AGRICULTURAL TO EQUESTRIAN STUD FARM INCLUDING RETENTION OF MOBILE FIELD SHELTERS AND MESS ROOM/MOBILE HOME, AND THE PROPOSED ERECTION OF HAY BARN IN LIEU OF EXISTING MOBILE CONTAINERS AND EXTERNAL STORAGE**
SITE: SOUTHWAY STUD HARBOLETS ROAD WEST CHILTINGTON
APPLICANT: MS MELANIE EDWARDS

The Head of Planning & Environmental Services reported that this application sought retrospective permission for the change of use of the land from agricultural to equestrian stud farm, including the retention of two mobile field shelters and a mobile home. The proposed barn would have double doors at each end and be 30 metres by 13 metres with a maximum height of 5.5 metres. The proposed mess room would be 9.3 metres by 4.5 metres with a maximum height of 3.3 metres. The mobile home included a lounge, kitchen, boot room, bathroom and bedroom.

The site was located to the north of Harbolets Road outside the built-up area boundary and was accessed by a 250 metre single track road. It was enclosed with hedging on the eastern and southern boundaries and open fields to the north and west. A public footpath ran through the site.

The National Planning Policy Framework 2012; Local Development Framework Core Strategy Policies CP1, CP2, CP3, CP5, CP15 and CP19; and Local Development Framework General Development Control Policies DC1, DC2, DC6, DC9, DC27, DC29 and DC40 were relevant to the determination of this application.

Relevant planning history included:

DC/07/0710	Re-build and harden existing farm track (Agricultural Prior Notification)	Prior Approval Required
DC/12/0851	Retrospective application for change of use from agricultural to equestrian stud farm, keeping of horses including retention of mobile field shelters, dog breeding and associated mobile kennelling, stationing of mobile containers and retention of mess room/mobile home	Withdrawn
DC/13/0315	Erection of portal framed barn for storage of hay, straw and agricultural plant and machinery (Agricultural Prior Notification)	Prior Approval Required

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee. In particular, it was noted that the Parish Council objected to the application. Four letters of objection and eight of support had been received. A representative of the Parish Council spoke in objection to the application.

DCS/23 Planning Application: DC/13/0827 (cont.)

Whilst it was acknowledged that the proposed equestrian stud farm might need a rural site to operate from, it had been set up on what were previously agricultural fields. It was considered that the location of the stud farm, set well back from the road on an agricultural field, did not represent sustainable development of the rural area and had resulted in a significant increase in the level of activity on a previously undeveloped rural area.

The site, due to its distance from the road, did not reflect the pattern of surrounding development, which was linear in form following the pattern of the road network. As the site had been open agricultural land prior to its occupation by the applicant, all facilities had had to be brought onto the land to enable it to be used as a stud farm and it also appeared that the hardstanding on which the existing buildings were currently located had been constructed without the benefit of planning permission.

Members considered that the proposed change of use and development of the site as a stud farm would have an adverse impact on and result in sporadic development of the countryside in which it was located. Members also considered that it had not been demonstrated that the proposed development was essential to its countryside location and that the proposed barn could be accommodated satisfactorily within the proposed location. It was also noted that the proposed barn would block the definitive footpath line and, to date, no measures had been taken to officially divert the footpath.

Members therefore considered that the proposal was unacceptable and the enforcement action should also be taken to secure the removal of the unauthorised development.

RESOLVED

(i) That application DC/13/0827 be refused for the following reasons:

- 01 The proposed development and changes of use is considered to have a detrimental impact on the rural character and visual amenities of the countryside location in which it sits. Furthermore it is considered that the proposed development by virtue of its size, siting, design and level of activity would represent sporadic development and intensification in the level of activity within the countryside. As a result it is considered that the proposal would be contrary to policies CP1, CP2, CP3, CP5, CP15 and CP19 of the Horsham District Local Development Framework Core Strategy (2007) and Policies DC1, DC2, DC6, DC9,

DCS/23 Planning Application: DC/13/0827 (cont.)

DC27, DC29 and DC40 of the Horsham District Local Development Framework General Development Control Policies (2007)

- 02 It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed development is essential to its countryside location and that the development proposed could be accommodated satisfactorily within the proposed location. As a result it is considered that the proposal is contrary to Policies CP1, CP2 and CP3 of the Horsham District Council Local Development Framework Core Strategy (2007) and Policies DC1, DC2, DC9 and DC29 of the Horsham District Local Development Framework General Development Control Policies (2007)
- 03 The proposed development would lead to the obstruction of the definitive line of the public footpath which has not been subject to an adopted diversion order. The development would therefore be detrimental to the users of the adopted public right of way. The proposal is therefore contrary to Policies CP1, CP3 and CP15 of the Horsham District Local Development Framework Core Strategy (2007) and Policies DC1, DC2, DC9 and DC40 of the Horsham District Local Development Framework General Development Control Policies (2007)
- (ii) That, subject to the expediency of taking such action, enforcement action be taken to secure the removal of unauthorised structures, hardstanding, track and the cessation of unauthorised uses.

DCS/24 **PLANNING APPLICATION: DC/13/1073 – REPLACEMENT OF EXISTING MOBILE HOME WITH NEW DWELLING AND GARAGE**
SITE: MARNOR WEST END LANE HENFIELD
APPLICANT: MR AND MRS RON RICHARDSON

The Head of Planning & Environmental Services reported that this application sought permission for the erection of a single storey dwelling with a double garage, to replace the existing mobile home.

The site was located along the northern side of West End Lane outside the built-up area boundary in a rural location with sporadic development along part of the lane, including five dwellings to the east of the site.

DCS/24 Planning Application: DC/13/1073 (cont.)

The applicant occupied Marnor, to the north of the site. The mobile home had been granted a Certificate of Lawful Use in 1999 (HF/105/97) and had been located on the former nursery site to the west. A property was currently under construction on the former nursery site.

The National Planning Policy Framework 2012; Local Development Framework Core Strategy Policies CP1 and CP3; and Local Development Framework General Development Control Policies DC9 and DC28 were relevant to the determination of this application.

Relevant planning history included:

HF/105/97	Mobile home used as ancillary residential accommodation (Certificate of lawful use)	Granted
HF/85/03	Removal of agricultural occupancy restriction on HF/69/67 and condition 3 on HF/23/67	Granted
DC/04/0804	Removal of condition 3 on HF/85/03 relating to the demolition of derelict glasshouses	Refused
DC/06/0657	Conversion of existing building to single dwelling	Allowed on Appeal
DC/07/1812	Clearance and reclamation of site and erection of 4-bed detached dwelling	Allowed on Appeal
DC/07/2885	Conversion of nursery building to a single dwelling (amendment to DC/06/0657)	Granted
DC/09/1014	Erection of 2 x 4 bed dwellings and garage(outline)	Dismissed on Appeal
DC/10/1128	Revisions to previously approved scheme (DC/07/1812) for a new 4-bed house on land adjoining Marnor	Granted
DC/11/0305	Revision to approved house design	Granted
DC/11/0801	Non-material amendments to previous permission DC/11/0305 consisting of 2 No. additional windows on North elevation	Granted

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee. In particular, it was noted that the Parish Council objected to the application. Nineteen letters of objection and eight of support had been received. One member of the public spoke in objection to the application.

The site of the proposed dwelling comprised a narrow strip of land, which had resulted from the division of the larger former nursery site following the approval of a new dwelling to the west and by virtue of the existing driveway serving the

DCS/24 Planning Application: DC/13/1073 (cont.)

dwelling 'Marnor' to the north, which dissected the southern half of the larger site. The existing driveway, which ran along the western side of the application site, would provide a shared access serving both 'Marnor' and the proposed dwelling. A separate driveway from West End Lane was to be created for the new dwelling to the west. The resulting plot was narrow and significantly decreased in width running south to north, from approximately 15 metres down to 5 metres. With a double garage and parking area located in the southern part and the proposed dwelling centrally located, this long narrow plot was out of keeping with the gardens of neighbouring dwellings and the layout of surrounding development in this countryside location.

It was stated by the applicant that the Certificate of Lawful use granted in 1999 allowed for the siting of a mobile home anywhere within the red edged area, as defined by the location plan for the Certificate of Lawful Use, which included the larger site. Therefore, following the Planning Inspector's appeal decision to allow a new dwelling subject to the removal of the lawful mobile home by way of a Unilateral undertaking, the applicant claimed the removal only related to the application site for DC/07/1812 and allowed the mobile home to be sited elsewhere within the original red edged area.

However, Members considered it was clearly the intention of the Inspector, in granting planning permission for the new dwelling to the west of the former nursery site, that the mobile home should be totally removed from within the boundaries of the whole site. In this respect, the Inspector's decision stated: "Thus the current proposal for a new dwelling, which would entail the removal from the site of all these existing buildings and structures, would not involve any net increase in the number of dwelling units."

It was noted that the current mobile home within the application site was unoccupied and showed no sign of having been recently occupied, given the overgrown nature of the site. Whilst the length of time the current mobile home had been on site was unclear, it was considered to be no longer than two years.

Members considered that the size of the application site did not reflect the general character and size of plots within the immediate vicinity, and the proposal would result in a cramped overdevelopment of the site, to the detriment of the visual amenity and rural character of the area. Members were also not satisfied that the current mobile home related to the previous Certificate of Lawful use, so as to constitute a dwelling suitable for replacement under policy DC28.

Members therefore considered that the application was unacceptable.

DCS/24 Planning Application: DC/13/1073 (cont.)

RESOLVED

- (i) That application DC/13/1073 be refused for the following reasons:
- 01 It has not been demonstrated to the satisfaction of the Local Planning Authority that the existing mobile home relates to the previously granted Certificate of Lawful use (HF/105/97) and in this respect the proposed replacement dwelling would be contrary to policies DC1 & DC28 of the Horsham District Council Local Development Framework: General Development Control Policies (2007).
 - 02 Having regard to the siting of the dwelling and its relationship with site boundaries together with the pattern and character of the surrounding development it is considered that the proposal represents an unsympathetic form of development out of character with the rural locality contrary in particular with policies CP3 of the Horsham District Local Development Framework Core Strategy (2007) and DC1 & DC9 of the Horsham District Council Local Development Framework: General Development Control Policies (2007).
 - 03 The site lies in a rural area, outside the limits of any existing town or village and the proposed development is not considered essential to this rural location being unrelated to the needs of agriculture, forestry or the extraction of minerals, if permitted would consolidate an undesirable element of sporadic development in a rural area which would result in visual intrusion into the countryside to the detriment of the rural character of the area. Therefore the proposal is contrary to policies DC1 and DC2 of the Horsham District Council Local Development Framework: General Development Control Policies (2007) and policies CP1 and CP2 of the Horsham District Local Development Framework Core Strategy (2007).
 - 04 Having regard to the siting of the new dwelling and the alignment of the access road, it is considered that the proposal represents a contrived, cramped overdevelopment of this part of the site which would be detrimental to the amenities of the occupiers of the new dwelling (in particular through noise and disturbance from

DCS/24 Planning Application: DC/13/1073 (cont.)

the access road) and the character of the area contrary in particular to Policy DC9 of the Horsham District Council Local Development Framework: General Development Control Policies (2007).

- (ii) That, subject to the expediency of taking such action, enforcement action be taken to secure the removal of the unauthorised mobile home.

DCS/25 **PLANNING APPLICATION: DC/13/0380 – APPROVAL OF RESERVED MATTERS FOLLOWING OUTLINE PERMISSION DC/12/1022 (ERECTION OF DETACHED 3-BED DWELLING WITH DETACHED GARAGE)**
SITE: SPRINGWOOD SANDGATE LANE STORRINGTON
APPLICANT: MRS H AMAND

Deleted from the agenda.

The meeting closed at 4.55pm having commenced at 2.00pm.

CHAIRMAN

DEVELOPMENT CONTROL (SOUTH) COMMITTEE
20TH AUGUST 2013
REPORT BY THE HEAD OF PLANNING AND ENVIRONMENTAL SERVICES

APPEALS

1. **Appeals Lodged**

I have received notice from the Department of Communities and Local Government that the following appeals have been lodged:-

2. **Written Representations/Householder Appeals Service**

DC/13/0139 Loft conversion to bungalow with raised roof pitch and side dormer windows.
18 Downlands, Pulborough, West Sussex, RH20 2DQ.
For: Mr and Mrs Les Boorman

DC/13/0176 Proposed two storey extension and alterations.
Lupin Cottage, Hampers Lane, Storrington, Pulborough, RH20 3JB.
For: Ms Davis

DC/12/2378 Erection of a four-bedroom dwelling on a former paddock.
Land South of The Chase, Mill Lane, Partridge Green, West Sussex
For: Delcraven Ltd

DC/13/0681 Two storey side extension, single storey rear extension and conversion of existing roofspace with two rear dormers.
Greenlees, London Road, Henfield, West Sussex, BN5 9JJ.
For: Mrs Emma Ratcliffe

3. **Informal Hearings**

DC/13/0208 Demolition of existing buildings, surrender of all lawful uses and extant approvals for new commercial buildings and construction of 3 detached dwellings and garages.
Adams Yard, West End Lane, Henfield, BN5 9RF.
For: Mr and Mrs C Jones

4. **Appeal Decisions**

I have received notice from the Department of Communities and Local Government that the following appeals have been determined:-

DC/12/2133 Fell 1 x Conifer tree (part of hedge) subject to Condition 13 of WG/25/02 (Erection of 20 dwellings).
10 Bedford Square, Partridge Green, Horsham, RH13 8QY.
For: Mrs Pat Bourne
Appeal: **ALLOWED** (Delegated)

- DC/12/2317 Removal of Conditions 4 (removal of permitted development rights), 9 (Code Level 3 Sustainability), 13 (no windows or dormer windows) and 14 (submission of details of the design and materials of windows and doors) of DC/12/1627 (Erection of terrace of 4 (3 x 2-bed and 1 x 1-bed) cottages).
Land East of Sawyards, Manleys Hill, Storrington, West Sussex
For: Ms Yvonne Ferguson
Appeal: **ALLOWED** (Committee)
- DC/12/1431 Erection of one detached four-bedroom house with attached double garage.
Old Oaks, Spinney Lane, West Chiltington, Pulborough, RH20 2NX.
For: Mr Patrick Shaw
Appeal: **ALLOWED** (Delegated)
- DC/12/0908 Erection of 2 No. earth bunds.
Walden Hall, Cowfold Road, West Grinstead, Horsham, RH13 8LY.
For: Mr David Bostock
Appeal: **DISMISSED** (Delegated)



**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee South

BY: Head of Planning and Environmental Services

DATE: 20th August 2013

DEVELOPMENT: Development comprising the demolition of existing buildings and structures and redevelopment to provide up to 475 residential dwellings, land to accommodate a new primary school and land to accommodate an extension to existing doctors' surgery, land for new dentist's surgery and creche (falling within Class D1), with associated access and play space. Such development to include provision of strategic landscape, provision of new vehicular, cycle and pedestrian access routes, ancillary engineering and other operations (Outline)

SITE: Land East of Billingshurst To North and South of A272 East Street
Billingshurst West Sussex

WARD: Billingshurst and Shipley

APPLICATION: DC/13/0735

APPLICANT: Bellway Homes, Rydon Group, Devine Homes and Reside Dev

REASON FOR INCLUSION ON THE AGENDA: Category of Development

RECOMMENDATION: To GRANT planning permission subject to the completion of a legal agreement and agreement of conditions in consultation with the Chair, Vice Chair, and Local Members

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 This outline planning application seeks to establish the principle of development to provide up to 475 residential dwellings, land to accommodate a new primary school, an extension to the existing doctors' surgery, a new dentist's surgery and crèche with associated access and play space. The proposed development would also include strategic landscape provision as well as the provision of new vehicular, cycle and pedestrian access routes and ancillary engineering operations.
- 1.2 The application has been amended during the course of its determination inasmuch as it was originally proposed to provide up to 510 residential units, however, following detailed discussions the number of units has been reduced to 475 units. The scheme proposes that 32.4% of the units be provided as affordable homes comprising 50% affordable rent and 50% shared ownership. The applicant has also indicated that should the affordable

housing element be reduced by 5% then this would enable a contribution of £1.72m to be payable as a contribution towards community facilities within the parish of Billingshurst. Full consultation has been undertaken on both the original and amended plans.

- 1.3 Members will be aware that this application is virtually identical to application DC/11/1654 which proposed a total of up to 550 units. The application was refused outline consent in July 2012 and an appeal has been lodged against this decision and is scheduled to be heard by way of a public inquiry in October. The appeal has been recovered for determination by the Secretary of State. It should be noted that the appeal scheme has been amended by way of a reduction in the number of units to 510 and this amendment has been accepted by the Planning Inspector scheduled to hear the appeal. In the circumstances, a copy of the original Committee report is attached at Appendix A.
- 1.4 The current application again seeks to establish the principle of developing the site and the partial determination of the means of access. The appearance of the buildings, landscaping, layout of the site and scale would be dealt with as subsequent reserved matters.
- 1.5 The application is parameters based and the total site area remains at 35.27 hectares, however, the net residential development area has been reduced from 15.7 hectares to 14.68 hectares. 2.46 hectares would be made available to accommodate a new primary school, dentist's surgery and crèche.
- 1.6 The principal amendments to the scheme considered by Committee in July 2012 are summarised below:
- Enhancement of protection of views of St Mary's Church by way of provision of additional open space.
 - Reduction in the extent of plot H5 to create a clustered farmstead typology within a woodland setting and reduced development area to the east of the spine road.
 - Reduction in plots H6, H8(b) and H8(c) which result in an increase in the extent of the District Park referred to as 'Billingshurst Park', (incorporating The Meadow and Ecological Corridor).
 - Provision of a green corridor and open space within H11 including a play area.
 - Retention and enhancement of hedgerow H25 and the majority retention and enhancement of hedgerow H26 with any partial removal being due to meet WSCC standards.
 - Review of the A272 corridor to provide a more rural entry in to the village Conservation Area.
 - Provision of a wider buffer adjacent to Daux Lane; and
 - Review of the form of 'Billingshurst Park' to provide greater 'wet attenuation' areas upstream and reduce the water attenuation capacity of 'The Meadow' in the valley bottom.

DESCRIPTION OF THE SITE

- 1.7 The application site comprises an area of 35.27 hectares and is located to the east of Billingshurst. The site is outside of the built-up area as defined by the Horsham District Local Development Framework and consists of an almost wholly undeveloped greenfield

site except where the A272 crosses the site in an east-west direction as it enters Billingshurst.

- 1.8 A detailed site description can be found in the original Committee report but suffice to say that the application site is bounded to the south by a dense hedgerow and the western boundary is defined by mature trees. The eastern boundary of the site is also characterised by established field hedgerows whilst the northern boundary is more open in character.
- 1.9 In terms of topography the site is undulating in character with two distinct high points. The northern boundary is one of the higher points of the site and the second is found at the point where the A272 crosses the eastern boundary. A valley is naturally formed between these two points through which flows an existing watercourse. Long views to St Marys Church are obtained from the northern boundary as well as to the South Downs beyond.
- 1.10 Billingshurst Conservation Area partially adjoins the application site on its western boundary.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 Government policy is contained within the National Planning Policy Framework and is relevant to the determination of the application.

RELEVANT COUNCIL POLICY

- 2.3 Relevant policies of the Horsham District Local Development Framework Core Strategy (2007) include:

- CP1 Landscape and Townscape Character
- CP2 Environmental Quality
- CP3 Improving the Quality of New Development
- CP5 Built-Up Areas and Previously Developed Land
- CP8 Small Scale Greenfield Sites
- CP9 Managing the Release of Housing Land
- CP12 Meeting Housing Needs
- CP13 Infrastructure Requirements
- CP14 Protection and Enhancement of Community Facilities and Services
- CP17 Vitality and Viability of Existing Centres
- CP19 Managing Travel Demand and Widening Choice of Transport

- 2.4 Relevant policies of the Horsham District Local Development Framework General Development Control Policies Document (2007) include:

- DC1 Countryside Protection and Enhancement
- DC2 Landscape Character
- DC3 Settlement Coalescence
- DC5 Biodiversity and Geology
- DC6 Woodland and Trees
- DC7 Flooding

- DC8 Renewable Energy and Climate Change
- DC9 Development Principles
- DC10 Archaeological Sites and Ancient Monuments
- DC12 Conservation Areas
- DC13 Listed Buildings
- DC18 Smaller Homes/Housing Mix
- DC21 Protection of Open Space, Sport and Recreation Facilities
- DC22 New Open Space, Sport and Recreation
- DC40 Transport and Access

- 2.5 Guidance contained within the Facilitating Appropriate Development (FAD) Supplementary Planning Document (SPD) (2009), the Planning Obligations SPD and the Billingshurst Design Statement are also relevant to the determination of the application.

PLANNING HISTORY

DC/11/1654	Development comprising the demolition of existing buildings and structures and redevelopment to provide up to 550 dwellings (Class C3), land to accommodate a new primary school and land to accommodate a dentist's surgery and creche (falling within Class D1), with associated access and play space. Such development to include provision of strategic landscape, provision of new vehicular, cycle and pedestrian access routes, ancillary engineering and other operations (Outline)	REF
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3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

3.1 **Spatial Planning Manager:** advises that, on balance, no objection is raised by Strategic Planning to this planning application; subject to the comments and views of the relevant specialist Council officers and other expert consultees, and an appropriate Section 106 agreement to ensure the provision of affordable housing, necessary infrastructure, mitigation and community facilities.

Officers have considered the full comments of the consultee which are available to view on the public file at www.horsham.gov.uk but the main points are summarised below:

Development Plan

Following the revocation of the South East Plan on the 25th March 2013, 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), the Planning Obligations SPD and the Billingshurst Parish Design Statement SPD (2009). National policy in the form of the National Planning Policy Framework (NPPF) is also a key material consideration.

A further material consideration is the approval by the Council on the 25th July for the Preferred Strategy to be put forward for consultation from 16th August until 11th October 2013. The planning application will be determined within the consultation period so only

the fact that a Preferred Strategy has been approved and is available for consultation can be considered as a material consideration.

Five Year Housing Land Supply

The Council is required, through the NPPF (paragraph 47) to 'identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land'. This requirement to be able to show a five year housing land supply is similar to that required by previous guidance (PPG3 and PPS 3). In order to accord with this requirement, the Council publishes the Housing Trajectory and the five year supply position within the Annual Monitoring Report (AMR) each December. The AMR 11/12 (published December 2012 and amended on the 13th March 2013) contains the latest housing trajectories and reports on the housing position against both the CS and the SEP.

It is noted that there is new emerging evidence using new Office of National Statistics (ONS) and 2011 Census data, which suggest that a different requirement will follow in the review of the Core Strategy. However, until this data is tested, it is acknowledged that it will carry little weight.

Paragraph 49 of the NPPF indicates that, in the absence of a demonstrable five year housing supply, relevant policies for the supply of housing should be considered out-of-date. In light of this, the proposal should also be considered in accordance with the presumption in favour of sustainable development given in paragraph 14 of the NPPF.

Also of relevance, is the Inspectors recent appeal decision at RMC Engineering Works, Washington (application ref: DC/10/1457) who stated that rather than regarding the Council's housing policies as out of date in their entirety it would be more appropriate to identify those elements of the policies to which less weight is to be given. The Inspector suggested that it might be appropriate to apply policies CP5 and DC1 more flexibly in the case of housing proposals on the edge or close to built-up area boundaries, whilst continuing to exercise a general policy of restraint in more remote rural areas.

FAD SPD

The District does not have a 5 year housing land supply against the South East Plan requirements and although the site is larger than 150 units, given the lack of housing supply there is no objection to the additional units.

Affordable Housing

In relation to the FAD SPD criterion 15 and policy CP12, the proposal for 475 units is considered viable with an affordable housing percentage of 32.4% with a 50:50 tenure mix. This does not comply with the affordable housing target set out in policy CP12 and the FAD SPD. and the requirements set out in para.4.71 of the CS. However, the site will provide for a steady supply of over 150 affordable housing units which is a significant contribution to the housing needs of the District. It is noted that the majority of affordable units provided will be smaller homes. From a Spatial Planning perspective, given that the Council does not have a 5 year housing land supply and viability has been tested it is considered that the reduction in affordable housing is considered acceptable balanced against the benefits to be delivered.

Strategic Planning Status of Site

Whilst neither the site nor the wider area to the east of Billingshurst is allocated in the Core Strategy (2007), Billingshurst is mentioned in the document. At paragraph 2.7: *The future long term role for Southwater and Billingshurst is also an issue which needs to be addressed.* At paragraph 3.9: *.....further change is inevitable. In the longer term this may also apply to Southwater and Billingshurst depending on the scale of development necessary within the District and the sub regional policy objectives being addressed.*

For this reason the site was considered amongst others as a strategic housing site in the development of the Preferred Strategy. The Preferred Strategy was approved by Council on 25th July and the site is referred to in the housing provision policy (draft policy 16). The draft policy sets a housing target of 575 homes per year which will provide for at least 11,500 homes from 2011 to 2031. This draft policy is not written as precisely as a final policy would be and seeks to recognise planning applications that are in the pipeline - the current application is recognised as being one of these sites. The draft policies set out a preferred housing delivery strategy to enable the delivery of the objectively assessed housing needs. This strategy reflects the feedback from previous consultations that concluded that a mix of strategic locations with some balanced development distributed around the District is preferable. A strategic development site is proposed to be allocated at the land north of Horsham. Two other strategic sized housing sites are recognised in the preferred strategy at Billingshurst and Southwater, to deliver up to 1000 units (approx 500 units per site), towards the housing target. These sites are subject to planning applications which may be approved before the strategy is adopted therefore they are identified in the supply at this stage but they are not proposed as site allocations. Should these sites not come forward, if they are still the preferred option to deliver the housing strategy considering all other alternatives, they may need to be allocated to ensure their delivery.

- 3.2 **Landscape Architect**: maintains a very strong landscape objection to the proposed development. It is considered that the development would result in significant material landscape and visual harm, even taking into consideration the proposed landscape mitigation measures.

It is recognised that Members will have to weigh up a range of other planning considerations including that of the five year housing land supply shortfall.

The principal landscape and visual issues are:-

- The current site has a predominantly strong rural, undeveloped and attractive character, only affected to a limited extent by an existing urban edge in the north west corner of the site. The high land and the land immediately surrounding land to the north has long range views attractive of the South Downs, with Billingshurst Church spire a landmark feature widely visible in the middle ground. The centre of the site is characterised by a very attractive valley with a complex landform, small scale historic field pattern and a strong network of hedgerows with large hedgerow oak trees that are important features. It is unfortunately inevitable that a large scale housing development with a spine road running through it and a large roundabout junction with the A272 in a ridgetop location will result in significant adverse effects. The central valley of the site in particular is of high landscape character sensitivity and does not have the landscape capacity to accommodate a development of this nature without being wholly overwhelmed. It is considered that the valley should be left undeveloped. The scale of the proposed development on the adjacent higher land will also result in marked adverse landscape and visual impact, even taking into account an existing pylon route crosses it. The north eastern boundary of the development is particularly unsympathetic to the natural containment provided by the higher crest of land here and

the development and spine road will spill out into the wider landscape as a result, with development being on the open country side of the spine road.

- The proposed height parameter plan which identifies different areas of the site for control of the max ridge height of development above ground level is of considerable concern. It is considered that the allowance made on the plan for max ridge heights of 10.5M around the very sensitive central valley of the site and indeed on the higher ground to the north is excessive. In view of these sensitivities it is recommended that the height parameter plan is further refined by submission of a revised height parameter plan by condition prior to the submission of any reserve matters.
- The proposed subway for the main existing footpath link to the under the spine road (a requirement of the highway authority) providing a link to the wider countryside to the east will be a particularly unattractive route for footpath users and appears to run counter to the stated aim of the spine road being a low speed road at this point. It will further suburbanise the road corridor. At the location indicated, subway alignment runs obliquely across the rising landform and the levels would be difficult to reconcile in a suitable manner, the spine road already having been raised to clear the subway headroom.
- The proposed 2.5-3m cycleway and footpath link from the development to the village centre, south of the allotments, will be damaging to the character of the existing woodland it runs through, although it may be possible to limit the effects through an appropriate condition, it would require very skilful detailed design.
- The additional traffic generated by the development is likely to have an adverse townscape impact and visual amenity impact on the experience of pedestrians in the High St.
- The proposed phasing plan shows the A272 improvements and the northern part of the spine road being implemented in Phase 1 of the development. In theory this will give the scope for early implementation of the proposed landscape mitigation measures associated with this infrastructure which may be secured by condition.

The Landscape Architect comments that the amendments that have been secured, compared with the previous application, although welcome, are relatively minor. Principally they comprise some additional set back of development in the attractive valley in the centre of the site and a consequent small increase in the size of the proposed 'Billingshurst Park' area and the intention, shown on the parameter plans, to retain more of the existing hedgerow vegetation along the A272. The reduction in the total number of dwellings from 510 to 475 may provide some opportunities for further setting back of development in sensitive areas through submission of a revised density plan by condition, and through subsequent reserved matters submissions.

Additional comments have been raised regarding (i) the need for more information to be provided regarding the SUD's strategy and the impact on the mediaeval field which lies to the east of the existing woodland and (ii) the question of whether it will be practical to retain all the existing landscape feature trees and hedgerows along the A272 when levels and sight lines are taken into account.

Officers have considered the full comments of the consultee which are available to view on the public file at www.horsham.gov.uk

- 3.3 **Housing Services Manager:** has noted that the District Valuer has assessed the applicant's viability appraisal and has concluded that, on the basis of a scheme totalling 475 units, 32% affordable housing provision is viable. This comprises 50% affordable rent and 50% shared ownership.

The applicant is also prepared to trade part of the affordable housing element for a cash contribution - 5% or £1.72m. This would result in a reduction of overall affordable housing provision of 27%. Local members will need to decide between higher affordable housing delivery or less affordable housing and a cash contribution to community facilities.

The Council's Strategic Land and Property Manager has observed that the sales revenue rates for the market housing appear low at c£250 to £280 per square foot. Industry forecasts are showing the prospect of reasonable growth in sales figures for the Horsham District.

Housing officers therefore suggest an overage provision should be sought should an agreed sales rate be exceeded for the completed units there would be a clawback for the Council in terms of a commuted sum for affordable housing.

It is also advised that Housing officers would prefer a higher proportion of rented accommodation. The earlier application (DC/11/1654), offered 70% affordable housing as rented accommodation, with the remaining 30% to be delivered as shared ownership tenure. Housing officers would request a mix of 60%:40% (paragraph 4.71 of the Core Strategy) and with regard to the mix of sizes a higher proportion of smaller units would be preferred.

Officers have considered the full comments of the consultee which are available to view on the public file at www.horsham.gov.uk

- 3.4 **Design & Conservation Officer** has advised that the comments remain the same given the application is a re-submission of DC/11/1654 where no objection was raised to the development under para.134 of the NPPF which states:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”.

If public benefits outweigh the harm, then no objection would be raised to the proposal.

Officers have considered the full comments of the consultee which are available to view on the public file at www.horsham.gov.uk

- 3.5 **Arboricultural Officer**: has no objection to the proposed development as the current scheme proposes only very minor alterations in arboricultural terms, none of which will have, on balance, any further deleterious effect upon the overall existing treed landscape.

Officers have considered the full comments of the consultee which are available to view on the public file at www.horsham.gov.uk

- 3.6 **Head of Public Health & Licensing**: has advised that the comments made in respect of the previous application DC/11/1654 remain relevant to the current application and further information is required in respect of risks from ground contamination at the site. Additional comments on air quality are awaited and will be reported verbally to the Committee.

- 3.7 **Economic Development**: supports the application as it is considered that it would be of benefit to the economy of the village through increased footfall and help local businesses to start, survive and grow.

OUTSIDE AGENCIES

- 3.8 **West Sussex County Council** as highways authority has summarised that all highways and transport issues have been satisfactorily addressed, subject to the completion of a Section 106 Agreement and the addition of appropriate conditions. No objection is therefore raised to the proposed development.

More specifically, the transport strategy previously agreed with the applicants remains broadly consistent with the previous application, including the alignment of the new spine road through the development to provide a link between the A272 and A29 north east of the village. The original Transport Assessment carried out in 2010 has also been updated to 2013 and the only amendments to the previous scheme relate to the indicative off-site highway works to both Stane Street and East Street. The amendments have been discussed and agreed with the applicants but are subject to any future additional changes following public consultation.

Officers have considered the full comments which are available to view on the public file at www.horsham.gov.uk

- 3.9 **County Archaeologist:** has no objection on archaeological grounds subject to suitable archaeological safeguards to be secured by way of conditions.

Officers have considered the full comments which are available to view on the public file at www.horsham.gov.uk

- 3.10 **County Ecologist:** has no objection to the proposed development subject to the imposition of appropriately worded conditions based on those recommended for the previous application (DC/11/1654). It is also confirmed that the age and effort applied to the ecological surveys is acceptable.

- 3.11 **Environment Agency:** has no objection to the proposal subject to a series of conditions which would be included on any permission.

- 3.12 **Natural England:** advises that the advice provided in their response on the original application DC/11/1654 applies equally to the current application and therefore no objection is raised to the proposed development.

- 3.13 **Southern Water:** comment that a public water distribution main crosses the application site and state that all existing infrastructure must be protected which could be controlled via a planning condition.

- 3.14 **Sussex Police:** state that due to the application being an outline application, the crime prevention advice is generic but at the reserved matters stage more detailed in depth crime prevention advice would be provided

- 3.15 **NHS Property Services:** consider that a Section 106 contribution towards Healthcare Infrastructure improvements would be justified as the development of the site has the potential of increasing the population of Billingshurst by a further 1173 residents. Given the existing Billingshurst Surgery is operating at capacity, certain capital improvements would be required including a surgery extension and therefore a financial developer contribution would be appropriate.

- 3.16 **National Grid:** has no objection to the proposal.

PUBLIC CONSULTATIONS

- 3.17 **Billingshurst Parish Council:** vehemently objects to the proposal and states that the application should be overwhelmingly rejected as the Parish does not consider that it overturns a single objection that has been raised previously. The Parish Council further confirms that its objections contained in its response to DC/11/1654 of 13 October 2011 and to the amended plans on 4 May 2012 also apply to the current application.
- 3.18 The Parish Council's objections are summarised below but for completeness the responses referred to above are attached at Appendix B.

Contrary to Localism

- Contrary to government planning policy
- Contrary to the Core Strategy
- Contrary to PPS 3 (no longer applicable as has been superseded by the NPPF)
- 5 year housing land supply is a District wide problem
- Development does not meet the requirements of policy CP8
- Inadequate transport links
- Adverse impacts of spine road
- Junction of spine road with the A272 is unsatisfactory
- Silver Lane will be used as a short cut
- Increased demand for fuel and Billingshurst no longer has a petrol station
- Adverse impact upon drainage – in particular relating to the watercourse that runs between the High Street and Bowling Alley.
- Billingshurst has reached its tipping point for development
- Weald School is at capacity
- Inadequate healthcare provision
- Deficiency of the shopping centre cannot be resolved by planning gain
- Need for additional cemetery provision not met
- Inadequate fire and rescue provision
- Adverse impact upon landscape character
- Adverse impact upon archaeology
- Adverse impact upon biodiversity
- Lack of employment in the village
- Number, type and tenure of affordable housing needs to be established
- Development does not meet Parish Plan for objectives if development is approved
- Land should not be used for community facilities if they are not required
- New Homes Bonus and Community Infrastructure Levy funding issues have not been clarified
- Insufficient water supply
- Lack of a plan-led approach

- 3.19 130 letters of objection have been received from local residents reiterating their original concerns to DC/11/1654 and these are repeated below for ease of reference:-

- adverse impact upon highway safety
- overdevelopment
- loss of privacy
- increased noise
- adverse impact upon trees
- inadequate landscaping provision
- loss of a greenfield site
- brownfield sites should be used first
- loss of amenity
- inadequate infrastructure provision to serve the new development

- Billingshurst has already had its share of development
- adverse impact upon foul water and drainage
- overshadowing
- there is not a housing shortfall in the village
- fails to comply with the requirements of the Facilitating Appropriate Development SPD cumulative development in Billingshurst has exceeded 150 dwellings
- loss of habitat and adverse impact upon ecology
- contrary to Localism
- increased car use
- increase in anti social behaviour
- the school is already full
- adverse impact upon the setting of listed buildings
- exacerbate parking problems
- increased use of footpath close to existing dwellings
- adverse impact on security
- increased pressure on landfill site
- loss of agricultural land
- loss of recreational facilities
- adverse impact upon bats
- lack of water supply
- Daux Avenue appeal is a precedent
- hosepipe ban demonstrates existing problems
- consultation process means it is a foregone conclusion
- a reservoir should be provided
- scale of development is excessive
- inadequate plans for rainwater disposal
- insufficient employment
- lack of detail in an outline application
- premature pending Core Strategy Review
- unsustainable development
- inadequate police resources
- school is too far from the village centre
- comments made at the consultation events have not been addressed by the consortium
- adverse impact upon Silver Lane
- precedent
- no youth facilities provided
- the spine road is inadequate
- comprehensive scheme is not delivered with this proposal
- the proposal is a short term fix to meet housing numbers
- ecology and screening from other landowners should not be relied upon

3.20 9 letters of support have been received.

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 from the details submitted so far that the application will have an adverse impact upon crime and disorder. Further details will be provided at the reserved

matters stage if the application is approved and so further consideration to crime and disorder issues would be given at that stage.

6. PLANNING ASSESSMENTS

- 6.1 The application has been submitted in outline form with all matters reserved except, in part, access. The key principles of the development are set out in the parameter plans and supporting information which would inform any subsequent reserved matters application. As previously advised at para.1.3, the application is virtually a repeat of DC/11/1654 but with the notable exception that the number of proposed residential units has been reduced to 475 units. The affordable housing provision has also been reduced to 32.4% which would equate to 154 dwellings. Additional amendments to the scheme are outlined in para.1.6 and essentially comprise a reduction in the extent of plots H5, H6, H8(b) and H8(c) and further landscape enhancements.
- 6.2 Members will be aware that DC/11/1654 was recommended by officers for approval but it was subsequently refused at the July 2012 Committee on the grounds of localism and prematurity, adverse impact on the landscape and heritage and lack of necessary infrastructure.
- 6.3 Notwithstanding that the previous application was refused, each application must be determined on its own merits and it is therefore considered appropriate to assess the following key issues: (i) whether the principle of development of this site is considered acceptable having regard to current central government advice and development plan policy (ii) the effect of the development upon the character and appearance of the area and (iii) affordable housing provision.

At the forefront of the assessment of the application is the prevailing policy context set by the National Planning Policy Framework (NPPF) and its advice for decision makers which is set out below before addressing the key issues identified above.

Policy context

- 6.4 The National Planning Policy Framework (NPPF) sets out the government's planning policy. In this regard, the NPPF has the presumption in favour of sustainable development running through it as a golden thread. Para.7 of the NPPF explains that there are three dimensions to sustainable development:- an economic role, a social role and an environmental role. Para.8 advises that these roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. Therefore whereas previously the concept of sustainability in relation to development in rural areas has been widely interpreted to relate purely to transport sustainability, in fact, the concept should be applied on a much wider basis to encompass all aspects of sustainability. This broader view, now encompassed in the NPPF, requires an assessment at the overall impact of a development on the community.
- 6.5 In addition, the Council is required, through Para.47 of the NPPF to 'identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land'. Para.49 of the NPPF indicates that, in the absence of a demonstrable five year housing supply, relevant policies for the supply of housing should be considered out-of-date.

- 6.6 Specific advice for decision taking is set out in Para.14 which requires that development which accords with the development plan should be approved without delay and where the development plan is absent, silent or relevant policies are out of date, to grant permission unless any adverse impacts of so doing would significantly and demonstrably outweigh the benefits.
- 6.7 A further material consideration is the revocation of the South East Plan (SEP) on 25th March 2013. Whilst the SEP has been revoked, Inspectors at appeal have held the view that there is no more up-to-date and objective assessment of housing need available and as such the SEP still sets the housing supply requirement for the District.
- 6.8 The site lies outside any defined built-up area and is therefore subject to the countryside protection policies of the Local Development Framework. However, the application has been submitted under the auspices of the FAD SPD. This document has arisen from the need to provide 'flexibility' to ensure that there is sufficient housing supply during the life of the existing adopted Core Strategy. The document sets out the requirements against which those planning applications for development, put forward by landowners/developers as a response to the evolving circumstances, on greenfield and brownfield sites which adjoin defined settlement boundaries, in the District will be considered. The approach adopted by the FAD SPD has been endorsed by the Inspector in the appeal decision at the RMC Engineering Works, Washington (DC/10/1457) '*...given that its overall approach is to apply adopted policies more flexibly in order to address the shortfall in housing supply, I consider it is consistent with the general thrust of current national policy.*'
- 6.9 The approach put forward in the document is a criterion based one to enable all stakeholders to determine if sites may be considered suitable for development. Sites put forward under this policy approach should be 'deliverable' at the time that the site is put forward for planning permission. In the case of housing, there is likely to be a specific need in the short term, therefore sites should be capable of delivering housing completions during the life of the Core Strategy.
- 6.10 A willingness to develop and hence deliverability, is not the only criterion which governs the permitting of potentially suitable sites. LDF policy also requires that development is in 'sustainable' locations. Category 1 settlements are considered sustainable locations, as these are town and villages with a good range of services and facilities, as well as some access to public transport; they are also deemed capable of sustaining some expansion. In the case of Category 2 settlements only small scale development within the settlement and minor extensions to the settlement may be permitted providing that they address a specific local need. In both cases any site would be expected to adjoin the defined Built-up Area Boundary.
- 6.11 The scale of development will impact on the deliverability and the sustainability of a development. The size of all developments that come forward under this approach will be considered in terms of their scale in relation to the settlement to which they are attached.
- 6.12 The three issues of deliverability, sustainability and scale form the basis for the approach to be taken in considering proposals on greenfield and brownfield sites which adjoin defined settlement boundaries.
- 6.13 The SPD sets out a number of criteria against which development proposals will be assessed. These include:
- The site boundary is contiguous (at least one boundary must physically adjoin in whole or part) with an identified Built-Up Area Boundary to accord with policies CP5 and CP8 of the Core Strategy.

- The scale of the development adjoining a Category 1 settlement does not exceed around 150 dwellings, individually or cumulatively, to accord with the aims of the policies CP1, CP3, CP8, CP9, CP15, CP19 and DC9. Any development adjoining a Category 2 settlement would be expected to be of a much smaller scale in accordance with policies CP3, CP5, CP8, CP15 and DC1, DC9.
- The impact of the development individually, or cumulatively, around the edges of a settlement does not result in the actual or perceived coalescence of settlements in accordance with policy DC3.
- The impact of the development individually, or cumulatively, does not prejudice comprehensive, long term development, in order not to conflict with the development strategy set out in the Core Strategy and/or not to prejudice the review of the Core Strategy.
- The landscape and townscape character is protected, and conserved and/or enhanced, in accordance with policies CP1, DC2, DC4, DC9, DC11 and DC12
- The biodiversity of a site is protected, conserved and enhanced where relevant, in accordance with policies CP1 and DC5
- Existing natural features, such as woodland, trees and hedgerows are retained wherever possible, in accordance with policies DC2, DC6 and DC9
- The site and proposed development is sustainable in accordance with PPS1, PPS3, PPG13, and the Core Strategy (2007) in particular policies CP5, CP8, and CP9. A sustainability report must be submitted with any planning application following the criteria and scoring guidelines set out in the Appendix.
- In order to assess and where necessary compare sites adjoining the same settlement, the advice in paragraph 75 of PPG13, that is, the length of short journeys that are likely to be replaced by walking are those under 2km, shall also be used. Sites where it is possible to walk to a wide range of facilities will be considered preferable to sites which are further away and make car journeys into town/village centres more likely
- The development is of a high quality, in all aspects, including layout and design, to accord with policies CP3 and DC9. In addition, high standards of sustainable construction are expected as well as the inclusion of renewable and low carbon energy generation where feasible, in order to comply with policies CP2 and DC8.
- Where housing is proposed there is a mix of housing sizes, types and tenures in accordance with policy CP12; on developments of more than 15 dwellings up to 40% of the dwellings are required to be 'affordable' dwellings, and a mix including smaller units is required by policy DC18.
- The proposal satisfies the criteria relating to transport and access set out in policy DC40. Note that criteria b of Policy DC40 requires that the development is of an appropriate scale to the transport infrastructure in its location. Infrastructure contributions may be required. A Green Travel Plan will be required for developments that exceed Travel Plan thresholds.
- The Council is satisfied that the site is deliverable and sufficient evidence is provided to demonstrate this. Applicants must be prepared to accept time limited permissions which have regard to new policy development

- 6.14 It can be seen from the above criteria that, potentially, the application site could fall within the remit of the SPD and therefore could be considered for development. However, it would be necessary to meet the requirements of all the criteria for a favourable recommendation to be given to construct up to 475 dwellings on a site outside of the built-up area.
- 6.15 More specifically, the application site lies in the countryside outside of the built-up area boundary of Billingshurst as defined in the Proposals Map of the Local Development Framework and as such would normally be considered contrary to Policy CP1. However, in light of the Council's current lawful position in relation to 5 year housing land supply, the Council's approach is to consider the proposal against the criteria outlined in the FAD SPD. Given the majority of the application site adjoins the built-up area boundary except by the allotments/woodland to the west of the central part of the site and the Hilland Farm site to the north and that Billingshurst is a Category 1 settlement as defined by Policy CP5 and is therefore considered capable of sustaining some expansion, infilling and redevelopment, the development of the site could, in principle, be acceptable in accordance with Criterion 1 of the FAD SPD. It should also be noted that the Inspector on the RMC, Washington appeal (DC/10/1457) suggested that it might be appropriate to apply policies CP5 & DC1 more flexibly in the case of housing proposals on the edge or close to built-up area boundaries, whilst continuing to exercise a general policy of restraint in more remote rural areas.
- 6.16 There are two other criteria which are of relevance when considering the principle of development. Firstly, the criterion that the scale of development adjoining a Category 1 settlement should not exceed around 150 dwellings, individually or cumulatively. However, Members will be aware that planning permission has previously been granted on appeal for 67 dwellings on land south of Hilland Farm; 150 dwellings on land west of Marringdean Road and more recently in April of this year a further 46 dwellings on land east of Daux Avenue. This latest appeal decision is a material consideration in the determination of this current application. The Inspector when considering this appeal was fully aware of these earlier grants of permission but given the Council's 'substantial shortfall' in housing supply that he had identified, the Inspector considered that the proposed development would make a modest but valuable contribution to meeting the shortfall. As such, the Inspector gave substantial weight to the contribution of the site to meeting the Council's housing land requirements and very little weight to the requirements that development adjacent to a Category 1 settlement should not exceed 150 dwellings.
- 6.17 Another matter for consideration in terms of principle is whether the development individually or cumulatively prejudices the comprehensive, long term development strategy set out in the Core Strategy and /or the review of the Core Strategy – Criterion 5 of the FAD SPD. The Inspector in the Oddstones appeal decision (DC/09/0488) took the view that unless the development actually hinders or holds back other developments in the Core Strategy or prevents something being taken through the Core Strategy Review, it can not be considered contrary to this criterion. Members will be aware that the application site has been recognised as one of two potential strategic sized housing sites within the Preferred Strategy which was approved by Council on 25th July and as such the proposal does not conflict with this criterion. Therefore, there is no justification for a refusal of the proposal on this basis.
- 6.18 The comments of the Spatial Planning Manager are outlined at Para 3.1 and it will be noted that from a strategic perspective, in the current circumstances, that there is also no objection in principle to the development of the site, subject to an appropriate Section 106 legal agreement.

Landscape Impact

- 6.19 It is also important to note that normal development management criteria must be fulfilled to ensure that the development complies with the criteria set out in the SPD. Development considered under the FAD document must, for example, ensure that the landscape and townscape character is protected, and conserved and/or enhanced. Policy CP1 states, amongst other things, that protected landscapes, habitats and species should be properly protected, conserved and enhanced. This objective must be integrated with the need to accommodate change in order to address social or economic objectives and meet the needs of communities, but it is also important to be aware of the broader implications of gradual change through the cumulative effects on character, particularly in terms of the impact on more small-scale or local features.
- 6.20 Members will note that the Landscape Architect continues to maintain a strong landscape objection to the proposed development as set out at Para.3.2 above, with specific concerns being raised in terms of information submitted and the impact of the development on existing landscape features which are listed below:
- The height parameter plan identifies some areas of the site with maximum ridge heights of 10.5m which is considered excessive particularly around the sensitive central valley of the site
 - The proposed retention of key landscape feature trees and hedgerows is questionable
 - Lack of information with regard to the impact of the Suds strategy on the attractive character of the 'medieval field'
 - The proposed subway will further suburbanise the road corridor
 - The cycleway and footpath link to the village would be damaging to the character of the existing woodland
 - The additional traffic likely to be generated by the proposal would have an adverse townscape impact and visual amenity impact on the experience of pedestrians in the High Street

Nonetheless, some of these concerns may be mitigated through the submission of further details at the reserved matters stage.

- 6.21 The Landscape Architect is concerned that the amendments to the scheme which include an additional set back of development in the valley in the centre of the site, a consequent small increase in the size of the proposed 'Billingshurst Park' area and the proposed retention of more of the existing hedgerow along the A272 are not sufficient to address the concerns that the proposal would result in significant material landscape and visual harm. However, the landscape objection has to be balanced against the following issues:-
- a. the site, although described by the Landscape Architect to be of high landscape character sensitivity with wide ranging attractive views to the South Downs, is not a statutory designated landscape
 - b. the support, in principle, for the development of the site
 - c. as set out in the Design & Access Statement and shown on the landscape parameter plan, the development would incorporate significant areas of open space comprising public open space, strategic open space, structure planting, ecological areas and ponds which would integrate the development into the surrounding landscape and be an on-going asset for the new development and for the existing Billingshurst community.
 - d. the landscape strategy for the site seeks to maximise its bio diversity by

- the retention of as many significant trees and hedgerows as possible to retain existing species on site, especially those which support a wide range of other species e.g. oak
- the protection of existing areas of wildlife value, including those adjacent to the site
- the creation of habitat corridors to link areas of value
- the enhancement of areas of special interest, such as the reptile receptor site, dormouse conservation, the attenuation ponds, and swale creation
- the creation of new landscapes and structure planting to create new edges to the development, but which will also include native species for habitat corridors and biodiversity
- the incorporation of native species and measures to support wildlife within the development areas, wherever compatible.

It is considered that the above measures would help to create an attractive sustainable community.

Affordable Housing Provision

- 6.22 Policy CP12 of the Core Strategy as well as criterion 15 of the FAD SPD sets a target for the provision of 40% affordable housing where developments of 15 or more dwellings are proposed. The provision of affordable housing can be considered as a key objective of the Council and the supporting text to policy CP12 states that the emphasis will be placed on the developer to provide affordable housing. However, it is also stated that the 40% provision is a 'baseline' or target on the basis that developers will need to demonstrate why the particular targets could not be met if that were the case. The viability of any scheme therefore needs to be taken into account and such considerations have become important because of the current economic circumstances.
- 6.23 The applicants have provided a viability assessment for the development and consequently the amount of affordable housing to be provided which has been the subject of independent consultation with the District Valuer. The District Valuer has concluded that, on the basis of a scheme totalling 475 units 32.4% affordable housing provision is viable. While the figure does not meet the 40% target it is higher than has been suggested at other sites, with the similarly sized development proposals at Southwater providing potentially for around 30% affordable housing, albeit the site circumstances are different.
- 6.24 The affordable housing tenure would provide a mix of 50% affordable rent and 50% shared ownership. The Housing Services Manager has commented that he would prefer a higher proportion of rented accommodation to provide a mix of 60%:40% in accordance with the requirements of Policy CP12 but no objection is raised on this basis. The applicants have confirmed that the proposal would provide a mix of dwellings that would comprise 53% of the units as 1 & 2 bed units and 47% as 3 bed units. The proposed mix is considered acceptable as the majority of households on the Council's Housing Register are in need of 1 and 2 bedroom dwellings.
- 6.25 It should be noted that the applicants are prepared to offer either 32.4% affordable housing provision or 27.4% affordable housing provision plus a capital contribution of £1.72m taking into account of viability. The District Valuer has also reviewed the appraisal submitted by the applicants in terms of the alternative option and is prepared to recommend the offer, on the assumption that all other Sec 106 contributions are agreed, taking into account the viability. The capital contribution of £1.72m would be payable towards community facilities within the parish of Billingshurst and would be over and above the community facilities contribution that would be payable in accordance with the Planning Obligations SPD.

6.26 The following areas have been previously identified as capital projects which would be of most benefit to the community:

- Jengers Mead enhancement and related highway and parking issues
- Community facilities
- Youth facilities
- Billingshurst Station car park improvements

It is considered that the above schemes could not be progressed without developer funding and therefore a view could be taken that a potential reduction in affordable housing could be agreed in lieu of additional funding for community infrastructure.

6.27 The policy position in accordance with the Planning Obligations SPD would be to seek the maximum amount of affordable housing considered viable, 32.4% in this instance and it should be noted that the Planning Obligations SPD states that affordable housing is the sole requirement of Group A of the priorities for funding from development.

6.28 Nonetheless, the Ministerial Foreword to the NPPF states that the achievement of sustainable development should be a 'collective enterprise' and that the social role of achieving sustainable development should create a high quality built environment with services that reflects the community's needs and supports its health, social and cultural well-being. Decisions should 'take local circumstances into account' (Para.10) and a core planning principle at Para.17 is that decision-taking should not 'simply be about scrutiny but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives'. It would, therefore, seem possible that were Members so minded to place priority on community priority schemes instead of provision of the maximum amount of affordable housing possible, then it is a position that could be supported under current policy.

Issues arising from public consultation

6.29 Members will note that the Parish Council vehemently objects to the proposal and there is also strong local opposition to the development as set out at Paras.3.17-3.19. The objections raised range from policy and infrastructure issues to more specific detailed matters. The policy context is set out clearly in the report and the more specific issues will be addressed through the submission of reserved matters.

Summary

Having regard to the assessment above the key factors to be taken into account in reaching a decision in respect of this application are:-

- The NPPF has the presumption in favour of sustainable development running through it as a golden thread. The three dimensions to sustainable development comprise:- an economic role, a social role and an environmental role and these roles should not be undertaken in isolation, because they are mutually dependent. This broader view, now encompassed in the NPPF, requires an assessment at the overall impact of a development on the community.
- The proposal would represent an opportunity to help meet the housing land requirements within the District and Members will be aware of the current shortfall in the 5 year housing supply. In this respect, the comments of the Inspector on the Daux Avenue appeal are again of particular relevance. The Inspector identified the shortfall as 2,410 dwellings which in his view represented a 'very substantial shortfall'. The current proposal for 475

units would thus make a significant contribution to tackling the existing shortfall in the housing land supply.

- With regard to the provision of affordable housing, the proposed provision of 32.4% or 27.4% plus a capital contribution of £1.72m whilst not meeting the requirements of Policy CP12 nevertheless could be supported on viability grounds. Furthermore given the shortfall in the provision of affordable housing in the District, the provision of some 154 affordable housing units would be a significant increase in the number of affordable housing units coming forward.
- The proposed development would give rise to some important economic and financial benefits. There is no dispute that the construction of the development would generate jobs. It is also recognised that the expenditure by the occupants of the development in local shops would put money into the local economy thereby indirectly supporting retail and service jobs. The economic and financial benefits of the development should be accorded due weight in the assessment of the proposal.
- Further benefits include the provision of the spine road which would reduce traffic through the village centre and community facilities including the provision of a new primary school and land for the provision of an extension to the doctor's surgery and a new dentists surgery.
- The site is considered to be of high landscape character sensitivity with wide ranging attractive views to the South Downs. The site has a predominantly strong rural, undeveloped and attractive character with a complex land form and small scale historic field pattern as set out in Paras.6.19 – 6.22. Whilst the Landscape Architect is of the view that the development of the site would result in significant adverse landscape and visual impacts which would not be overcome by the proposed mitigation measures, this has to be balanced against the benefits arising from the development of the site as set out above.

Conclusion

- 6.30 The application must be determined in accordance with central government guidance and development plan policy. National planning policy is clear that a high priority must be given to meeting the fully assessed need for housing and this requirement has been clearly demonstrated by recent appeal decisions. Therefore, there have to be extremely clear and specific reasons for refusal if the housing supply position is to be over-ridden by other factors. The report has demonstrated the benefits arising from the development and notwithstanding the objections raised to the proposal as a result of consultations as set out in the report, these objections need to be balanced against the potential community benefits of the scheme and the contribution the development would make to the Council's 5 year housing land supply shortfall which the Inspector at the RMC, Washington appeal, described as '*...the pressing need in Horsham District for housing in general, and affordable housing in particular*'. In the circumstances, it is therefore considered that the proposal should be supported for the reasons set out in the report.

7. RECOMMENDATIONS

- 7.1 It is recommended that planning permission be granted subject to the completion of a legal agreement to secure the relevant contributions and highway works.
- 7.2 With regard to conditions, a draft list of conditions has been submitted by the applicants and it is therefore recommended that they be delegated in consultation with the Chair, Vice Chair and Local Members.

8. REASONS FOR RECOMMENDATIONS

The development is considered to comply with the National Planning Policy Framework in that it represents sustainable development and that any adverse impacts of the proposal are not considered to outweigh the benefits.

Background Papers: DC/11/1654 & DC/13/0735



DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee South
BY: Head of Planning & Environmental Services
DATE: 17 July 2012
DEVELOPMENT: Development comprising the demolition of existing buildings and structures and redevelopment to provide up to 550 dwellings (Class C3), land to accommodate a new primary school and land to accommodate a dentist's surgery and creche (falling within Class D1), with associated access and play space. Such development to include provision of strategic landscape, provision of new vehicular, cycle and pedestrian access routes, ancillary engineering and other operations (Outline)
SITE: Land East of Billingshurst To North and South of A272, Billingshurst
WARD: Billingshurst & Shipley
APPLICATION: DC/11/1654
APPLICANT: Devine Homes PLC, Reside Developments Ltd, Bellway Homes (South East) Ltd and Rydon Group Ltd

REASON FOR INCLUSION ON THE AGENDA: Category of Development

RECOMMENDATION: To GRANT planning permission subject to the prior completion of a legal agreement and agreement of conditions in consultation with the Chair, Vice Chair, Cabinet Member and Local Members

1. THE PURPOSE OF THIS REPORT

To consider the planning application

DESCRIPTION OF THE APPLICATION

- 1.1 This outline planning application seeks to establish the principle of development to provide up to 550 residential dwellings, land to accommodate a new primary school and land to accommodate a dentist's surgery and creche with associated access and play space. Such development would include strategic landscape provision as well as provision of new vehicular, cycle and pedestrian access routes and ancillary engineering operations.
- 1.2 The application was originally submitted in August 2011 and following a number of detailed discussions was amended in April 2012. Full consultation was undertaken on both the original and amended plans.

- 1.3 As this is an outline application, details of appearance, landscaping, layout and scale would be reserved for a future application with the only matter partially sought approval for at this stage being access.
- 1.4 The development does seek to establish a number of parameters as set out in a submitted parameters document dated April 2012 which updated that originally submitted with the application.
- 1.5 The parameters document states that the total site area is 35.27 hectares and the net residential development area comprises 15.7 hectares. Separate to the residential developable area, 2.46 hectares will be made available to accommodate a new primary school, dentist surgery and creche which fall within Use Class D1. The new primary school will comprise up to 3 form entry, within a site comprising 1.94 hectares of the 2.46 hectares.
- 1.6 The configuration of the development is stated to 'broadly accord' within these parameters (given this is an outline application) and is shown on a submitted Framework Plan. This Plan shows 11 different areas of residential development – H1 to H11 (H8 contains an area of open space within and is therefore labelled H8 and H8a). H1 is the furthest to the north west, being adjacent to the development currently being constructed at Hilland Farm, and H10 and H11 being furthest to the south (and the only residential parcels to the south of the A272). The Community Use Land is adjacent to these parcels to the east.
- 1.7 The application seeks the partial determination of access with the parameter drawing and others showing the connections to the A29 and A272. The development would accommodate a spine road through the site and the precise alignment of this road was the principal amendment to the plans in April, (as well as the relocation of the community land use facilities further to the east). The spine road would run through the site with the majority of the residential development being to its west apart from parcels H5, H7, H9 and H10 as well as the Community Land being to its east. A new roundabout would be created at the point where the spine road meets the A272.
- 1.8 Also shown on the parameters plan in terms of access are the location and type of pedestrian crossing points across the road as well as the location of bus stops and the secondary access points from the road to the development parcels. Footway/cycleway connections to Billinghamurst are also shown and include links to the A29/Stane Street roundabout, the Hilland Farm development, Roman Way, East Street and links to the footpaths in Little East Street, the High Street and School Lane. Parking provision would be the subject of a future reserved matters application.
- 1.9 The parameters plan also indicates the strategic landscape, ecology and conservation scheme. Thus includes:
 - a viewing corridor to the Church Spire of St Mary's
 - belts of structural planting to the north and north east of the application site

- a further belt of structural planting to the east of the proposed roundabout at the junction of the A272 and spine road
 - five areas of strategic open space
 - three areas of 'strategic ecology corridors', two of which link up with two of the areas of strategic open space referred to above to create a central area of open space within the site, and the third to create a 60 metre buffer around the Wilden's Site of Nature Conservation Interest (SNCI) which is situated to the south east of the application site
 - an ecological receptor site to be provided to the most north easterly part of the application site.
 - retained tree groups are also shown
- 1.10 2 major play areas (1000 square metre play areas for older children) are shown as well as 5 minor play areas (400 square metre play areas for children aged 4-8) outside of the residential parcels of development. Local play areas within 5 of the residential parcels are also shown.
- 1.11 Attenuation ponds are shown on the parameters plan at various points throughout the development and proposals for surface water attenuation and foul water drainage would be provided broadly in accordance with the proposals identified in the Flood Risk Assessment and Drainage Strategy and shown on submitted drawings. These details are assessed later in the report.
- 1.12 The Planning Statement originally submitted with the application stated that the indicative split of the proposed housing would be 7% flats, 10% 2 bedroom houses, 35% 3 bedroom houses, 41% 4 bedroom houses and 7% 5 bedroom houses. The document also suggested that 50 dwellings would be provided within 2012, 110 within 2013, 150 within 2014, 150 within 2015 and 90 by 2016. Although the Planning Statement has not been updated, it can be assumed that such a timetable has slipped back by at least a year given the time taken to determine the application. The provision of affordable housing and infrastructure is dealt with later in the report but has been subject to a detailed viability assessment.
- 1.13 Other supporting documents submitted with the application include a Design & Access Statement (amended in April), Soil and Agricultural Assessment, Outline Energy Strategy, Utilities Assessment, Phase 1 Environmental Study (amended in April), Sustainability Statement, Statement of Community Involvement (addendum provided in April) and detailed Environmental Statement with Non-Technical Summary with some addendums provided in April. These documents will be referred to where necessary in the report.

DESCRIPTION OF THE SITE

- 1.14 The application site comprises an area of 35.27 hectares and is located to the east of Billingshurst. The site is outside of the built-up area as defined by the Horsham District Local Development Framework and consists of an almost wholly undeveloped greenfield site except where the A272 crosses the site in an east-west direction as it enters Billingshurst.

- 1.15 Existing residential development in Billingshurst is to the west of the site. The closest parts of existing development to the application site are, to the northern side, Roman Way which includes a number of residential properties and the existing Doctor's surgery. The residential development currently being constructed at land to the south of Hilland Farm, which was allowed on appeal, would also border the application site on its western and northern boundaries. In general, the application site can be described as more open on its northern side.
- 1.16 From the north, the application site links to the existing A29/Stane Street roundabout at the northern end of the approach to Billingshurst and then extends in an easterly and southerly direction until it meets the A272. At its furthest point east, the application site extends to about 500 metres east of Roman Way, albeit the extent of residential development would be about 50 metres less due to a proposed planting area. The route of the proposed spine road would be about 300 metres from the nearest residential properties in Roman Way.
- 1.17 The central part of the site north of the A272 is further away from residential properties as the allotments and a small area of woodland are located to the east of existing residential development. At this point, the eastern extent of the site would be about 550 metres from the residential properties in Little East Street and just over 300 metres east of the allotments.
- 1.18 At the part of the application site which is immediately to the north of the A272, existing residential development extends much further eastwards along East Street and it is important to note that the Billingshurst Conservation Area also extends to the eastern extent of the village at this point and thus is adjacent to this part of the application site. A listed building, Hammonds, and a smaller property, Mill Barn (which is especially visible) are next to the boundary of proposed housing site H8a, as well as the residential development of 14 dwellings to the rear which was the subject of site allocation AL7 and is currently under construction. At this point, the proposed spine road is closest to existing residential properties being about 250 metres from the eastern boundary of Hammonds and the extent of the application site extends about 50 metres further eastwards, including residential parcel H9 and an area of dedicated planting. Beyond this point of the application site is Old Reservoir Farm, an isolated residential property.
- 1.19 The application site also includes a significant area of land to the south of the A272 and therefore is adjacent to the Trees development, also currently under construction, and residential properties in Nightingale Walk and Gorselands although they are separated from the site by a public footpath and a good tree screen.
- 1.20 The part of the application site to the south of the A272 includes proposed housing parcels H10 and H11, the community land use (including the school) and the southern end of the Spine Road. The application site extends to about 225 metres south of the A272 and approximately 450 metres to the east of the existing residential development although again the eastern extent of the application site would be taken up by site planting. The community land use forms the eastern portion of this part of the application site.

- 1.21 In terms of the landscape character of the application site, as stated above the northern portion can be described as more open, but the northern boundary of the site is one of the higher points of the site which generally could be described as undulating, forming a valley between this point and where the land rises again towards the A272. An existing watercourse is within the valley area.
- 1.22 Because of the open nature of the northern part of the site, properties in Roman Way are among those most visible, while immediately to the north of the application site, existing electricity lines are clearly visible and prominent although as one moves further within the site these become less visible because of the topography of the land. It is important to note there are good views to St Mary's Church from this part of the application site as well as the South Downs beyond.
- 1.23 The middle part of the application site contains a number of hedgerows and groups of trees and slopes of varying steepness. Because of this wider views appear restricted but this area appears typical of an area of undeveloped countryside within a valley bottom.
- 1.24 The area of the application site to the south of the A272 comprises an open field which is generally well screened around its boundaries and although some views of Billingshurst can be obtained from this part of the site, they are generally well filtered.
- 1.25 The application site is not subject to any statutory designations but as previously mentioned there is an SNCI immediately adjacent to the south eastern corner of the site.

2. INTRODUCTION

STATUTORY BACKGROUND

2.1 The Town and Country Planning Act 1990

RELEVANT GOVERNMENT POLICY

2.2 Relevant government policy is contained within the National Planning Policy Framework, published in March 2012 (therefore since the application was submitted). The Framework is split into 13 sections as well as some supporting text and the majority of the document is relevant to the determination of the application. An analysis is contained within the Planning Assessment below.

2.3 The South East Plan of 2009 remains in force and is therefore part of the development plan and accordingly relevant to the determination of the application. Relevant policies of the South East Plan include:

- SP3 Urban Focus and Renaissance
- CC1 Sustainable Development
- CC2 Climate Change
- CC4 Sustainable Design and Construction
- CC6 Sustainable Communities and Character of the Environment
- CC7 Infrastructure and Implementation
- H1 Regional Housing Provision 2006-2026
- H2 Managing the Delivery of the Regional Housing Provision
- H3 Affordable Housing
- H5 Housing Design and Density
- C5 Managing the Rural-Urban Fringe
- BE1 Management of an Urban Renaissance
- BE2 Suburban Intensification
- SH8 Environmental Sustainability

RELEVANT COUNCIL POLICY

2.4 Relevant policies of the Horsham District Local Development Framework Core Strategy (2007) include:

- CP1 Landscape and Townscape Character
- CP2 Environmental Quality
- CP3 Improving the Quality of New Development
- CP4 Housing Provision
- CP5 Built-Up Areas and Previously Developed Land
- CP8 Small Scale Greenfield Sites
- CP9 Managing the Release of Housing Land
- CP12 Meeting Housing Needs
- CP13 Infrastructure Requirements
- CP14 Protection and Enhancement of Community Facilities and Services
- CP17 Vitality and Viability of Existing Centres
- CP19 Managing Travel Demand and Widening Choice of Transport

2.5 Relevant policies of the Horsham District Local Development Framework General Development Control Policies Document (2007) include:

- DC1 Countryside Protection and Enhancement
- DC2 Landscape Character
- DC3 Settlement Coalescence
- DC5 Biodiversity and Geology
- DC6 Woodland and Trees
- DC7 Flooding
- DC8 Renewable Energy and Climate Change
- DC9 Development Principles
- DC10 Archaeological Sites and Ancient Monuments
- DC12 Conservation Areas
- DC13 Listed Buildings
- DC18 Smaller Homes/Housing Mix
- DC21 Protection of Open Space, Sport and Recreation Facilities
- DC22 New Open Space, Sport and Recreation
- DC40 Transport and Access

2.6 Guidance contained within the Facilitating Appropriate Development (FAD) Supplementary Planning Document (SPD) (2009), the Planning Obligations SPD and the Billingshurst Design Statement are also relevant to the determination of the application.

2.7 Emerging policy also needs to be taken into account including the consultation document on the amount of housing required in the District (February 2012) which is a response to the Localism Act and the early stages of the Core Strategy Review.

PLANNING HISTORY

2.8 None considered directly relevant to the determination of the application.

3. **OUTCOME OF CONSULTATIONS**

- 3.1 There has been a significant amount of consultation undertaken with technical consultees in respect of the application. At paragraph 3.2, a summary of the conclusions reached by consultees is given, with the detailed responses contained within the following paragraphs

SUMMARY OF RESPONSES

3.2 Internal Consultation responses:

Landscape Architect: Amendments have significantly improved the scheme but an overall OBJECTION remains (full comments at paragraph 3.3)

Design & Conservation Officer: NO OBJECTION to amended plans having previously objected to the plans as previously submitted (paragraphs 3.4 & 3.5)

Strategic Planning: NO OBJECTION (on balance and subject to comments from consultees and a suitable Section 106 agreement being completed) (paragraph 3.6)

Public Health & Licensing: NO OBJECTION in respect of air quality. Noise impacts from the spine road need to be considered at the Reserved Matters stage and conditions considered regarding Construction traffic and contamination (paragraph 3.7)

Access Forum: NO COMMENT at this stage until details are agreed (at reserved matters) (paragraph 3.8)

Engineering Section: Drainage conditions should be attached at the appropriate planning stage (paragraphs 3.9 & 3.10)

Arboricultural Officer: NO OBJECTION (paragraph 3.11)

Housing Strategy & Development Manager: Recommends the affordable housing provision as ACCEPTABLE. (paragraph 3.14)

External Consultation responses:

Billingshurst Action Initiative Team: If measures are carried out in accordance with the submitted details, then every practical effort has been made to reduce crime, however an outline application is only the first stage of the process (paragraph 3.15)

West Sussex County Archaeologist: NO OBJECTION subject to condition (paragraph 3.16)

West Sussex County Ecologist: NO OBJECTION subject to conditions (paragraph 3.17)

West Sussex County Council Highways: NO OBJECTION subject to conditions and suitable Section 106 agreements (paragraphs 3.18 to 3.20) having earlier considered insufficient information had been submitted

Billingshurst Parish Council: Maintains a VEHEMENT OBJECTION to the application (paragraphs 3.21 and 3.22)

Environment Agency: NO OBJECTION subject to the imposition of conditions and the submission of details at the Reserved Matters stage (paragraph 3.23)

Natural England: NO OBJECTION following the receipt of additional information, having objected originally (paragraphs 3.24 and 3.25)

Southern Water: NO OBJECTION subject to conditions (paragraphs 3.26 to 3.28)

Sussex Police: More detailed advice will be given at the Reserved Matters stage (paragraph 3.29)

Public Consultation

Object: 286 to the original plans and a further 66 to the amended plans

Support: 2

Comment: 2

DETAILED RESPONSES - INTERNAL CONSULTATIONS

- 3.3 Following the receipt of amended plans in April, and having objected strongly to plans as originally submitted, the Council's Landscape Architect has commented:

SUMMARY

Whilst it is recognised that there is now a much more 'landscape led' approach to the overall design of the development and some very important application amendments have been made in terms of:

1. A more sensitive alignment of the Spine Road, compared with that previously proposed
2. The location and extent of the housing parcels with a more substantial and coherent retention of land as open space and green corridors within sensitive landscape areas
3. Parameter Plans and design principles for the housing development, demonstrated in the Design and Access Statement, that respond better to local character and distinctiveness

nevertheless, on balance, my landscape objection to this application is maintained. This is because it is considered the application proposals are still likely to give rise to a range of significant adverse landscape character impacts and visual impacts that in themselves will result in **cumulative significant adverse landscape and visual impact**, even taking into consideration the better landscape mitigation measures now proposed. These impacts in part reflect the difficulties of accommodating development of the type and scale proposed on a site that is in certain areas inherently very sensitive in landscape terms.

Key Issues are

1. Significant adverse landscape character impact, particularly on the landscape character and landscape value of the attractive small valley immediately north of the A272 from both the proposed spine road and from the location, extent and scale of the housing areas
2. Significant adverse visual amenity impacts on users of the public rights of way network on the eastern edge of the town which provide strategic routes into the wider countryside, as a result of the location and scale of the development.
3. Unnecessary loss of existing hedgerows 25 and 26

LANDSCAPE POLICY ISSUES

The application is considered on balance to be contrary or does not demonstrate sufficient account has been taken of various planning principles and policies of the National Planning Policy Framework:

Achieving Sustainable Development-environmental role

'contributing to protecting and enhancing our natural and historic environment'

Core Planning Principles

Para 17 bullet point 4 " take account of the different role and character of different areas ,, recognising the intrinsic character and beauty of countryside"

Requiring Good Design

Para 58 bullet point 4 ' bullet point 5 ' are visually attractive as a result of ...appropriate landscaping'

Para 61 ' planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment'

Conserving and Enhancing the Natural Environment

Para 109 bullet point 1 'protecting and enhancing valued landscapes' (I refer to this in the sense of landscape of parts of the application site being considered to be of value for its distinctive landscape character and qualities and also valued by local people as a recreational amenity rather than it being a formally designated landscape)

Para 123 bullet point 4 planning decisions should aim to 'protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason'

Horsham District LDF Core Strategy, Development Control and FAD Policies

It is also considered the amended application in landscape terms is contrary to the following core strategy policies CP1a, DC2a,b, c, DC9c,d, and f , and DC1. If weight is given to the Facilitating Appropriate Development SPD criteria, given the site is unallocated, then I consider In this regard the development proposal does not meet criteria 6, 10 and 14. It is emphasized in the FAD SPD document that all the criteria must be met.

RECOMMENDED MINIMUM APPLICATION AMENDMENTS

Should the scheme proceed to determination without any further appropriate amendments being proposed by the applicant I would suggest serious consideration as to whether the identified material landscape and visual harm can be considered to be sufficiently outweighed on balance by any immediate housing provision needs, the adequacy of any other community and infrastructure

provisions and the significance of any other benefits beyond those that would be required associated with the development anyway.

I do recognise that the above judgement may not a straightforward one to make and there are a whole range of objectives need to be considered. However as the Councils professional Landscape Architectural advisor I am not satisfied, purely on the relative balance of adverse landscape and visual impacts, mitigation measures and enhancements that the application is yet acceptable or will result in a development of sufficient quality, all be it there are aspects of the landscape design principles and proposals that are of considerable merit.

The minimum changes I would expect to be made to the application that could overcome my objection would be:

- Removal of specific sections of the developable area, as marked up on the attached copy of the illustrative masterplan, with resulting amendments to the relevant parameter plans
- Retention of hedgerows 25 and 26 (all be it that it is accepted that it may be desirable at the time of the reserve matters submissions to consider selective removal of naturally regenerating scrub extending out from the original hedgerows line to facilitate the provision of accessible and attractive green corridor open space)
- Restriction of the ridge height of two storey development in parcels H6, H8a, H8b H8c and H9 to 8.5m ridge height above ground level rather than up to 10.5m above ground level
- Make a clear written statement (eg in a Design and Access Statement Addendum that a broad corridor view, uninterrupted by buildings, of Billingshurst Parish Church and of the South Downs National Park will be provided in accordance with the photomontage illustration in the DAS and the illustrative masterplan when the reserve matters submission for parcel H3 s submitted
- Make provision for small accessible open spaces within housing parcels H2, H4 and H11 to be shown symbolically on the relevant parameter plans

The above, except for the hedgerow retention (which could be easily addressed) require some further reconsideration and amendment of some of the parameter plans particularly the developable area and building heights,

The minimum changes recommended above are proposed without prejudice to any eventual decision that might be taken on the application.

It is also not to say that there would not still be landscape and visual harm from the development but I do consider on balance these further amendments could secure a more sensitive scheme of higher quality with better landscape mitigation and fewer significant adverse landscape and visual impacts.

INTRODUCTION

Following my first set of formal application comments I have had informal meetings and discussions with the applicants consultants (including provision of additional informal comments) , in particular with Robert Rummey Associates the Landscape and Urban Design Consultant to explore ways to try and achieve a more sensitive development in landscape terms for the site, particularly in respect of the vertical and horizontal alignment of the spine road and its mitigation, the location and extent of the housing parcels, and in terms of design principles for the development and open space that respond better to local landscape character and distinctiveness.

The serious efforts made in an effort to overcome my original objection are well documented in the Design and Access statement, so much so that most of the DAS was rewritten and the developable area parameter plan has changed substantially. I recognise that considerable amendments have been made and a creative approach combined with a more in depth analysis of the landscape character and qualities of the site has been adopted by Rummey Associates to improve the scheme. Nevertheless I would emphasize the discussions were held without prejudice to any conclusions I might reach on the impact of an amended scheme.

KEY LANDSCAPE AND VISUAL IMPACT AND LANDSCAPE DESIGN ISSUES

The Spine Road – Alignment and Design

In my view the amended siting and alignment of the spine road is likely to have markedly less adverse landscape and visual impact than that would have likely to have resulted from the originally proposed route due to it being located both further to the north closer to the pylons and further to the east avoiding a particularly sensitive part of the valley bottom, due to its more sinuous alignment and as a result of setting the A272 roundabout junction on high ground into a new woodland.

Nevertheless it is considered there are still likely to be significant adverse landscape and visual impacts in terms of its impacts on unspoilt rural character, on tranquillity and visual and urbanising impacts as well as from tall lighting columns, especially before planting mitigation takes effect. The visual amenities of users of the network of public rights of way currently in attractive countryside will be significantly adversely affected.

In this regard I suggest the case officer and members need to be as confident as possible that the 'benefits' of any spine road and associated housing are sufficient to outweigh the landscape and visual harm to the countryside East of Billingshurst.

I am also concerned that my suggestions in my previous consultation response to adopt a more shared space approach to the design of the spine road eg along the lines of the Ashford Ring Road with attractive surfacing treatments creating a more attractive walkable environment rather than just providing controlled pedestrian crossings as part of a more conventional highway design do not appear to have been given consideration as part of the amended documentation. There are no

specific commitments in this regard by the applicant nor any explanation given of why this could not be achieved.

The existing east- west footpath route running through the site and combined cyclepath is proposed to be diverted underneath the Spine road by means of an underpass. I am concerned this could end up being an unattractive route. It would require at the very least considerable attention at the reserve matters stage to give the underpass design a feeling that it is as comfortable as possible. I would query why it could not be routed under a bridge (crossed by the spine road) as opposed to being more in tunnel (crossed by the spine road on embankment

Location, Extent and Scale of the Housing Parcels

Whilst valuable amendments to the housing parcels have been made with some areas substantially reduced in area I remain concerned about the adverse landscape character impact resulting from the extent and scale of development proposed in the small valley north of the A272, taking account of its attractive, intimate, pastoral and generally unspoilt rural character. This is a reflection of a combination of its distinctive topography with some steep slopes, small scale, irregular, hedgerowed field pattern, enclosing woodland and shaws.

Serious concerns in particular remain in respect of parcel H6 and the northern eastern part of parcel H8. In my view parcel H6 located within an attractive valley bottom meadow should be removed altogether. Also houses in H6 in combination those in the northern eastern part of parcel H8 are likely to have a visually dominating and urbanising effect on the attractive, distinctive meadow to their west and north (which in itself is due to be retained undeveloped), especially when taking into consideration the proposed 2 storey building heights in this area of up to 10.5 M ridge height (as opposed to a more normal 8.5m).

I am also concerned how close development will come to Little Daux Lane in the south east of housing parcel H11 which I believe will undermine its predominantly rural and historic character.

Housing Parcel H3 includes the line of the important view to St Marys Church Billingshurst and the South Downs National Park. Although the intentions of the applicant to retain this view are illustrated in the DAS and demonstrated on the illustrative masterplan I am concerned that the way it is shown on the development parameter plan (a dashed line) could be considered ambiguous/open to varied interpretation. In this regard I think it is important that there is a clear written statement by the applicant about its retention.

Response to Local Distinctiveness

The rewritten DAS has now includes considerable supporting analysis to demonstrate understanding of local historic settlement patterns and character, its landscape setting and of characteristic landscape features of these settlements and shown how this could be applied to certain housing parcels by creation of farmstead and hamlet development. This is an aspect of the application that is now to be commended.

Green Space and Green Infrastructure Provision

I am happy, subject to any comments that may be made by the Parks and Open Spaces officer, with the strategic open space provision both in terms of its quantity and quality as demonstrated by the landscape design principles and illustrative sketches in the DAS.

I am concerned however that there has been no amendment in response to my previous concerns that the larger parcels of housing land in particular H2, H4, and H11 need to include provision of smaller open spaces that visually break up the development, help to give it character and identity and provide for informal play for younger children close to their homes.

The provision of a strong network of strategic open spaces and green corridors offers considerable potential for multipurpose green infrastructure benefits to be achieved in association with the new development

Retention of Hedgerows

I am concerned why the broad hedgerows H25 and H26 and associated naturally regenerated scrub are proposed to be removed in their entirety. Apart from a very short section where visibility splays may be an issue I can see no good reason for this, In terms of a BS Tree Survey they be assessed as only category C but as landscape features they are valuable. The removal of H26 will create adverse impact from the development on Little Daux Lane and the removal of H25 impact adversely on the historic A272 route into Billingshurst.

Sustainable urban drainage

The DAS provides some good illustrations of how sustainable urban drainage features such as ponds, swales etc could be designed as positive and attractive landscape features. It has also been stated in a letter that Rummey Associates have worked closely with the drainage engineer in this regard, However in the absence of more detail I cannot be completely confident that due to drainage capacity issues more intrusive engineered features would not be necessary when reserve matters applications are made. More information on this matter from the applicant is desirable.

It is disappointing that there is no commitment either to provision of landscape features such as rainwater gardens, small ponds and rills within the development parcels which could slow runoff closer to the source and integrate water positively into the built development.

Green Roofs

There is no commitment to green roofs as part of the development which could have landscape, biodiversity and suds mitigation benefits

In regard to this and other sustainability considerations it is also disappointing that the applicant is only committed to achieving Level 3 of the Code for Sustainable Homes the current minimum government requirement.

BROADER LANDSCAPE CONSIDERATIONS

Given the inherent landscape sensitivity of parts of the application site and the likely landscape and visual impacts from the development proposals I consider there may be other locations, including brownfield sites where development could more acceptably be located in landscape terms.

CONCLUSIONS

For the reasons identified, despite the amendments made there remain important concerns regarding likely adverse landscape and visual impacts arising from the specific location of parts of the proposed development, its overall size/extent, and scale. I am also not convinced that any benefits offered by the application have been sufficiently robustly demonstrated to outweigh the identified landscape and visual harm.

3.4 The Design & Conservation Officer comments:

These observations are addendum comments on the amended scheme submitted March 2012 following on from previous design and conservation observations and should be read in conjunction with each other.

Officers held a meeting in December 2012 to discuss urban design, landscape and heritage issues and the possibility of a revised design.

The main issues of my previous comments have been addressed below:

Heritage impact

Information to satisfy the requirements of PPS5 (now the NPPF).

Some of the information was contained within the previous application, however the applicants have gathered further information and tailored the design to that information. PPS5 has been replaced by the National Planning Policy Framework, however the NPPF still requires (chapter 12: Conserving the Historic Environment, paragraph 128) the applicant to provide such information. In the amended scheme is this referenced in the Environmental Statement, additional information from CGMS and in the Design and Access statement. This is an acceptable level of information in order to satisfy these requirements.

Impact on the setting of Hammonds Farmhouse

The setting of grade II listed Hammonds Farm has changed over the last five years with the granting of permission for 14 houses to the north of the site and 2 to the east, and the development of the "Trees" site to the south, meaning the that open space previously enjoyed around the property has diminished in scale. This has resulted in some urbanisation of the setting of the farmhouse to the north and east. Notwithstanding this, the building is listed and further development should seek to

sustain and enhance the significant farmstead character which can still be read when viewing the building, and the former barns (now Mill Barn) on the approach into Billingshurst from the east along the A272. As a result, in principle there is no objection on heritage grounds of the development of the land immediately adjacent to Hammonds however in order not to further detract from its setting and to provide transition between the development and the former farm buildings, the low density, roof heights and loose courtyard design concept set back from the A272 design approach to development within the setting of the farmhouse is supported.

Impact on the setting of Billingshurst Conservation Area

The approach to the Billingshurst Conservation Area from the east is a rural one with open fields changing to more urbanised character the further towards the centre of the conservation area. The conservation area at the most easterly point is framed by Mill Barn and this provides a gateway entrance between the urban core of Billingshurst and the fields to the east. It is true to say that the most significant part of the conservation area is the area in the centre of the settlement, from the church, north up the High Street; however it is not true to say this is the only significant part of the conservation area – the rural to urban transition is also a significant part of the conservation area and its setting and this is played out at the edge to the east.

As all other entrance points to the centre of Billingshurst have been urbanised, it is vital that if a decision is made to develop to the east of the centre, then the design reflects this urban to rural transition. Inevitably however, there will be some negative impact on this rural setting as the development, including the provision of a school, roundabout, enlarged road, street lighting, and houses will harmfully impact the currently rural character of the area immediately to the east of the conservation area, negatively affecting its setting.

However, the design concept of a loose courtyard farmhouse plan (parcel H8a) is an appropriate design to transition between the conservation area and the new development. The set back from the road with a landscape buffer minimises some of the impact of the development and attempts to retain a soft approach into the conservation area. The impact of the roundabout and school development on the setting of the conservation area will be a profound one, however on balance is harmful (rather than substantial harm).

Daux Lane and the setting of Little Daux

Concern was previously raised as to the design approach to the lane running south towards Little Daux. Previously the school building would have urbanised the character. The revised proposals (parcel H10) include housing, facing the lane in this area, to a density of 18-28 dph and up to 2 storeys. This general concept is supported. There will still be a minor negative impact on the experience of Little Daux as approach via the lane.

Benefits outweighing impact

As with the development of 550 houses west of Worthing Road in Southwater, this application seeks to justify harmful impact on heritage by designing to minimise that impact and providing public benefits that outweigh the harm.

Harmful impact on setting of conservation area

The nature of the east edge of the conservation area means that it is purely rural. As with Southwater, there is no fixed parameters of assessing how harmful a development is, and how much public benefit is required to outweigh this harm; it can be assessed objectively and the applicant has carried out an assessment as part of the Environmental Statement.

Therefore the development should have regard to paragraph 134 of NPPF: "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use." The public benefits of the scheme would be:

- Meeting the Council's housing needs in a sustainable location
- An amount of affordable housing
- Land for a new primary school
- Open space & recreational facilities, including play space
- Spine road/by pass route taking traffic away from the village centre
- Doctors & Dentists surgeries
- Crèche

As set out above, the proposals are likely to cause less than substantial harm to the setting of the conservation area and the setting of Hammonds and Little Daux farm complex, and does provide a number of public benefits which could not be provided without the development. Therefore in my opinion the public benefits outweigh the harm to the heritage assets.

Urban design

Design and Access statement

The revised design and access statement is welcomed and contained detailed study of local farmstead and hamlet character in order to inform the development of specific parcels of land. The concept of gateways, their design, plus the majority of the elements of the character areas are also supported, although will need careful consideration and further design demonstration at reserved matters stage. There is concern regarding the in-ward looking elements to parcel H2 and H4 – a close boarded fence along this edge could result in a poor transition between the road and the urban edge – significant landscape will be needed to screen the development at ground level, without compromising the design.

Parameter plans:

Buildings heights

The height parameter plan shows the taller buildings will be concentrated in the centre of the development, fronting the spine road: this helps create a legible street

and should contribute to a sense of place for these areas. In the areas which are more sensitive to visual impact, the ridge heights are lower and this combined with the lower densities below is generally acceptable as a parameter concept. The school site is also sensibly low, with ridge heights of 10.5m, roughly 2 storeys, although the final design will be decided at reserved matters stage.

Density

Overall, the density is sensible, concentrating the least dense areas on the most landscape sensitive parts of the site, and that closest to the windmill and entrance to the historic core of the conservation area. In principle, these densities are supported.

Access and movement

Again, the access and movement patterns connect to the centre of Billingshurst, helping to reinforce the sustainability of the site; the spine road concept takes traffic away from the centre of the settlement. It is still likely to urbanise the environment, however the design has sought to minimise this effect. The Council's Landscape Officer is best consulted on the specifics of the spine road. The hierarchy of spatial design of the streets as set out on the DAS should enable a legible scheme which has design relevance taken from locally distinct development patterns.

In conclusion, although as set out above, the development is likely to have a harmful impact on the setting of Little Daux Farm and Billingshurst Conservation Area, this harmful impact is not considered to be substantial and can be outweighed by the public benefits of the scheme; furthermore the design parameters, plus the concepts of gateways, character areas meet the requirements of DC9 and therefore I raise no objection.

- 3.5 The earlier comments referred to by the Design & Conservation Officer are reproduced below:

Overview of Billingshurst and the application.

Billingshurst has its origins in an early community, developed along the 1st century Stane Street. Until the 18th century most industry centred around agricultural production resulting today in field boundaries and clustered farmsteads. Billingshurst High Street began to be the centre of the community c1840, although some buildings survive from before this line, the settlement developed in a linear north/south fashion, with some development extending towards the east, along now what is East Street. The Wey and Arun Canal, and the arrival of the railway brought the industrial revolution to Billingshurst and the population expanded to two thousand. Post WWII, Billingshurst developed further and a number of late 20th century developments to the west and south of the village centre mean that the settlement is able to sustain a village centre, supermarket, primary and secondary school. The centre of the settlement and part of the roads leading north, south east and west from the junction of the A272 with the former route of Stane Street is designated as a conservation area, in recognition of the high numbers of the historic buildings and the historic street scene in the centre of the village to the existing and former countryside edges of the village.

The application is in outline form, with appearance, landscaping, layout and scale all reserved matters. The application includes plans and details of access, as well as parameter plans indicating a “framework”, “movement” “landscape framework”, “density” and “building heights”. A design and access statement and visual impact assessment has been submitted which includes information to help illustrate the form of development and its impact on the wider area, including the countryside, village and heritage assets.

Strategic Design

Urban Design is not only concerned with layout and architectural design, but with strategic settlement pattern and development. To understand whether a scheme is appropriate, it is important to understand the local development context and pattern. This has been addressed in the earlier sections of the DAS and from a sustainable design point of view, it is logical to develop adjacent to Billingshurst as there is existing infrastructure, including a county wide road network, station, village centre with schools, library, leisure centre etc with the potential for enhancement. However, each application should be considered on its own merits and there may be other sites or designs that may be appropriate for Billingshurst or this site.

Urban design:

The site: parameter plans: Framework Plan 1874-A-1003-S

The framework plan outlines the amount and developable area, use, movement and access points. The main thoroughfare of the development accesses the A29 at the Old Hilland roundabout, and continues south, joining up with the A272 to the east of the built up area. The developable area proposed is on either side of the route, arranged as a boulevard street, rather than a bypass road similar to that on the western side of Billingshurst. This is likely to encourage an integrated scheme with the village to the west and the countryside to the east without the large formal boundary created by the bypass as observed on the western side of Billingshurst. This general boulevard design approach is supported.

There are however concerns regarding the proposed roundabout on the A272. This will create a new gateway to the village. Although some hedgerows are retained, the proposals remove a substantial amount of mature hedgerows to the south of the A272. This results in the school and development in H10 as being able to be prominently viewed from the A272. The cumulative impact of the proposals in this area is likely to urbanise the approach to the village, divorcing the historic core from the countryside edge. With particular reference to the setting of the conservation area, (discussed later in detail) this is considered to be detrimental to the countryside character of the area. The area is therefore requested to be revised. A revised scheme may like to consider:

- Removing H10 and the school and roundabout from the proposals
- Consider retaining the existing route, with a smaller roundabout
- Consider retaining the existing route without the roundabout

- A soft landscaping approach to the roundabout

The parcels of developable areas have been informed by the historic hedgerow boundaries and contours of the land. This is generally a sensible approach. From the north of the site (areas H1, H2, H3 and H4) there are visual references to the urban form of Billingshurst immediately adjacent to the site and in longer views (for example the views of the church spire). Towards the southern part of the site, the views of the urban edge of Billingshurst are less obvious, especially in the areas H9 and H10. With specific reference to area H9, the landscape in this location is undulating, creating a green edge to the approach and setting of Billingshurst. From the former windmill site this is obvious in the landscape. There is concern regarding the principle of development in this area and the visual impact this is likely to have on the setting of the village and the edge.

Similarly, there is concern regarding the principle of development in the area H10. This parcel of land extends the furthest from the built up area of Billingshurst. At present the fields both north and south of the A272 create a green and rural approach to the village which is likely to be compromised by development to the north and south of the road. H10 will also be separated from the urban area by the school site, leaving it isolated and furthest away from the village. Views of the development from the land to the east of H10 will be of suburban development and as per the illustrative masterplan drawings in the DAS, this area is proposed to be designed around a "circus" – and urban form of development pattern and one that would not respond well to this countryside edge location. It is suggested that either the area is removed from the application of altered to respond better to the topography of the area.

The large open space areas in the central of the site and the location of play areas are supported in general (although their detail may need to be developed and revised at reserved matters stage) and the green corridor running east/west is also welcomed.

Parameter plan: Density 1874-A-1006-F

The variation of the density across the site, with the high densities concentrated around the spine road is sensible. However, with particular reference to H9, the density at the countryside edge would benefit from being reduced.

Parameter plan: heights drawing no. 1874-A-1007-J

The variation in heights across the site is supported and it is logical to concentrate higher densities and heights to the development fronting the spine road. However three stories in some places, such as corner plots may be appropriate, however a uniform three stories in such an area is not found elsewhere in Billingshurst. It is suggest that the plan be amended to clarify this.

It is also suggested that a lower storey approach to the countryside edge locations in H9 and H10 is considered. For example, areas of 2 storeys (9 metres) should in these locations be a maximum.

Parameter plan: Movement: ITB5062-GA-047

It is unclear whether this plan forms part of the set of parameter plans that form the basis of the application as it is produced on a different format than the others and the information is replicated in the Framework Plan. It does however show toucan crossings adjacent to the southern roundabout and along the spine road. Obviously, the need for safe crossings are welcome, and encourage bicycle and pedestrian movement, however along with the roundabout to the A272, the toucan crossing will contribute to the urbanisation of the countryside in this location. The inclusion of bus stops and a bus route through the development encourages sustainable transport links and is generally supported.

Parameter plan; Landscape Framework – RD1340-101

It is unclear whether this plan forms part of the set of parameter plans that form the basis of the application as it is produced on a different format than the others and some of the information replicated in the Framework Plan. The details of the landscape framework is best commented on in detail by the Councils Landscape Architect, however there are a number of points that I would like to raise. These are below:

- What is the usability of the viewing corridor to St Marys Church?
- What are the details of the landscape “protection” to the setting of Hammonds and the windmill?
- What is the usability of the “local public open space” to the immediate south of the A272?
- The formal character of the circular strategic open space in area H10 takes its cue from where locally?

Design and access statement – Masterplan and design (6.0)

The DAS includes indicative cross sections and layout for specific character areas. The character area approach is supported, however some of the information lacks depth and further explanation, including examples and text in order to explain the origins and design approach behind each character area is required for clarification and to aid certainty of design quality. Some areas, for example character area 2 (the meadow) and 6 (the rural edge) and 7 (the windmill) may require more of a contrast in order to improve legibility and individual character. Comments on specifics are below:

Character area 1 – the boulevard – the formal boulevard and near continuous frontage should enable a legible street to be formed from the spine road, making the space attractive to vehicles and cyclists/pedestrians.

Character area 2 – the green link – Dwellings fronting this aspect of the scheme is welcomed, however the green link should be incorporated into the overall character area, rather than left separated (6.2)

Character area 3 – The meadow. The built form fronting this space should be incorporated into the character area. There is no corresponding cross section of

this character area. The demonstration of character requires strengthening and the information would benefit from revision.

Character area 4 – The knoll – It is unclear what is different about the relationship between the building and the Knoll and the same relationship for “the Meadow” character area. Again, the demonstration of character requires strengthening and the design would benefit from a stronger representation.

Character area 5 – the circus. The circus is an urban form found traditionally in formal planned architectural examples. The relationship between the buildings and the central space is usually regimented and it is not a common feature in the District. Its success locally has not been demonstrated in the examples of local character and form in the DAS. Its appropriateness therefore for Billingshurst is questioned.

Character area 6 – The rural edge. The buildings facing the rural edge should sensibly address the edge and this is demonstrated sufficiently in most cases in character area 6. There are some concerns however regarding the amount of development in character area 6 in H10, as well as the back gardens facing the countryside in H8. Some parts of the “rural edge” character area are contained within the site and does not display the rural edge qualities as demonstrated in section 6.8. It is suggested that these are revised or a new character area created. For example, the development facing the school in H10; the section squeezed between “The Boulevard” and “the Windmill” in H8; some of the internal areas in H9 and the section spanning H2, H3 & H4.

It would also be appropriate to include a design brief and further information for the design of the school, especially as this is immediately adjacent to the conservation area and at the gateway to the village.

Design and access statement – Appearance 6.10

The cross sections in the DAS are useful and in particular demonstrate the appearance of the street scene for the Boulevard. This section requires depth in demonstrating the design concept, especially in relation to the proximity of the conservation area where accurate details are likely to be more important. It is obvious from the material presented that the appearance proposed will be loosely of a “Sussex vernacular” style. The developers should note the particular design details of this style as set out in the Billingshurst Parish Design Statement. Some variation to the Sussex vernacular could be acceptable as the phasing of the application progresses to incorporated contemporary design. At reserved matters stage, details will be expected to accurately reflect local style and where this is proposed, this should not be a composite of general vernacular but of high quality accurate local features including timber window and door design, dormers, roof pitches, eaves detailing, materials and colours. Attention should be given to front boundary treatments and the LPA would expect public and private areas with street frontages to be clearly defined. HDC Landscape Architect is expected to comment in detail on these and the broader impact of the development on the landscape.

Historic built environment

Planning Policy Statement 5: Planning for the Historic Environment requirements and the setting of heritage assets:

The DAS identifies the built heritage assets that will be affected by the development in section 2.6. These are Billingshurst Conservation Area, Hammonds Farm, East Street – grade II listed building; Little Daux Farmhouse, grade II listed building; St Marys' Church, Billingshurst – grade I listed building. It also identifies a number of local heritage assets and archaeological areas including Hammonds Mill, historic field boundaries, Old Hilland Farm and an ROC post south of East Street. This is a catalogue identifying each asset. The information is factual, presented using photos and mapping exercises. The application includes a "Specification for an archaeological evaluation" by CGMS. This is solely "ground" archaeology based and is best commented on by the County Archaeologist.

Policy 6.1 of PPS5 states "Local planning authorities should require an applicant to provide a description of the significance of the heritage assets affected and the contribution of their setting to that significance. The level of detail should be proportionate to the importance of the heritage asset and no more than is sufficient to understand the potential impact of the proposal on the significance of the heritage asset. As a minimum the relevant historic environment record should have been consulted and the heritage assets themselves should have been assessed using appropriate expertise where necessary given the application's impact". Although a factual catalogue of the heritage assets affected by the development has been included, the assessment of significance, within the DAS and elsewhere in the application is weak. There is no assessment within the submitted Planning Statement of the requirements and policies within PPS5, nor local heritage policies, including HDC policies DC12 & DC13. The DAS at 2.6 mentions that a desk based assessment has been undertaken. Apart from the information in the DAS, this does not appear to have been undertaken to a sufficient level.

The applicant is therefore requested to submit further information to address the issues identified above. The applicant may wish to engage a suitably qualified and experienced expert to undertake this. It is advised that the guidance in PPS5, with particular reference to HE10, (including the advice contained in the English Heritage Historic Environment Planning Practice Guide) is referred to. The English Heritage guidance, "The setting of heritage assets" has been used recently by developers on other similar sized projects and has proved a useful industry tool to standardise the approach taken by both the applicant and the LPA. The applicant is also requested to submit further information in order for the LPA to assess the impact of the development on the significance of the heritage assets. For example, this may include proposed character area plans, further design principles, indicative street elevations and cross sections showing the impact on the heritage assets can also help to clarify impact issues, as well as further information on architectural style and character, especially those areas adjacent to heritage assets and their approaches. Further information is required to address the impact in the following areas:

- At the entrance and exit to the conservation area via the A272.
- Relationship of the development adjacent to Hammonds and its former barns to the east
- Approach to Little Daux Farm and former barns

- Relationship of the proposed street and an alterations to the roundabout with Old Hilland Farm
- Relationship of the former windmill and the development.

HE10.1 in PPS5 states: "When considering applications for development that affect the setting of a heritage asset, local planning authorities should treat favourably applications that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset. When considering applications that do not do this local planning authorities should weigh any such harm against the wider benefits of the application. The greater the negative impact on the significance of the heritage asset, the greater the benefits that will be needed to justify approval."

Unfortunately, the limited information within the application, this makes the assessment against policy HE10 difficult. If for example, the impact was harmful, what are the greater benefits of the application in order to justify approval? An assessment of this should be contained within the Planning Statement.

In local policy terms, HDC's Development Control DC13; Listed buildings states: *Development affecting a Listed Building or its setting will not be permitted unless the proposal:*

- a. has no adverse effect on the special architectural or historic character and appearance of the building or its setting;*
- b. uses building materials, finishes and building techniques, including those for features such as walls, railings, gates and hard surfacing, that respect the Listed Building and its setting;*
- c. incorporates landscaping, where appropriate, having regard to the character and appearance of the Listed Building;*
- d. is of appropriate scale and design;*
- e. results, where relevant, in the removal of unsympathetic features and the restoration or reinstatement of missing features; and,*
- f. would ensure the continued preservation and use of the building*

It is therefore necessary to understand the significance of each listed building and the impact that the development will have on this significance.

Furthermore, HDC's Development Control policy DC12; Conservation Areas states: Within a Conservation Area, development (including expansion or intensification) will not be permitted unless the proposal:

- a. is of a design and / or scale that, preserves or enhances the special character or appearance of the area and is compatible with neighbouring buildings and spaces;*
- b. uses building materials, finishes and building techniques, including those for features such as walls, railings, gates and hard surfacing, that are appropriate to the local context;*
- c. retains historically significant boundaries, important open spaces and other elements of the area's established pattern of development, character and historic value, including gardens, roadside banks and verges;*
- d. retains and restores, where relevant, traditional features such as shop fronts, walls, railings, paved surfaces and street furniture, and improves the condition of structures worthy of retention;*
- e. does not harm important views into, out of or within the area;*

f. protects trees, hedgerows and other significant landscape features and incorporates landscaping appropriate to the special character and appearance of the Conservation Area; and,

g. results, where relevant, in the removal of unsympathetic features and the restoration or reinstatement of missing features.

Within Conservation Areas permission for development involving demolition will only be granted if it can be demonstrated that:

1. the structure to be demolished makes no material contributions to the special character or appearance of the area; or,

2. it can be demonstrated that the structure is wholly beyond repair or incapable of beneficial use.

The Council will only be minded to grant consent for the demolition of a building in a Conservation Area once permission has been granted for redevelopment of the site.

Permission will not be granted for development outside but near to a Conservation Area if it detracts from that Area's character

It is therefore clearly necessary to understand the significance of the conservation area and the impact that the development will have on its significance.

Unfortunately, the limited information within the application, this makes the assessment against these local policies also difficult.

Notwithstanding the above, I have undertaken my own assessment of the heritage assets identified and have the following observations:

The setting of Billingshurst Conservation Area:

Billingshurst Conservation Area covers the historic village core and historic development to the north, south, east and west facing the streets leading out of the settlement. East Street is one such street within the conservation area which has developed piecemeal over the last 300 years. Today, the northern side of East Street is fronted by a mixture of detached, semi detached and terrace dwellings mostly set back from the street by a garden. The age of these properties date from the 17th Century to the late 20th Century and a number are listed. The eastern most cluster of dwellings is the former farm of "Hammonds", a timber framed 17th century building. The former agricultural barns of the farm immediately abut East Street and their form and projection from the building line marks the entrance and exit to the village. Their character as former barns creates an attractive transition between the urban area to the west, and the countryside to the east. The setting of the conservation area to the east currently enjoys a positive transition between urban and rural; views to the conservation area from the fields immediately adjacent glimpse the urban form through tree belts and mature hedgerows, while the views from East Street are framed by the mature trees and hedgerows facing the A272.

The impact of the development on the setting of the conservation area will substantially alter the approach to the conservation area. The visibility splays for the roundabout will remove mature hedgerows which frame the route to the conservation area; views to the conservation area from the fields to the east will be urbanised with development, while views from and to the route from will no longer have a direct connection from the urban historic core to the countryside. Overall,

the impact of the development on the setting of the conservation area is likely to be negative, eroding the historic transition between historic village core and countryside.

The setting of "Hammonds" and Mill Barn:

Hammonds is a grade II listed building located on the northern side of East Street (A272). Its former barns were converted into dwellings in the late 20thc (Mill Barn). Hammonds has a large garden extending to the north and permission has previously been given for the development of the area north of the property (for 14 dwellings DC/10/2070) and to the west for two (DC/10/2522 & DC/10/2521). Its immediate setting has therefore been eroded from its former green and spacious appearance. It does however enjoy a prominent position in the street, being raised above the street level and still has a positive relationship with the former barns. Because of the urbanisation of Hammonds granted by the above permissions, the impact of the development on the setting of the listed building is likely to be neutral.

The setting of Little Daux Farm: (including the former barns of Pond Cottage and Little Daux Barn):

Little Daux Farmhouse is a grade II listed building farmhouse dating from the 17th century, incorporating some 18th & 19th century additions. The former barns to the south have been converted to dwellings however the group still retains its historic farmstead character and layout. The buildings are surrounded by countryside and are accessed from East Street via a lane which although heavily enclosed by mature trees and hedgerows, runs adjacent in part to the urban fringe of Billings Hurst. Domestic gardens back onto the west side of the northern part of the approach lane, with glimpsed views over the countryside to the east. The southern end of the lane opens out onto agricultural fields, with Little Daux Farm standing alone. This approach although has been slightly urbanised, retains a rural approach to the former farm, contributing positively to its setting.

It is likely that the school buildings and housing to the east will be glimpsed in part and fully on view in parts from the northern part of the lane. This will alter the experience of the setting of Little Daux Farm. This is likely to have a negative impact on the buildings setting, although views from and to Little Daux are unlikely to be affected as the development will be screened behind an existing mature hedge and tree belt.

The setting of the former Hammonds windmill:

The windmill adjacent to Hammonds is an archaeological area and has local archaeological and historic associations. It is in a ruinous condition, with only part of the brick smock and base remaining. Currently the windmills setting is one of mostly rural outlook with existing development being screened to the west and a wide angled view over fields, hedgerows and trees to the east. This positively contributes to the experience of the remains of the windmill and its setting, connecting it with its rural past.

The proposals, including the illustrative plans, show development within the field the windmill is in, possibly facing the windmill. This, as well as the alteration to the

outlook and experience of the windmill is likely to have a negative impact on the setting of the heritage asset.

The setting of Old Hilland

Old Hilland faces the Roman road of Stane Street to the north of Billingshurst and the dwellings can be viewed from the A272 bypass, roundabout and from a number of view points in the surrounding countryside. The building in part, dates from the 16th Century and although is not listed, has been identified through the work undertaken on the Interim Statement as being of local historic interest. The setting of the property includes agricultural, residential and a small amount of light industrial buildings to the east which appear to have been developed in a piecemeal fashion. To the north of the property are open fields, and to the south a field with the urban boundary of Billingshurst glimpsed between a mature hedgerow. Immediately to the west of the property is the northern roundabout at the entrance to Billingshurst. The setting is a mixture of urban and rural, with the existing impact being one of neutrality on the setting of the building. The proposed main street through the development accessed the roundabout immediately to the south of Old Hilland. This is likely to have an urbanising effect on the setting of Old Hilland. Taking into account the existing setting and the local interest of the building, the proposal are likely to have a neutral, but with some negative impact on the setting of Old Hilland, especially in the immediate vicinity of its southern boundary.

In conclusion, for the reasons set out above I raise an objection to the scheme. There is concern that the application does not sufficiently demonstrate the impact the development is likely to have on the significance of the heritage assets as no meaningful assessment of significance has been submitted. There is further concern that the application does not demonstrate a balance between the provision of public benefit against the setting of the heritage assets as required in HE10 of PPS5. In relation to HDC policy DC12, the application is likely to have a negative impact on the setting of the conservation area and therefore does not meet the criteria "*Permission will not be granted for development outside but near to a Conservation Area if it detracts from that Area's character*". Policy DC13 has also not been met as the application is likely to have a negative impact on the setting of Little Daux Farm as discussed.

In terms of the urban design principle of the scheme, the application is considered to meet in part the criteria in HDCs policy DC9, however there is concern regarding criteria a, c, d, e, f of this policy. This may be able to be overcome by revisions and improvements to the design and further information demonstrating the impact of the scheme on the surrounding area.

3.6 The Strategic Planning Officer comments:

(Due to the length of the consultation response, it has its own paragraph numbers in brackets)

Relevant Planning Policy

(1.1) This application needs to be considered against the development plan (Section 38(6) of the Planning and Compulsory Purchases Act 2004 and Section 70(2) of the Town and Country Planning Act 1990) and other relevant planning policies.

(1.2) At the present time the development plan consists of the *South East Plan* and the adopted Development Plan Documents that form part of the Horsham District Local Development Framework (LDF); the *Core Strategy* (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), the *Planning Obligations* SPD and the *Billingshurst Design Statement* SPD (April 2009).

(1.3) National policy in the form of the *National Planning Policy Framework* (NPPF), March 2012 is a material consideration in planning decisions. It is noted here that Annex 1: Implementation, paragraph 214, states: "For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework." The Ministerial Statement '*Planning for Growth*' by Rt. Hon Greg Clark MP (23 March 2011) is also considered relevant with regard to the policies within the NPPF.

(1.4) Emerging local policy needs to be given consideration. Most recently there has been a consultation on '*How much housing does Horsham District need?*' February 2012. This is the start of the process to set the District's housing targets as required by the Localism Act 2011. You should also be aware of the 2009 Core Strategy Review consultation document, '*Leading Change in partnership to 2026 and beyond*'. Reference is also made to the draft Interim Statement '*Managing development in Horsham District*' (January 2011) which was dropped as a response to a public consultation.

The Development Plan – South East Plan

(2.0) The South East Plan is the Regional Spatial Strategy for the South East of England and was published in May 2009. It sets out the long term spatial planning framework for the region over the years 2006 – 2026. The plan is a key tool to help achieve more sustainable development, protect the environment and combat climate change. The South East Plan provides a spatial context within which Local Development Frameworks, and other plans, need to be prepared. The publication of the South East Plan replaced the

relevant County Structure Plans; for Horsham District, this was the West Sussex Structure Plan 2001 – 2016.

(2.1) The South East Plan contains the regional housing provision over the plan period 2006 – 2026 set out within Policy H1. For Horsham District, this sets a target of 13,000, which equates to an annual average of 650. Other relevant policies should be considered by the appropriate Council specialist and collated by the case officer to inform their recommendation.

(2.2) The South East Plan currently forms part of the Development Plan, despite the Government's intention to abolish Regional Spatial Strategies which is now enshrined in the provisions of the Localism Act and referred to in footnote 41 at page 49 of the NPPF. This is discussed in more detail below under housing land supply – the requirement, and national policy.

The Development Plan – Core Strategy DPD

(3.0) The Core Strategy (2007), along with other documents that comprise the Local Development Framework, collectively delivers the spatial planning strategy for the future of the District. The Core Strategy (and the Site Specific Allocations of Land DPD), allocate sites to meet the housing requirement for the District. The strategy is based around two large scale allocated Strategic Locations: Policy CP 6 (Strategic Location – West of Crawley) and Policy CP 7 (Strategic Allocation – West of Horsham), with limited provision for small scale 'greenfield' allocations elsewhere. The Core Strategy provides a settlement hierarchy under Policy CP 5 (Built-Up Areas and Previously Developed Land), by identifying Category 1 and Category 2 settlements. Policy CP 5 states that:

'Priority will be given to locating new development within Horsham Town and the other towns and villages which have defined built-up areas in accordance with the hierarchy and criteria listed below.

- *Category 1 Settlements – towns and villages with a good range of services and facilities as well as some access to public transport – capable of sustaining some expansion, infilling and redevelopment.*
- *Category 2 Settlements – villages with a more limited level of services which should accommodate only small-scale development or minor extensions that address specific local needs'.*

(3.1) The strategy is to locate development in sustainable locations and the hierarchy of settlements provided within Policy CP 5 identifies these more sustainable towns and villages. This approach was explored in some detail in the study on 'Settlement Sustainability and Greenfield Site Allocations in the Horsham Local Development Framework' (September 2005) undertaken by Land Use Consultants to support the Core Strategy. This is summarised within paragraph 4.37 of the Core Strategy: 'The study concludes that the Settlement Sustainability Hierarchy serves the required purpose and there is no compelling reason to re-categorise any of the settlements... It is therefore considered that the hierarchy and categorisation indicated provides a straightforward and robust policy approach.' On this basis the settlement categories were determined within Policy CP 5 of the Core Strategy:

Billingshurst is a Category 1 Settlement. However, the application site itself is outside of the defined built up area boundary of Billingshurst.

(3.2) Another key policy is Policy CP 4 (Housing Provision) which sets out the total housing requirement for the plan period; 2001 – 2018. In order to provide sufficient ‘flexibility’ to enable it to deal with changing circumstances a “hook” was added to the policy during the Examination of the Core Strategy that ‘reserve sites’ (at one or more Category 1 settlement) be included in a subsequent DPD, with their release managed through Policy CP 9 (Managing the Release of Housing Land) should any shortfall in housing supply occur. Therefore, the Council began work on a draft Reserve Housing Sites DPD and an Issues and Options paper (which did not identify sites) was published in October 2007, followed by a Preferred Options document (with sites) published in June 2008. At the end of the consultation, and after a period for the analysis of the representations, it was decided not to pursue this document (for the reasons set out in the Facilitating Appropriate Development SPD (2009) paragraphs 1.4 to 1.8 - www.horsham.gov.uk/environment/planning_policy/documents/FAD_adopted.pdf). Hence, it was deemed appropriate to look for an alternative solution, such as a broader, criteria-based policy approach, and this developed into the Facilitating Appropriate Development SPD (2009), thereby ensuring that the flexibility required by the Inspectors’ was recognised and that development in the District would still be plan-led.

(3.3) Whilst neither the site nor the wider area to the east of Billingshurst is allocated in the Core Strategy (2007), Billingshurst is mentioned in the document. At paragraph 2.7: *The future long term role for Southwater and Billingshurst is also an issue which needs to be addressed.* At paragraph 3.9: *.....further change is inevitable. In the longer term this may also apply to Southwater and Billingshurst depending on the scale of development necessary within the District and the sub regional policy objectives being addressed.* Paragraph 4.30 sets out a series of points relating to the development strategy for Horsham District. One of these refers to Billingshurst, that there will be: *no provision before 2018 for any further large scale development at Billingshurst but recognition that this position may need to be reviewed in future, particularly with regard to the need to relocate businesses and redevelop some of the existing industrial areas as part of a comprehensive planning strategy.* Further reference is made to Billingshurst under paragraph 4.50: *‘The potential role of further development at Billingshurst and Southwater has been examined but it has been concluded that they should not be considered as strategic locations for development at this stage, given the opportunities which exist for a sustainable ‘urban extension’ at the main town of Horsham.’* The Core Strategy (2007) makes it clear that Horsham Town is considered a more suitable strategic location for development than Billingshurst, but it recognises that if housing requirements change then Billingshurst will need to be considered. A potential large scale strategic release of land for development at Billingshurst is, therefore, founded on the adopted Core Strategy.

The Development Plan – General Development Control Policies DPD

(4.1) The General Development Control Policies DPD (2007) overall reflects the vision and spatial objectives of the Core Strategy and sets out the development control policies against which planning applications will be assessed. Policy DC 1 (Countryside Protection and Enhancement) seeks to maintain and enhance the natural beauty and amenity of the District's countryside for its own sake. The application site is outside of the defined built up area boundaries and Policy DC 1 states that *'development will not be permitted unless it is considered essential to its countryside location...'* It is worth noting that Policy DC1 aligns with Policy CC1(ii) of the South East Plan. Both appear to be consistent with the NPPF, which at paragraphs 7 and 17 talks of contributing to conserving and enhancing the natural environment and as part of this the prudent use of natural resources. The application has thus been advertised as a departure to the development plan.

(4.2) All of the relevant policies within the General Development Control Policies DPD (2007) will need to be considered by the case officer, but the main policies relating to the application are set out separately below, with some comment. Due to the specific nature of the policies, where appropriate, you will have taken into account the comments of the Council's relevant specialist and other technical advisors in coming to a recommendation.

The Development Plan – Site Specific Allocations of Land DPD

(5.1) The Site Specific Allocations of Land DPD (2007) was prepared in accordance with the vision, objectives and strategic policies of the Core Strategy. It reflects the vision and defines it in detail, by identifying specific areas of land for development. It sets out how it is intended to meet the more detailed development requirements beyond the two strategic development locations. The proposed application site is not included within the Site Specific Allocations of Land DPD, nor is it one of the two strategic development locations contained within the Core Strategy (2007).

(5.2) It is worth noting that at the time of the Examination in Public, sites ADS6 (which covers the application site, the Hilland Farm site and land further to the north of the village) and ADS7 (which covers land to the south of the A272 and the rest of the area indicated in the 2009 Core Strategy review consultation document referred to below at paragraph 6.1), land east of Billingshurst, was considered, but no discussion took place at the hearings in respect of these areas, because it was accepted that the sites were considered too large to comply with the Council's strategy (a point made in the Inspectors report). However, there was also an understanding that they would be looked at again within the Core Strategy review process.

Emerging Local Policy

(6.1) In September 2009, the Council published a consultation document for a Review of the Core Strategy *'Leading Change in Partnership to 2026 and beyond'*. The consultation document identified 9 potential strategic sites,

including the east of Billingshurst (option 7), which was identified for around 1,750 new homes along with associated infrastructure. Following the consultation exercise the east of Billingshurst was shortlisted as one of four sites to be considered for further investigation. However, due to the changing circumstances at that time; loss of appeals, a new Government and their developing views on the planning process, the Council decided to follow an Interim Statement approach rather than proceed with the Core Strategy Review.

(6.2) The Draft Interim Statement, *Managing development in Horsham District*, was published for consultation in January 2011. This document was principally conceived to address the short term delivery of housing in response to the short term housing land supply position against the South East Plan and/or the need for flexibility to bridge the gap between those allocated in the Core Strategy (2007) and the Core Strategy Review. It proposed two sites, Billingshurst and Southwater, because of those settlements identification in the adopted Core Strategy (2007). The Draft Interim Statement proposed three options; Option 1 Unplanned Growth (respond on an ad hoc basis to planning applications), Option 2 Limited Planned Growth (c500 dwellings in total, c250 at each settlement), Option 3 Notably Planned Growth (c1000 dwellings in total, c500 at each settlement). You should note that the application site follows one of the two site options at Billingshurst under Option 3 of the Draft Interim Statement; as shown on 'Map 1 Land East of Billingshurst Conceptual Masterplan Option A' attached to Appendix 4 of the Draft Interim Statement. On 7th September 2011, taking into account the public consultation responses, the Council resolved to proceed with Option 1 and *not* to plan for development to address the immediate shortfall in the 5 year housing supply against the South East Plan, but to respond to individual planning applications as they are submitted. The Council's adopted FAD SPD, May 2009, remains to assist this process. It provides a set of criteria against which to determine proposals for development on greenfield or brownfield sites which adjoin defined settlement boundaries; this is discussed in more detail below under Location, Scale and Deliverability in the context of the FAD SPD.

(6.3) Having made a formal decision regarding the Interim Statement, the Council's focus has turned to bringing forward the Core Strategy review, known as the *Horsham District Planning Framework* (HDPF), as quickly as possible, in order to address the housing land supply issue. In light of the Localism Act, the Council is seeking to set a locally derived housing target before returning to look at the potential strategic sites put forward in the 2009 consultation. The consultation document *How much housing does Horsham District need?* was published on the 10th February 2012. It focused upon setting a locally derived housing target for the plan period 2011 – 2031. The consultation ended on the 10th April 2012 and the Council is currently analysing responses.

(6.4) For your information, work previously undertaken to help identify a suitable housing target includes the '*Locally-Generated Needs Study*' undertaken in April 2010 and an updated '*Additional Analysis*' completed in

August 2010. The *Locally-Generated Needs Study* made a recommendation of 610 – 660 homes per annum over the period 2006 – 2026. The *Additional Analysis* recommended between 640 – 690 homes per annum over the period 2011 – 2031. This work was subsequently updated to inform the consultation; *2011 Update: Final Report, December 2011*. It recommended that the Council consult on 4 options; Option 1 - 635 homes per annum, Option 2 – 670 homes per annum, Option 3 – 730 homes per annum and Option 4 – 820 homes per annum. Using the study the Council consulted on the 4 Options as follows:

Summary of housing options over period 2011 – 2031

Housing Option	Amount	Summary	Approach
A	11800 (590 per annum)	Minimal level of growth, reflects past trends	This is one of the Scenarios within the Locally-Generated Needs Study, but is lower than the recommendations.
B	12700 (635 per annum)	Baseline employment growth. This option draws upon work undertaken as part of the Employment Land Review.	This is the lowest level recommended by the Locally-Generated Needs Study.
C	13400 (670 per annum)	This option is based on achieving the 'Successful Repositioning' scenario in the Employment Land Review.	This option matches the second recommendation from the Locally-Generated Needs Study and takes account of both demographic trends and the impact of job creation within the District.
D	14600 (730 plus per	This option offers a higher number of	Using the recommended 730 per annum allows

	annum)	homes that would meet local demand as well as providing a strong contribution to meet wider sub-regional development needs and support economic growth across the Gatwick Diamond.	a high growth scenario to be pursued. The 'plus' element facilitates a higher level if the market will support it, but this is not likely to be as high as the 820 per annum recommended by the Locally-Generated Needs Study.
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(6.5) Landscape capacity work, infrastructure work and an analysis of feasibility of delivery either has or will feed into this target setting. The Preferred Strategy is due to published in the autumn and all evidence base documents will be in place by then.

(6.6) You should also be aware that this site features in the Strategic Housing Land Availability Assessment (SHLAA) Interim Report, September 2009 shown as 'developable' (yellow), that is, 'in a suitable location for housing development'.

Housing Land Supply – The Requirement

(7.1) The Council is required, through the NPPF to *'identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional 5% (moved forward from later in the plan period) to ensure choice and completion in the market for land'*. This requirement to be able to show a five year supply is similar to that required by the old PPS 3 Housing, and in order to accord with this requirement through a plan, monitor, manage, approach, the Council publishes the Housing Trajectory and the five year supply position within the Annual Monitoring Report (AMR) each December. The AMR 10/11 contains the latest housing trajectories and reports on the housing position against both the South East Plan and the Core Strategy.

(7.2) As discussed previously, the South East Plan covers the period 2006 – 2026 and sets a housing target of 13,000 dwellings, or an annual average of 650 dwellings, under Policy H1. Against the South East Plan the AMR 10/11 states that the housing target for the five year supply is 4,674 units (paragraph 5.37).

(7.3) The Core Strategy housing requirement is contained within Policy CP 4 (Housing Provision), the requirement is to provide 10,575 homes over the plan period. For the five year supply (starting 2012/13 and ending 2016/17), against the Core Strategy provision, the AMR 10/11 states that the housing target is 2,995 units (paragraph 5.38).

Housing Land Supply – The Supply

(8.1) The AMR 10/11 clearly sets out the approach that has been followed in paragraphs 5.23 to 5.54. Appendices 3, 4 and 5 of the AMR 10/11 set out the Site Specific Allocations of Land, Previously Developed Land sites update, Housing Land Supply large sites and Housing Land Supply small sites, which all feed into the housing land supply figures.

(8.2) The AMR 10/11 reports that a total of 3,597 net completions (paragraph 5.37) are projected for the five year supply calculation (starting 2012/13 and ending 2016/17) against the South East Plan, taking into account the current monitoring year and large sites (6+ dwellings) granted permission from 1st April 2011 to 31st October 2011.

(8.3) Against the Core Strategy requirements, the AMR 10/11 reports that 3,168 net completions (paragraph 5.38) are projected for the five year supply calculation (starting 2012/13 and ending 2016/17), taking into account the current monitoring year and large sites (6+ dwellings) granted permission from 1st April 2011 to 31st October 2011.

(8.4) There have more recently been a number of sites where permission has been granted or where there has been a resolution to grant permission since October, such as, Millfield, Southwater (131) and Stane Street, Pulborough (103). These can be added into the supply calculations. We will endeavour to ensure that the most up-to-date figure is available for the Committee.

Housing Land Supply – Position

(9.1) Using the figures presented in the AMR 10/11, the five year supply position against the South East Plan is 1,077 net project completions below the target, a supply of 77% (paragraph 5.37).

(9.2) Against the Core Strategy requirements, the AMR 10/11 reports that the five year supply position is 173 net projected completions above the target, a supply of 105.8% (paragraph 5.38).

(9.3) At the present time, the South East Plan (2009) is the most up-to-date element of the Development Plan, as it was published after the Core Strategy (2007). The High Court Decision following the Cala Homes challenge set out clearly that the South East Plan remains part of the Development Plan until it is formally removed through the provisions of the Localism Act. The second Cala Homes judgment in May 2011 allows the Government's clear intention to

remove the South East Plan to be considered as a material consideration to be taken into account when determining the weight to be given to the Plan when determining planning applications. The weight to be given to the intention to revoke the South East Plan has increased with the passing of the Act into law. There is, however, a formal process to be gone through before the revocation can happen. We are currently awaiting the results of the consultation regarding the Environmental report (SA/SEA) on the revocation. I will advise you if there is any change in the position prior to the application being reported to Committee.

(9.4) Therefore, measured against the South East Plan, the five year housing land supply for the District shows that the Council does not have an adequate supply. The current published supply position against the South East Plan is 77%. A 73% / 74% supply has been considered to represent a 'significant' shortfall by Inspectors in recent appeal decision letters.

National Planning Policy Framework

(10.1) As the Council does not have a 5-year supply against the South East Plan, paragraph 49 of National Planning Policy Framework is relevant. It states: "*Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.*"

(10.2) The Ministerial Forward to the NPPF states that the purpose of planning is to help achieve sustainable development; with development meaning 'growth'. The '*presumption in favour of sustainable development*' theme runs throughout the NPPF document and is specifically highlighted in paragraph 14. This paragraph sets out what this means for decision-taking when the policy for housing supply is out-of-date; the position the Council is currently in with regard to five year housing land supply. It states:

'For decision takers this means...granting permission unless:
- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- *specific policies in this Framework indicate development should be restricted.*^{9'}

(10.3) The later point relates to European and national designations, such as, National Park and Areas of Outstanding Natural Beauty. The former point is the one that the case officer needs to focus on in coming to a decision in this case.

(10.4) The key benefit of granting permission from a strategic point of view is to increase the delivery of new homes in the District. The deficit in five year supply could be halved as a result of approving this site, subject to build out rates, and the supply would be 88% of the target. Even if all of the

development didn't come forward in the five year period, taking into account other permissions in the pipeline since October 2011, the overall position would be significantly improved. I would add here that should you be minded to recommend the grant of planning permission, you should seek assurances from the developer regarding their timetable for delivery and at least attach a condition requiring early submission of reserved matters in order to try to secure early delivery of the scheme. You should also seek legal advice as to whether early delivery could be tied through the section 106 legal agreement.

(10.5) It is clear at paragraph 47 of the NPPF that the government wishes '*to boost significantly the supply of housing*'; with the presumption being in favour of sustainable development. In terms of the three dimensions to sustainable development that the NPPF identifies at paragraph 7, the main benefits of this scheme fall within the economic and social dimensions and these will need to be carefully balanced against the environmental considerations (dimension).

(10.6) Within the overarching roles or dimensions as referred to above, that is, economic, social and environmental, a set of 12 core planning principles are set out at paragraph 17 which should underpin decision making. It is for you to give consideration to these, taking into account guidance from specialist and technical advisors.

(10.7) I would draw your attention to the following issue which goes beyond what might be considered as a normal development management issue (such as, high quality design or protection of the countryside); that is, the need for planning to be "*a creative exercise in finding ways to enhance and improve the places in which people live their lives*". This raises questions around the benefits that the scheme could bring to the village. So in terms of the village retail centre, for instance, it is not just a simplistic question of whether an increased number of people might possibly use the shops, but the creative use of contributions towards innovative schemes which would enhance the retail offer and experience of the village, creating a better sense of community. In other words, will this scheme enable the community to have a say and become directly involved in the pro-active, positive planning that the government is suggesting? And on the reverse if the application is refused will those opportunities to improve the 'place', in the widest sense, be lost? Again this is a balancing exercise for you as case officer.

(10.8) As previously stated, the NPPF allows decision takers to continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with the Framework for 12 months from the day of publication of the NPPF. This does not mean that the Council can avoid determining the application for 12 months whilst it sets a local target which may differ from the South East Plan; although it is acknowledged that the government does wish to see local communities having greater power over development in their areas.

(10.9) The earlier Ministerial Statement '*Planning for Growth*' by Greg Clark MP (23 March 2011), emphasized the Government's stance and strong promotion of growth to help rebuild the economy. It considered reforming the planning system as a top priority to promote sustainable economic growth and stated that the Government is committed to introduce a strong presumption in favour of sustainable development.

Location, Scale and Deliverability in the context of the FAD SPD

(11.1) Linked to the wider discussions above concerning the Core Strategy and Policies CP 4 and CP 9 and mentioned earlier in paragraph 3.2, is the Facilitating Appropriate Development (FAD) SPD (2009). It is a criterion based approach to help in the Council in determination of applications whilst the Council can not demonstrate a 5 year housing land supply. It is therefore relevant to consideration of this application. The FAD SPD '*sets out the requirements against which those planning applications for development, put forward by landowners / developers as a response to the evolving circumstances, on greenfield and brownfield sites which adjoin defined settlement boundaries in the District, will be considered*' (paragraph 1.1). The application site adjoins the built up area boundary of the Category 1 settlement of Billingshurst, hence the development of this site could, in principle, be considered acceptable in accordance with *Criterion 1* of the FAD SPD which requires the site boundary to be contiguous with an identified Built-Up area Boundary to accord with policies CP5 and CP8 of the Core Strategy.

(11.2) The majority of the other seventeen criteria within the FAD SPD refer to the adopted policies in the Core Strategy (2007) and the General Development Control Policies (2007) as the document is not in itself a policy making document. The proposal will need to be considered against all of the criteria by the case officer, along with specialist officers. However, there are four criteria which I will specifically comment upon and are of particular relevance to this application - 3, 5, 15 and 18.

(11.3) In relation to *Criterion 3*, the FAD is designed to ensure the scale of development is appropriate to the location and therefore proposals will '*not exceed around 150 dwellings, individually or cumulatively...*' per settlement. This application alone is significantly above this threshold and cumulatively permission has already been granted for 217 dwellings on greenfield sites adjoining the built up area boundary; in total then that would mean 767 dwellings.

(11.4) The Inspector on the Marringdean Road appeal (150 dwellings) referred to that development as 'evolutionary', 'not radical' making it acceptable within the spirit of the document. This took into account the figures for the increase in population in Billingshurst as had occurred between 2001 and 2006 (a 16% increase) and what the increase relating to that site would mean, a further 4.5% of the 2001 figure and 3.6% of the 2006 figure. He was also aware of the Hilland Farm permission. The proposed 550 dwellings on this basis would in itself lead to an increase in the 2006 population of 17% (a 16% increase if one

uses the WSCC: Population projections for Parishes and Wards figure for Billingshurst 2011 which indicated an increased population).

(11.5) Whilst this data is interesting, it is also noted that the FAD SPD paragraph 2.7 states: *'Larger proposals would have a greater impact and may prejudice consideration of strategic locations in the review of the Core Strategy. This would not necessarily prevent a small segment of a possible future strategic site coming forward, providing it accorded with all the other existing policy criteria and would not prejudice future development of the wider area in a proper planned, comprehensive manner.'* As mentioned earlier this site is being considered as part of a possible future strategic site. Its development wouldn't prejudice the development of the wider area. It is acknowledged that as a larger development it would have a greater impact.

(11.6) Despite its scale being above the 150 dwellings, then, given recent appeal decisions and the housing land supply position that we currently find ourselves in, it is not felt that the 150 threshold alone is a justifiable reason to object. The arguments against the additional dwellings over and above 150 would need to be backed up by other site specific objections which in turn would need to be backed up by robust evidence.

(11.7) Following on from this, another matter for consideration in terms of principle is whether the development individually or cumulatively prejudices the comprehensive, long term development strategy set out in the Core Strategy and /or the review of the Core Strategy – *Criterion 5* of the FAD SPD. The Inspector in the Oddstones appeal decision (DC/09/0488) took the view that unless the development actually hinders or holds back other developments in the Core Strategy or prevents something being taken through the Core Strategy Review, it can not be considered contrary to this criterion. In the Hilland Farm case, Billingshurst (DC/09/1794) this was reiterated despite the process being further advanced. Although I do not necessarily fully agree with the stance taken by the Inspector, we have to be mindful that in this case at the current time his reasoning is likely to still stand. In other words, substantial, robust and clear evidence would be required to justify refusal on this basis.

(11.8) This Council has always sought to ensure that it follows a plan-led approach to development and is actively pursuing the HDPF. As previously stated, Billingshurst has been suggested as a strategic location for development in the Core Strategy review process (Consultation Document: *Leading Change in Partnership to 2026 and beyond*, September 2009); however, the review process is still considered to be in its early stages and the Inspector in his decision on Marringdean Road considered that a prematurity argument would not be justified at this stage. Moreover, he referred to the Council's decision to respond on an ad-hoc basis to planning applications (rejecting the draft Interim Statement approach) whilst working on the review. At the present time, therefore, it continues to be the case that although the preferred route to consider the proposal would be through the Local Development Framework process, there does not appear to be sufficient justification for a refusal of the proposals on this basis.

(11.9) As part of the aim of the FAD, deliverability is a significant concern as it is designed to address the shortfall in housing over the five year period. *Criterion 18*, therefore, should still apply and the applicant should be able to demonstrate that the scheme is deliverable over the shorter term to assist with the Council's housing land supply position. As mentioned at paragraph 10.4 the time limit condition attached to any planning permission should reflect the more immediate timeframe that the development is required.

(11.10) The demonstration of deliverability requires consideration of the viability of the proposal. Viability information has been submitted and the District Valuer's views on this, when received, should be taken into account. This has clear links to Policy CP 12 Meeting Housing Needs of the Core Strategy (2007), and *Criterion 15* of the FAD SPD, which sets out the requirement to provide affordable housing on residential developments of 15 dwellings or more. The policy sets a target of 40%: viability information would need to support any case for less than 40% provision. It is noted the *West Sussex Strategic Housing Market Assessment (2009)* indicates that 'the demand for affordable housing in Horsham is acute'. There has also been a Housing Needs Survey for Billingshurst carried out in 2011 which should be referred to. The appropriate mix of housing sizes, types and tenures of the affordable housing element of the scheme should be agreed in consultation with the Housing Development and Strategy Manager.

(11.11) Viability information should also be used when considering an appropriate legal agreement for infrastructure and other contributions. This should be in accordance with the CIL regulations and the adopted Planning Obligations SPD. Negotiations to agree the amount of affordable housing and the other Section 106 elements required to make the proposal acceptable will be required; the government's policies for creative, pro-active planning with high community input is noted in this regard. The Billingshurst Parish Plan 2008-2013 (adopted 1 October 2008) identifies a range of priorities to be addressed in any development and serves to inform the form of any release and wider benefits sought. I am happy to offer further advice on this.

Other considerations

(12.1) There are other key considerations in respect of this application, including, landscape, highways, and design; all covered by adopted development plan policies. It is noted that you have received expert advice on these issues and therefore I do not intend to comment on them here. Should you require my further input by way of formal comment on these matters, please let me know.

(12.2) I would also remind you that Billingshurst has a Parish Design Statement SPD which can be viewed via the web site at:
www.horshamdistrictldf.info/Files/BillsPDS.pdf

Conclusion

(13.1) To begin with, the application site is located outside the built up area boundary of Billingshurst, a Category 1 settlement identified within Policy CP 5 of the Core Strategy (2007). Its location in the countryside, therefore, means that the application is contrary to the Horsham District Local Development Framework Core Strategy, Policy CP 5 and General Development Control Policies, Policy DC 1. As such the application was advertised as a departure application.

(13.2) However, as stated, although the Core Strategy does not allocate development to the East of Billingshurst, in the supportive text Billingshurst, along with Southwater, are mentioned as a possible future locations for development as circumstances change; more specifically at the time when consideration was being given to the final regional / sub-regional strategy which may have required the accommodation of additional development in the District. In addition, to provide the flexibility to Policy CP4, Housing Provision, required by the Inspectors who examined the Core Strategy (2007), the Council adopted the FAD SPD (2009) (as opposed to a Reserve Housing Sites DPD) for the reasons set out in paragraphs 1.4 to 1.8 of the document. Acknowledging that SPD's are supplementary to DPD policy, the FAD SPD sets out a criteria based approach for considering planning applications that adjoin defined built up area boundaries in circumstances when a five year housing land supply can not be shown.

(13.3) The current five year housing land supply requirement for the District is set by the South East Plan. The latest published AMR 10/11 shows the supply position against the South East Plan as 77%. Shortfalls of 73% and 74% have been described as 'significant' by Inspectors in recent appeal decision letters. Due to the lack of a five year supply of housing, paragraph 14 of the NPPF is relevant. This states: "*for decision takers this means...granting permission unless: - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*" This is discussed in detail above. It is for the case officer, taking into account all comments from the specialist Council officers and other experts, to determine if the proposal is in line with the spatial vision and policy objectives for the District; and the presumption in favour of sustainable development as set out in the NPPF.

(13.4) At the local level, the Council is in the initial stages of reviewing the Core Strategy (2007). There have been two consultations; the first, in September 2009, identified Land East of Billingshurst as one of nine potential strategic locations. Work was then focused on the shorter term housing needs through the draft Interim Statement. Further non statutory early consultation on housing numbers took place earlier this year; ending on the 10th April. Results are currently being analysed. The draft Interim Statement, January 2011, consulted on possible development at Billingshurst and Southwater based upon the supporting text within the Core Strategy (2007). The NPPF sets out the new government policy 'to contribute to the achievement of

sustainable development' (paragraph 6 of the NPPF) and the Ministerial Statement '*Planning for Growth*' by Greg Clark MP 23 March 2011 outline the Government's agenda for growth to assist the economy.

(13.5) A number of key issues, then, have been taken into account in the consideration of the policy position in relation to this application:

- The assessment against the Development Plan;
- The housing land supply situation and the guidance within the NPPF;
- The category 1 classification of Billingshurst and its mention within the supportive text of the Core Strategy; and
- The emerging policy position at local level.

(13.6) Taking into account all of the above it is considered that, on balance, no objection is raised by Strategic Planning to this planning application; subject to the comments and views of the relevant specialist Council officers and other expert consultees, and an appropriate Section 106 agreement to ensure the provision of affordable housing, necessary infrastructure, mitigation and community facilities.

3.7 The Public Health & Licensing Officer comments:

Following the submission of the revised Design and Access statement with additional information from the applicant's consultants please find below further comments in respect of the revised details:

Air Quality

The revisions to the alignment of the spine road as detailed in Framework Plan reference: Rd1340-Ga-101 Rev D received on 2nd April 2012 together with further information received from the consultant are sufficient to address the concerns expressed in respect of air quality

Noise Survey

Further to the earlier comments in respect of the noise survey the acoustic consultant has provided additional information. While not addressing all the points raised the revisions to the proposed development layout and alignment of the spine road as identified in the revised Design and Access Statement and Framework Plan reference: Rd1340-Ga-101 Rev D received on 2nd April 2012 have served to reduce significantly the numbers of dwellings likely to be exposed to adverse levels of environmental noise.

However there are some parts of the development where the need to reduce exposure to noise from the proposed spine road will remain. These include:

- Minor play area at SO1

- Proposed dwellings in area H1 bounding the proposed spine road to the northern boundary of the site where the road is elevated.
- Proposed dwellings in area H2 bounding the proposed spine road to the northern boundary of the site where the road is elevated.
- Proposed dwellings fronting the proposed spine road in areas H6 and H7
- Proposed dwellings fronting the proposed spine road in area H8
- Proposed dwellings in areas H10 and H11 adjoining the junction of the proposed spine road and existing A272.

The design and layout of these dwellings and areas should be arranged so that noise sensitive rooms are located away from the facades exposed to road traffic noise and that outdoor amenity spaces are not exposed to noise levels in excess of 55dB_(LAEQ).

Where such arrangements are not practicable suitable mitigation measures should be employed to ensure that noise levels meet the good standard for internal noise levels as described in Table 5 to BS8233:1999 and that outdoor amenity spaces are not subject to noise levels in excess of 55dB_(LAEQ).

These provisions should ensure that the development complies with the Councils adopted policies to ensure that new development is of high quality and the requirement of the National Planning Policy Framework that new development not be adversely affected by unacceptable levels of noise pollution.

Construction Phase Noise and vibration

As previously highlighted the Environmental Statement offered no detailed comments in respect of noise or vibration for the construction phase of the proposed development. Reference is made to BS5228:2009 but not to the detailed advice provided in Annex E in assessing the significance of construction site noise on sensitive receptors.

The development will require a detailed Construction Environmental Management Plan to ensure that noise and other potential nuisances from construction site are minimised and ancillary matters such as routing of HGV's should be subject to similar assessment and control.

Ground contamination

In accordance with the requirements of National Planning Policy Framework the developer should submit a desk top study which demonstrates that the site is suitable for the intended residential use.

- 3.8 The Access Forum comment: No comments at this stage. Once the location of the associated facilities have been proposed and further information about the facilities presented then, will be able to comment further.

3.9 The Engineering section commented on the original plans:

The Surface Water Drainage Strategy information supplied shows that the outfalls from the various development parcels into the adjacent land drainage network of streams and ditches will be restricted to the current (pre-development) Greenfield runoff rate so no additional water will be flowing from the various site locations as a result of the proposed development.

Various methods have been described within the submitted documents that demonstrate how a more sustainable approach to the surface water drainage is to be incorporated into development proposals.

Therefore until detailed design information has been submitted at the appropriate planning stage, drainage conditions should be applied.

3.10 Following the receipt of amended plans, the Engineering Section confirmed they had no further comment.

3.11 The Arboricultural Officer comments:

Thank you for consulting me on this development proposal. As you are aware, I have visited the site on more than one occasion, and in addition have examined the submitted information pursuant to arboricultural matters, principally including the Arboricultural Implications Report (AIR) as compiled by Simon Jones Associates (*dated August 2011*). I note the following:

- This large-scale scheme cannot but have an impact upon the trees, woodlands and hedgerows on or abutting the site. Policy DC9 of the General Development Control Policies Framework document (*December 2007*) states a presumption "*in favour of the retention of existing important landscaping and natural features, for example trees, hedges, banks and watercourses*".
- All of the trees on the site have been categorised in the accepted manner using the classification at **BS 5837 'Trees in Relation to Construction' (2005)**. Having carried out my own assessment of the larger trees on the site, I find the classification accurate and in line with the relevant recommendations.
- In terms of individual tree loss, I note that only 1 tree subject to an existing TPO is being removed; and of the category B trees on the site only 7 are targeted for removal. No category A trees are being removed. None of the B trees are specimens of outstanding or especial merit, interest, or amenity value, all being moderate in size. Given the large scale of the development, and in regard to the particular specimens targeted for removal, I find this acceptable and compliant with the policy noted above.
- In particular I find reassuring the retention of trees T180, T181, T182, T21 and T22, the group of individual specimens of high merit to the east of block H3.
- Some hedgerow loss on the site is targeted. In general terms, the field structure is retained, though extensive loss can be expected along the existing A272. Conversely, I am in support of the proposal to retain hedgerow H23 within block H9. On balance, I do not feel that the proposed hedgerow loss is excessive in arboricultural terms.

- There is no woodland on the site to be affected. However, in close proximity to the west is the woodland area W1, as noted within the AIR to be "*of high importance to the local landscape in terms of amenity value and wildlife habitat*". I agree with this assertion, and am therefore pleased to see that residential development is not planned in the meadow to the immediate east of the woodland, to the west of block H6. Residential development abutting such woodland areas can cause significant harm, even if off-site. The part of block H8 abutting the area is small and, on balance, acceptable.
- The principles set out in the AIR for the protection of trees on the site during the construction process, and the provision, where required, for special surfaces within the RPA's of retained trees, are satisfactory at this stage.

I can accordingly advise that in arboricultural terms I register NO OBJECTION to this proposal, which appears to sit well with the recommendations at **BS 5837 'Trees in Relation to Construction'** (2005) and is compliant in tree terms with Policy DC9 of the General Development Control Policies Framework document (December 2007).

I trust this information is suitable for your requirements.

- 3.12 The Senior Environmental Officer commented regarding the submitted Environmental Statement (ES) that in general, the information contained in the Environmental Statement addresses the range of environmental issues that could arise from development on the proposed site. In addition, the applicants have specifically addressed issues that were raised in the Screening Opinion. The applicants did not, however seek a formal Scoping Opinion from the Council as to the content of the Environmental Statement, and as a result there may be areas where other officers and statutory consultees consider that the ES has omitted certain issues and impacts. Should this be the case it will be necessary to seek this information from the applicant in order for all relevant environmental information to be taken into account when determining the application.
- 3.13 Building Control comment that the purpose of their comments at this stage is to highlight areas for further consideration at the design stage to ensure the development proposals can comply with the requirement of Building Regulations. Matters highlighted include vehicle access, sustainability and drainage.
- 3.14 The Housing Strategy & Development Manager comments:

The District Valuer has assessed the applicant's viability appraisal and has concluded that the scheme should provide 37.2% affordable housing. This is relatively close to the target of 40% set out in Policy CP12 of the Core Strategy (2007). Housing officers accept the District Valuer's recommendation.

The applicant has also worked with Moat Housing Association, one of the Council's principal preferred affordable housing providers, on an affordable housing mix that will provide 70% off the affordable housing as rented accommodation, with the remaining 30% to be delivered as shared ownership tenure. The policy allows for a mix nearer 60%:40% (paragraph 4.71 of the Core Strategy).

Bearing in mind the strong need for affordable rented homes in the District, the proposed level of affordable housing and tenure split is very welcome.

Moat is offering a mix of sizes of dwellings that will provide 53% of the units as 1 and 2 bed accommodation and 47% as 3 bed houses??.

The affordable housing proposals have been calculated on the basis of no grant subsidy in line with current government policy.

There will be continuing discussion between the applicant, the affordable housing provider and the Council – the phasing of the development will influence delivery and the details of the mix at each stage will be brought forward as reserved matters applications are submitted.

Housing officers are encouraged by progress so far and recommend the affordable housing provision as outlined above to members.

OUTSIDE AGENCIES

3.15 The Billingshurst Action Initiative Team comment:

The Billingshurst Action Initiative Team (BAIT) is a voluntary group of people who consider and discuss solutions to a range of crime and disorder problems within Billingshurst and the surrounding area. Its overall purpose is to contribute to a reduction in crime and anti-social behaviour, thus improving the quality of life for all residents and businesses within Billingshurst.

BACKGROUND

HDC's Community Safety Manager (Greg Charman) has been asked to comment on the planned development proposals from a community safety perspective. He has invited BAIT to comment on the effect of the proposed provision of 550 dwellings on land to the east of Billingshurst located north and south of the A272, East Street.

Since the planning is an "Outline" application any comments that BAIT makes can only be generic at this stage. Once the "Reserved matters" are available then more detailed comments can be made. However there are in this document comments from Councillor Wilding that are relevant at this stage.

RELEVANT DOCUMENTS AND GUIDANCE

Two documents are commensurate with this response.

1 Section 7 of the Development Proposals "Crime and Prevention, Community Safety".

2 Local Planning and Guidance Note 24, "Designing out Crime".

SECTION 7 CRIME PREVENTION AND SAFETY this document sets out the issues in 6 categories.

- 1 Area and movement
- 2 Structure
- 3 Surveillance
- 4 Ownership
- 5 Physical protection
- 6 Activity

GUIDANCE NOTE 24 “Designing out Crime” addresses 4 design principles.

Defensible Space, Territoriality, Surveillance, Building security and Standards.

BAIT’S RESPONSE

Bait’s response follows these guidelines as follows. If those issues addressed in Guidance Note 24 and the responses of section 7 are embedded into the final planning design then BAIT would agree that, in so far as it is practical, every measure has been taken to reduce crime and the fear of crime within that development.

Note: This document is considered to be the first stage of an on-going process as the development plans mature toward full planning approval.

MOVEMENT AND DEFENSIBLE SPACE

The planners should take cognisance of safe access and the movement of pedestrians, cycles and vehicles, bearing in mind that the existing central focus of the community is the High Street and Jengers Mead - hence the general movement thrust (excluding through traffic), would in all probability be toward this focal point. However, one must also take into consideration the movement of parents and younger people regarding the existing primary and secondary schools. This is notwithstanding the provision of a new primary school within the development area.

Hence there must be a balance between encouraging residents to walk to these destinations whilst recognising that such access routes are also potential escape routes for those engaged in crime and disorder.

The planners should also consider the safety issues that result from parking and crossing points along the A272 as well as the planned spine road.

Overall, the network of paths and cycle ways should provide for clear and open routes so as to exclude places where one can hide – particularly in the late evening and overnight.

Play areas should be visible and also take into account the age range of users in relation to roads and dwellings. Especially those for younger children which need to be located, in so far as is possible, so as to be overlooked. It is noted that a play area for 4 to 8 year olds is located close to a road roundabout junction and we

would suggest that any play area for this age group should be located as far as it is possible from any road or crossing point.

STRUCTURE, TERRITORIALITY AND SURVEILLANCE

The Guidance Notes stresses the uniqueness of design and the location of community facilities as the exclusive domain of any particular individual or group fostering a sense of pride of ownership.

Whilst the plans so far show a dispersal of individual dwelling areas the planners should take cognisance of the existing community's facilities and ensure that the development does not encourage a ghetto mentality and that its design is conducive to the integration of incomers with the existing community.

At those times in the past when anti-social activity has occurred this has, in the main, focussed on those areas of communal use that are not overlooked or otherwise easily observed. Hence the design and location of new communal facilities must be such that continual surveillance is possible.

PAST EXPERIENCE THAT MAY HELP IN THIS PLANNING STAGE.

In the main the focal areas for antisocial problems (ASB) in Billingshurst have been Jengers Mead, Cleveland Gardens and Jubilee Fields. Jubilee Fields and Cleveland Gardens are areas not easily overlooked or supervised at all times of the day and night whilst Jengers Mead is a focal point for the community as the virtual centre of Billingshurst.

This BAIT would suggest endorses the need for recreational areas to be located where they can be observed and offer easy access to the response services be they Police, Fire or Ambulances.

Jengers Mead is a gathering place and has experienced a great degree of ASB. The CSOs and local Police have, and do, made a considerable effort to police this area. The new development should in all respects avoid another "virtual" centre or community focal point and ensure that any planning gain (106) is directed at the further development of Jengers Mead.

The West Sussex Community Safety Partnership data shows Billingshurst as the second greatest location for violent crime over the last 3 years. Whilst occurrences of this nature have reduced it is still a concern to Billingshurst. It is a fact that many of these problems occur in areas of mixed social status with a large, or majority, concentration of Social Housing. Whilst there is no implied criticism of this type of development the message seems to be to keep the mix to a minimum so that area has a pride of ownership and cohesion.

Statistics also show that the majority offenders of crime are in the age group 15 to 30 with a peak at 15 to 19! Billingshurst has no dedicated and general supervised place or facility for this age group. BAIT makes a plea that any resulting planning gain (106 or New Homes Bonus) from this development is directed at the estimated £1m cost to provide such a facility.

CLLR WILDINGS NOTES

- School site in C1 on A272 said to be on the “entrance” to Billingshurst, site next to the school has the lowest density of housing e.g. hamlet style in H10. No real natural surveillance for school safety – metal, computer and other hardware attractions. When the alarms go off for the Billingshurst Primary school, especially in holiday period they can ring for a long time before they are turned off.
- Footpath access from A272 and area around Nightingale Walk, Gorselands, St Gabriel’s Drive to encourage children and parents to walk to the school – potential escape routes for burglaries.
- There are access ways across developed parcels e.g. from one area to another via foot and cycle ways... potential escape routes.
- Access way through Hilland Estate (Alders Edge) from the development site ... potential escape route
- Access to motorists on to the A272 from H8 and H8a. consortium say that a low density farmstead H8a but the plans show that the access is from H8 and the highest density housing is in H8 ... there is potentially a safety issue here at various times of the day with parent parking and the safety of children walking to school from across the A272.
- Along the spine road there are 3 storey units planned H4, H6 and H8c, there appear to be 2 storey units planned immediately behind which may mean questionable visibility – no natural surveillance for housing directly behind the three storey units. There are also “individual” play areas centred in each neighbourhood and given the network of footpaths/ cycleways which are designed on this development there must be clear sight lines to these play areas from the housing.
- The networks of footpaths/cycleways which are planned to go from one parcel of land to another should be clear and open so as not to have secluded alleyways.
- A concern would be the footpath from the designated site to the back of the Roman Way surgery for the reasons of safety and security of a site that is not really overlooked during the late evenings and overnight when the surgery is unoccupied.
- The play area in SO1 which is to be for 4-8 year olds will be 20m from nearest housing in H1; it is close to both footpaths/ cycleways crossing this part of the site and both these lead onto the Hilland Roundabout. A safety aspect which should be risk assessed.

The Spine road in the amended plans still divides the settlement and therefore there will be safety issues for pedestrians and cyclists.

- There are three functions of the amended spine road according to the Consortium of developers
 1. To remove traffic from the centre of Billingshurst A272 east/A272 West/A29
 2. It can accommodate buses and heavy lorries and cater for comfortable and safe pedestrian/cycle movement
 3. It would be a key public street

Residents on the west side of the village often suffer noise nuisance from speeding motorcycles which will use the spine road on their route east west across the county.

Even with the amended plans there are serious concerns about the interface of pedestrians and vehicles along this spine road. Pedestrians will need to use this road to access the new school, crèche and dentists. There could be a mix of pedestrian traffic, elderly, commuters to the Station, school children to the Weald as well as to the new primary school using this road at all times of the day. When the construction of the western bypass took place care was taken in the design to avoid potential hazards.

- At the moment the lighting along East Street is insufficient to take into account any future development.

3.16 West Sussex County Council's Archaeologist comments:

No objection on archaeological grounds is raised to the proposals, subject to suitable archaeological safeguards, as recommended below.

The archaeological safeguards should be set out by the applicant in the form of a Heritage Asset Mitigation Strategy, required under the terms of an appropriate planning condition

Summary of comments

The anticipated impacts of development upon archaeological and historical landscape heritage assets have been identified by the applicant, within Section 12.0 of the Addendum Environmental Statement.

Survey works have not indicated the presence of any nationally significant archaeological heritage assets within the site, but the identified assets – buried archaeological remains of Roman date, considered likely to be part of a Roman farmstead - are considered to be of local and regional significance.

No objection on archaeological grounds is raised to the proposals, subject to suitable archaeological safeguards, as recommended below, to be proposed and submitted in the form of a Heritage Asset Mitigation Strategy, and provided for through the use of an appropriate planning condition (recommended contents of Strategy set out below).

Comments

The archaeological impacts of the revised spine road alignment and scheme layout have been assessed in Part 12.0 of Environmental Statement Addendum.

The revised proposals would involve some adverse archaeological impacts upon buried archaeological heritage assets, as the previous proposals did. These impacts would bear principally upon the Roman settlement enclosure or enclosures in the north-eastern part of the site, parts of which would be reduced or removed during construction of the spine road and during new housing development.

The quality of the Roman archaeology has been assessed as of local to regional quality, and the effects upon it of construction works assessed as moderate to major: these assessments are considered to be suitable.

Proposed mitigation measures include:

- Additional archaeological investigation and recording, as set out in A12.40 of the Addendum Environmental Statement; followed where appropriate by more detailed or wider-scale investigation and recording of those parts of the Roman enclosure, within the development footprint;
- A programme of enhancement of the remains of Hammonds Windmill, to improve interpretation of the Windmill to the local community, and improve access to it and preserve it for long term enjoyment. This programme should involve where necessary consolidation of the existing structure, removal of intrusive vegetation;
- Measures to improve public interpretation of the retained elements of the historic landscape (e.g. field boundaries of medieval origin).

These measures are considered to be acceptable in principle. Proposed details of the mitigation measures should be set out in due course as part of a Heritage Asset Mitigation Strategy.

3.17 West Sussex County Council's Ecologist states:

No ecological objection. The revisions to the ES (chapter 13) and the revisions made to the masterplan/parameter plan received on 2nd April 2012 are sufficient to address the concerns expressed in respect of ecology. The development is compliant with the relevant paragraphs of the National Planning Policy Framework.

NPPF

With regards to relevant NPPF paragraphs 61, 99, 109, 113, 118, 120 & 125 I find the proposed development is compliant.

Summary notes with regard to relevant paragraphs

61 - With regards to the integration of the proposed development into the natural environment, ecological linkage is maintained and enhanced within and without the development.

99 - Subject to detail, the mitigation and enhancement proposed should be able to maintain the ecological functionality of the site and its surrounds without increasing the local landscape's vulnerability (in terms of biodiversity) to climate change. GI has been incorporated.

109 - Impacts on biodiversity from the proposed development have been adequately identified within the ES and significant issues have been largely mitigated. Net gains can be identified within the proposals. The existing ecological network has been strengthened; there is a greater presence of ecotone than previously and therefore greater opportunities to increase the species assemblage supported. Mitigation for possible pollution events has been proposed.

113 - Consideration has been given to the protection of the neighbouring SNCI and other sites potentially affected within the 'Zone of Influence'. Direct mitigation has been provided to protect the adjacent SNCI.

118 - All identified impacts have been adequately mitigated and with regards to Bats, GCN and Dormice to the satisfaction of NE. SNCI buffered, enhancement to field external to the site to accommodate translocated reptiles and increase connectivity.

No impacts on SSSIs

Design principle 4.4 is entitled Ecology and Biodiversity and this appears to have genuinely informed the design and shape of the development.

Old trees have been largely retained and no ancient woodland is affected. Will Jones
HDC Arboricultural Officer (Development) has been consulted.

120 - Mitigation to protect against pollution events has been proposed. EA have commented and have suggested conditions. Condition recommended for a Construction Management Plan

125 - Mitigation has been proposed to limit impact of light on bats crossing the spine road. I recommend that a lighting strategy to limit further impact is imposed.

Review of Environment Statement, Addendum and other submissions.

The Zone of Influence has been established and defined (s13.26), this information therefore addresses previous concerns.

Details of the badger survey has been provided (s13.49 & Fig 13.7) and their use of the site. I have received and reviewed the confidential badger survey report. No badger setts are recorded within or immediately adjacent to the site. However, a single badger entrance does exist 400m from the development. Whilst suitable foraging exists on the application site there is limited activity. Mitigation includes dispersal corridors (inc. box culvert under the spine road) and the retention of existing and creation of new foraging resources. No residual impacts are expected and this information therefore addresses previous concerns. A condition may be required to secure adequate mitigation including the box culvert, construction management plan and landscape planting.

With the additional information submitted with recent addendum the bat surveys and proposed mitigation are complete and compliant with Natural England Standing Advice and Gov't Circ. 06/2005. I note that Natural England is also satisfied with the additional information. This information therefore addresses previous concerns. A condition may be required to ensure the lighting strategy / design is sensitive to bats, that other recommended mitigation is in place and a final check for bats is made prior to any works beginning on site.

In addition to the bird surveys previously completed a winter bird survey was undertaken between Nov 2011 and March 2012. No particular issues were noted. This information therefore addresses previous concerns. A condition may be required to secure sensitive timing of vegetation clearance, appropriate habitat enhancement and education of new residents.

With the recent addendum the dormice surveys are complete and compliant with Natural England Standing Advice and Gov't Circ. 06/2005. An additional survey to examine gnawed nuts was undertaken over the 2011 & 2012 winter period. I note that Natural England is also satisfied with the additional information. This information therefore addresses previous concerns. A condition may be required to ensure appropriate protection is given to Hedgerow H11.

With the additional information provided in the recent addendum the great crested newt surveys are now considered complete and the proposed mitigation compliant with Natural England Standing Advice and Gov't Circ. 06/2005. The additional mitigation described in the addendum ES and DAS is sufficient to maintain the great crested newt population at a favourable conservation status (ref: reg. 53: Conservation of Habitats and Species Regulations 2010). This is also confirmed by the relevant Natural England local office. A European Protected Species Licence will be sought to enable the translocation exercise.

Refugia locations for the reptile survey area has been provided. The receptor site is an arable field located in the NE (north of H11). It is outside the development boundary but under the developer's control. Being arable it is unlikely to have any significant reptile population. Mitigation will be implemented to improve its carrying capacity and ability to support the translocated animals from F15. This information therefore addresses previous concerns. A condition may be required to secure details of the proposed mitigation and timing.

- 3.18 Having originally commented that "there are a number of issues outlined above which need to be satisfactorily addressed before I can confirm that the development is acceptable in transport terms." West Sussex County Council as Highways Authority stated in respect of the amended plans:

I refer to my previous consultation comments dated 26th October 2011.

The applicants have subsequently submitted amended plans and an addendum to Appendix 8 - Transport Assessment (TA) of the Environmental Statement dated March 2012 following representations on the proposed previous scheme. This includes a clear justification for the provision of the new spine road, in Section 2 of the TA, which the highway authority support, and details of the realignment of the new spine road and roundabout at the southern end of the site, as shown on drawing ITB5062-GA-037, to help address concerns relating to landscape issues. There has also been some slight re-designation of the proposed housing areas as well as the relocation of the proposed school site on the southernmost parcel of land.

From a highways and transport point of view, there are no fundamental objections to the proposed changes to the spine road or with the access strategy serving the development. Following my previous consultation comments, there have been on-going discussions with the applicant's transport consultants, i-transport, to resolve a number of issues that were raised in my original consultation. An addendum to the original Transport Assessment has therefore been produced in response to the revised spine road design and outstanding highways and transport issues previously raised.

The response to each issue is set out below in the same order as in my previous consultation response

Public Rights of Way

Is there a footpath link between the Hammonds development and FP1944 to the north?

It is understood that there is no direct footpath link between the Hammonds development and FP1944 that runs along the northern boundary to School Lane. However, the applicants have agreed to fund reasonable surfacing and drainage improvements to this footpath between their site and School Lane as long as these fall within the maintenance responsibility of the county council. A clause in the Section 106 agreement can secure these works.

Is there a formal pedestrian link between the eastern end of Nightingale Walk and FP1933 to the south of the A272? Is this route likely to be used much more often by children walking to and from the new school? What are the safety implications?

There is no formal footpath link between Nightingale Walk and FP1933, although there is an informal gap in the hedgerow which allows access from this road. It is possible that there may be increased use of this informal gap if the new primary school gets built. However, a new footway will be in place along the southern side of East Street, so if more people do start using this route, they would be able to use the new footway rather than emerge into live traffic as at present.

Section 106 requirements

Upgrade FP1941 to cycle path within woodland between Little East Street and western development boundary – surfacing and drainage.

The applicants have advised that Devine Homes currently own this woodland and, as landowner, have agreed to its upgrading from footpath to cyclepath between the site boundary and Little East Street (drawing ITB5062-GA-055 refers). The upgrading works have been discussed and a specification agreed at a site meeting with the county council's Public Rights of Way manager.

Improve FP1944 between School Lane and western development boundary – surfacing and drainage.

The applicants have agreed to improve the route of this footpath, as mentioned above. These improvements will complement the improvements to FP1941 and the new steps that will be installed at the northern end of School Lane (as required by the Hammonds development) to link the two

Improve FP1941 and FP1942 within the development site – surfacing, drainage and street lighting as necessary.

The details of these improvements will be dealt with at the reserved matters stage.

Provide an underpass across the relief road on the route of FP1941 and a link northwards.

This is included in the application. Details will be dealt with at the reserved matters stage.

Walking and Cycling

The Highway Authority is not satisfied that there are adequate pedestrian and cycle links between the development site and the existing village to the west or that these links can be delivered within the red line of the application or the public highway.

The applicants have now produced further information in this respect that confirms that they have adequate control over the pedestrian and cycle routes indicated in their proposals.

The indicative off-site improvement pedestrian/cycle schemes in the High Street and East Street need to be amended to take into account the aforementioned comments.

The applicants have now produced plans indicating how these routes are to be achieved. However, as they are outside of the red line of the application, they will need to be secured by way of a Section 106 agreement rather than by planning condition.

Will the approved Devine Homes layout for Hammonds provide an adequate footway width along the northern side of East Street?

An adequate footway width is being proposed.

Does the approved Taylor Wimpey layout south of Hillands Farm allow an adequate shared pedestrian/cycle route from the development site through to the High Street?

The proposed cyclepath link to the Taylor Wimpey development (Godden Land) is shown on drawing ITB5062-GA-053. The applicants advise that Rydon Homes secured the outline planning permission for this residential site which was subsequently sold to Taylor Wimpey and is currently under construction. However, Rydon retained ownership of a strip of land from the Taylor Wimpey development to their latest application site. As a result, Rydon retain rights of access to the retained land and the approved layout provides for this access. It is advised that under the agreement Taylor Wimpey will be obliged not to obstruct the cyclepath link or vary their internal road layout. Taylor Wimpey will be required to construct the cyclepath link and until such time as it is adopted by the county council (or other substitute body), maintain it in good repair and condition. As the cyclepath link is outside the red line of the application, it will need to be secured by way of a Section 106 agreement rather than by planning condition.

Can a satisfactory shared pedestrian/cycle route be provided from the development through to Roman Way, including continuous links to the existing southern footway in this road?

The applicants have demonstrated that there is sufficient land available to provide a new cyclepath link through the doctors surgery site to Roman Way and also the provision of a footway connection to the existing footway on the south side of Roman Way. As the cyclepath link and footway connection is outside the red line of the application, it will need to be secured by way of a Section 106 agreement rather than by planning condition.

A review of the layout of the junction of East Street with the High Street.

It has been agreed that it is not essential to carry out any changes to this junction as there would be less traffic passing through it if the proposed development gets built and through traffic is re-routed along the new spine road.

Section 106 requirements

The provision of a satisfactory shared cyclepath link and footway connection between the development site and Roman Way.

The implementation of a pedestrian improvement and speed reduction scheme along the High Street between Hilland roundabout and Roman Way, including the introduction of a village gateway.

These improvements have been shown indicatively on drawing ITB5062-GA-039 but will be subject to further to discussion in order to work up a detailed design. The intention is to reduce traffic speeds on this section of Stane Street whilst improving pedestrian provision and bus waiting facilities. The indicative scheme shows a village gateway on Stane Street at the northern end of the village together with the provision of a continuous footway along its eastern side. It will also include pedestrian refuges, where possible, and two new on-carriageway bus stops.

The implementation of a pedestrian/cycle improvement scheme along East Street between the new spine road roundabout and Silver Lane, including a village gateway and Toucan crossing.

These improvements have been shown indicatively on drawing ITB5062-GA-040 but will be subject to further discussion in order to work up a detailed design. The intention is to deter through traffic along East Street, reduce traffic speeds and providing safe pedestrian and cycle access to the proposed development and school. This would involve reducing the carriageway with along a section of East Street to provide continuous footways on both sides and a new Toucan crossing point to enable pedestrians and cyclists to safely cross the road.

Public Transport – Rail

Section 106 Requirements

A financial contribution towards improvements at Billingshurst station.

The applicants have agreed to make a proportional contribution of £48,400 towards identified improvements at Billingshurst station.

The developer to finance the review of the proposed CPZ and parking in the vicinity of the station post-development and implement any changes considered appropriate.

The county council is currently carrying out a review of on-street car parking in the vicinity of the station and may be implementing some parking measures. At this stage, it is difficult to establish whether on-street parking in the area will be made worse by the development or that the measures being considered by the county council will be an adequate deterrent. In the circumstances, the county council will require a post-development study of the CPZ and parking in the vicinity of the development and finance any additional measures that may be necessary – either an extension of the CPZ or existing waiting restrictions.

Public Transport - Bus

The proposed bus service strategy needs to be discussed in further detail with the applicants, bus operators, County Council, District Council and other stakeholders. A routing and funding strategy will need to be agreed.

Public transport provision has been discussed with the main bus operator in the village and with the county council's Public Transport Group. Two possible options have been considered ; 1) the re-routing of service 100 along the new spine road and 2) the provision of a new shuttle bus service within the village. As regards 1), there would be operational problems in diverting service 100 away from the High Street/Stane Street as it would add to the journey time and also take the service away from existing residents served by those bus stops north of the East Street junction. As for 2), It is also considered that there would be longer term commercial problems in running a dedicated shuttle bus within the village once the initial subsidy runs out. It is therefore considered not sustainable in the long run.

The existing service 100 runs from Burgess Hill via Henfield and Pulborough to Horsham and back and is currently the most regular bus service serving the village. The county council is currently carrying out a review of bus operational subsidies in the county which includes the service 100. This route is one of the longest and has

one of the highest public transport subsidies in the county. However, patronage figures vary along different sections of the route with the Billingham to Horsham section being one of the better used sections. It is a possibility that service 100 may have to be operationally redesigned at some point in the future, but it is, unfortunately, difficult to be definite about this at this stage. The proposed development would offer the current service 100 the potential for greater patronage in the future which may reduce its level of operational subsidy. The county council's view, therefore, is that the existing service 100 should be retained on its existing route with good pedestrian/cycle east-west links between the development and the High Street/Stane Street using Roman Way, the Taylor Wimpey site, Little East Street, and from the northern Stane Street boundary of the site itself. Two new bus stops and shelters with RTPI would also be introduced at the northern end of Stane Street to complement the bus stop improvements secured under the Marringdean Road planning permission. The county council is also seeking a financial contribution of £60,000 towards improving existing bus service infrastructure in the village and/or the Billilinks taxi service which would assist the more outlying parts of the development to the east of the new spine road.

Section 106 Requirement

The provision of two new bus stops, shelters and RTPI on the A29 south of Hilland roundabout and two new bus stops and shelters on the A272 East Street (for services 75 and 503).

A financial contribution of £60,000 towards improving existing bus service infrastructure in the village and/or the Billilinks taxi service.

Access

Section 106 Requirements

- **The applicants will be required to fund a new traffic signing strategy to support the development and the opening of the new spine road.**
- **The applicants will be required to fund a number of Traffic Regulation Orders necessary to support the development.**

Traffic Calming

In addition to the aforementioned speed reducing measures that could be introduced along the A272 East and A29 High Street in association with pedestrian/cycling improvements, the applicants have indicated a financial contribution to a possible traffic calming scheme for Silver Lane to be delivered by the Highway Authority. Although a traffic calming scheme may be welcomed by some residents living in Silver Lane, the Highway Authority does not have the resources to consult and deliver on such a scheme and would also be concerned about carrying the risk of potential cost overruns. Any traffic calming scheme would therefore have to be progressed and funded by the applicants following the appropriate public consultation process. However, it is not seen as an essential element of the development as although peak hour traffic flows along the road may

increase by 11-12%, this is projected to be an additional 40 vehicles in the morning peak and 26 vehicles in the evening peak which is still well within the capacity of the road. However, the Highway Authority would probably have no objections in principle to some limited form of traffic calming if this is what local residents so desire. It may be possible to use some of the S106 funding (£23,320) from the Devine Homes site towards this subject to the approval of the local County Local Committee (CLC)

Parking

Whilst the exact breakdown in housing numbers and dwelling type is currently unknown, the number of allocated and unallocated car parking spaces for the development should be determined using the County Council's document 'Guidance on Car Parking in Residential Developments (September 2010)' and the on-line Car Parking Demand Calculator.

Phasing and Construction Traffic

More information regarding phasing and construction access needs to be submitted. Construction access would need to be from the A29 Hilland roundabout until such time as the spine road is completed and open to traffic.

The applicants have advised that construction access will be required from both the Hilland roundabout and the A272 as each member of the development consortium will want to start construction on their own particular phases. This means that the routing of construction traffic needs to be given careful consideration in order to prevent it from passing through the centre of Billingshurst.

Travel Plan

A revised Framework Travel Plan has been submitted with the planning application and this has been reviewed by the County Council's Travel Planning Officer. The Travel Plan generally accords with the County Council's requirements.

Contribution to WSCC Services

As this is an outline planning application and there is still some uncertainty over housing numbers and types, the County Council requires that the WSCC contributions calculator is included within the Section 106 agreement as this would allow for any variations in contribution at the reserved matters application submission stage. The inclusion of a new primary school site is welcomed, although more work will be required to establish an acceptable configuration for both the school and playing fields.

- 3.19 In summary, the highway authority considers that all outstanding issues have now been satisfactorily addressed subject to the satisfactory completion of a Section 106 agreement and appropriate planning conditions.

3.20 It was also confirmed by the Highways Authority that the developers had agreed to contribute towards the Billingshurst Station Improvement works, a sum of £49,500 at 2011 calculations.

3.21 Billingshurst Parish Council comments, in respect of the amended plans:

The main changes to the plans are identified in the Design and Access Statement by the developer who states that they are based on a reconsideration of the integration of the landscape into the development:

- Creation of a more natural landscape focussed development
- Providing generous east/west ecological corridors
- Reduction of development area in favour of increased landscape and open space allocation
- Realignment of the spine road to minimise development area to the eastern rural edge
- Moving the school location to the south east corner to ensure a more natural progression of open space into the countryside.

Billingshurst Parish Council had set out its reasons for objecting to the original planning application and considers that the changes outlined do not fundamentally change the Parish Council's strong objection to these plans and points outlined in their letter of 13 October 2011. The Parish Council wishes to re-emphasise some of the original points and include some new reasons why the Council believes the amended plans should be refused planning permission:

1. The Localism Agenda – The Parish Council has called upon Horsham District Council to consider a locational strategy based on the Gatwick Diamond in its response to the 'How much housing does Horsham district need?' consultation. This strategy would reaffirm HDC's support for the development of land at the strategic locations west of Horsham and Crawley.

2. Government Planning Policy - Press Notice, Positive Planning: a new focus on driving sustainable development, 15 June 2011. It is noted that "*the Government is taking substantial steps to help local communities protect greenfield sites as they plan for sustainable growth.*"

The amended plans still utilise Greenfield land.

3. Adopted Core Strategy - Billingshurst Parish Council urges the Council to place weight on the government's intention to abolish Regional Spatial Strategies and revert to the Council's adopted Core Strategy which states in paragraph 4.30, bullet point 6 - "*no provision before 2018 for any further large scale development at Billingshurst but recognition that this position may need to be reviewed in the future, particularly with regard to the need to relocate businesses and redevelop some of the existing industrial areas as part of a comprehensive planning strategy*". This development is not needed to relocate businesses or to re-develop some of the existing industrial areas as part of a comprehensive strategy and should be judged in the context of Policy CP8, "*Limited provision may be made ... for*

small scale extensions to the smaller towns and villages to meet identified local needs and assist in the gradual evolution of these communities by enabling development which meets their needs but does not fundamentally undermine the qualities which make them or their countryside setting unique and special.”.

Furthermore, whilst there remain substantial development opportunities at the strategic locations, the release of land for a major expansion of Billingshurst would be contrary to the adopted spatial strategy for Horsham district which argues in favour of focusing such development in or adjacent to the main urban centres of Horsham and Crawley. The case has not yet been made for the need to abandon this strategy in favour of major development releases in locations remote from these main urban centres.

The proposal contradicts other key Core Strategy policies.

- *“The landscape character of the District, including the settlement pattern, together with the townscape character of settlements will be maintained and enhanced.” (Policy CP1)*
- *“The release of land for housing will be managed in order to ... give the necessary priority to the reuse of previously developed land within built-up areas.” (CP9)*

The amended plans do not require the development to relocate businesses or to re-develop some of the existing industrial areas as part of a comprehensive strategy, and thus are still in contradiction to the adopted Core Strategy.

4. Plan-Led Approach - The Parish Council remains of the view that planning permission would undermine the existing spatial vision for the area and would compromise the ability of Horsham District Council and the local community to review housing land allocations through a proper plan-led approach.

The Parish Council would like to draw the following planning cases to the attention of Horsham District Council, whose judgements should be considered by the Council when determining these amended plans:

- **Newmarket** - Plans for 1,200 homes to be built on the edge of Newmarket, Suffolk, have been dismissed by communities secretary Eric Pickles partly on the grounds that the scheme would pre-empt work on the council's local plan. Pickles said he agreed with the planning inspector in rejecting Lord Derby's appeal to build the 1,200 homes on his land at Hatchfield Farm. He said the development would be premature of the Forest Heath District Council's work on its core strategy planning document and also did not comply with design, countryside and agricultural policies.
- **St Austell** - *The High Court has rejected a legal challenge by a housing developer to overturn communities secretary Eric Pickles' refusal of its appeal for a major urban extension in Cornwall. Mr Justice Beatson backed Pickles in the case brought by Wainhomes. The developer had sought to get Pickles' dismissal of its planning appeal for a 1,300-home scheme in St Austell overturned. It argued that the communities secretary should not have rejected the application on the grounds that it would prejudice the local planning process. But the judge upheld the findings by the secretary of state that the scheme would be premature and would*

detrimentally affect work on the core strategy in Cornwall contrary to the government's localism agenda.

5. Five Year Housing Land Supply - Billingshurst Parish Council has always contended that any five year housing land supply shortfall is a district wide problem, which should be handled with a district wide solution. Yet for the parish of Billingshurst, it is being expected to accept more than its fair share of the district's development and this application should be considered in the context of the permissions already given for housing in Billingshurst namely:

Godden Land	67
Manor House	4
Townlands	19
Station Mills	14
Hammonds	14
Trees	14
Wadeys	14
Land south of Gilmans	150

6. Spine Road - The Parish Council still has serious concerns about the interface of pedestrians and vehicles along the spine road, and although moved further to the east of the development, it will still pose an unacceptable noise level for residents living adjacent to it.

7. Fuel - The original masterplan for land east of Billingshurst for the north west bypass included the provision of a petrol station, yet there was no provision for a petrol station in the original of this planning application or the amended plans. The recent fuel shortages saw the parish without any access to fuel and inadequate public transport services to facilitate a step change to more sustainable modes of transport.

8. Drainage - The Council's concerns are unchanged about the ability of the watercourses to cope with the run off from this development on higher ground through to the centre of the village and beyond. Accordingly, the Parish Council has declined to accept the land transfer of the Bowling alley from the developer.

9. Tipping Points - Referring to appendix 3 infrastructure of the Interim Statement, Horsham District Council has identified that Billingshurst reaches the tipping points for waste water treatment, water supply, primary and secondary school places for 500 houses. There are also capacity issues with the highway network.

With the following planning applications already permitted, some built, and some under construction, the parish is already close to reaching the tipping points for waste water treatment, water supply, primary and secondary school places:

Godden Land	67
Manor House	4
Townlands	19

Station Mills	14
Hammonds	14
Trees	14
Wadeys	14
Land south of Gilmans	150
Total	296

10. Education Provision - Following on from the Council's concerns about secondary education, the Parish Council has also become aware that WSCC are struggling to find premises to accommodate young people for pre-school education in the village. The original and amended plans contain no provision for pre-school education.

11. Cemetery Provision - Whilst early sight of the plans for land east of Billingshurst showed provision of land for a new cemetery, this has failed to materialise in the submitted planning application or the amended plans.

12. Affordable Housing - The original planning application has deferred until a later date details on the number, type and tenure of affordable housing and the amended plans do not expand this information. Thus, the Parish Council is unable to determine if it will satisfactorily address our locally identified housing needs.

13. Possible Community Facilities - The original planning application includes land set aside for a three form entry school and doctor's surgery, but the amended plans no longer include land set aside for a new doctor's surgery, but for an extension to the existing surgery.

14. New Homes Bonus and Community Infrastructure Levy - There is still no clarity over funding from the New Homes Bonus or the Community Infrastructure Levy.

15. Water Supply – The country is in the grip of one of its worst droughts since 1976 with over half of the country officially in drought. A hosepipe ban was introduced in this area on 05 April 2012 and is expected to last until at least Christmas. The District Council has put in a place a Drought Plan and is working on contingencies for the provision of standpipes in the district. The Parish Council is extremely concerned about the provision of water supply to the properties that have already been granted planning permission, aside to the proposed 550 houses in this application.

Conclusion

The Parish Council is unwilling to change its position of **vehement objection** to the further expansion of Billingshurst and sees nothing in the amended plans to fundamentally change this position.

- 3.22 In the letter of 13 October referred to above, the Parish Council had objected on the following grounds:
- Contrary to Localism
 - Contrary to government planning policy
 - Contrary to the Core Strategy
 - Contrary to PPS 3 (no longer applicable as has been superseded by the NPPF)
 - 5 year housing land supply is a District wide problem
 - Development does not meet the requirements of policy CP8
 - Inadequate transport links
 - Adverse impacts of spine road
 - Junction of spine road with the A272 is unsatisfactory
 - Silver Lane will be used as a short cut
 - Increased demand for fuel and Billingshurst no longer has a petrol station
 - Adverse impact upon drainage – in particular relating to the watercourse that runs between the High Street and Bowling Alley. A number of photographs of the watercourse were included with the comments
 - Billingshurst has reached its tipping point for development
 - Weald School is at capacity
 - Inadequate healthcare provision
 - Deficiency of the shopping centre cannot be resolved by planning gain
 - Need for additional cemetery provision not met
 - Inadequate fire and rescue provision
 - Adverse impact upon landscape character
 - Adverse impact upon archaeology
 - Adverse impact upon biodiversity
 - Lack of employment in the village
 - Number, type and tenure of affordable housing needs to be established
 - Development does not meet Parish Plan for objectives if development is approved
 - Land should not be used for community facilities if they are not required
 - New Homes Bonus and Community Infrastructure Levy funding issues have not been clarified
- 3.23 The Environment Agency did not wish to make additional comments in respect of the amended plans further to their original comments which raised no objection to the development subject to a series of conditions which would be included on any permission.
- 3.24 Natural England originally objected to the application pending further information on European Protected Species including Great Crested Newts, Bats and Dormice.
- 3.25 Following the receipt of further information, Natural England withdrew its objection stating that the additional information showing additional mitigation measures would be sufficient to maintain the population of species concerned at a favourable conservation status in their natural range.

- 3.26 Southern Water comment that a public water distribution main crosses the application site and state that all existing infrastructure must be protected which could be controlled via a planning condition.
- 3.27 Southern Water further commented that the foul drainage strategy is acceptable in principle, however through the section of a Section 104 application, they will need to examine the details of any proposals including the location and detailed design of proposed sewers and pumping stations. The provision of the necessary off site sewer to Billingshurst Wastewater Treatment Works would be through the provisions of an agreement under Section 98 of the Water Industry Act.
- 3.28 The proposed surface water strategy comment Southern Water, should be discussed with the Council's own engineers but it is important that flows in sewer rainstorms and high groundwater conditions are not permitted to enter the foul sewerage drainage system. Southern Water propose that a condition is attached.
- 3.29 Sussex Police state that due to the application being an outline application, the crime prevention advice is generic but at the reserved matters stage more detailed in depth crime prevention advice would be provided.

PUBLIC CONSULTATIONS

- 3.30 286 letter of objection were received in respect of the plans as originally submitted and a further 66 letters of objection were received following the submission of amended plans.
- 3.31 The grounds of objection include:
- adverse impact upon highway safety
 - overdevelopment
 - loss of privacy
 - increased noise
 - adverse impact upon trees
 - inadequate landscaping provision
 - loss of a greenfield site
 - brownfield sites should be used first
 - loss of amenity
 - inadequate infrastructure provision to serve the new development
 - Billingshurst has already had its share of development
 - adverse impact upon foul water and drainage
 - overshadowing
 - there is not a housing shortfall in the village
 - fails to comply with the requirements of the Facilitating Appropriate Development SPD cumulative development in Billingshurst has exceeded 150 dwellings
 - loss of habitat and adverse impact upon ecology
 - South East Plan can only be given limited weight as it is due to be revoked
 - contrary to Localism
 - increased car use

- increase in anti social behaviour
- the school is already full
- adverse impact upon the setting of listed buildings
- exacerbate parking problems
- increased use of footpath close to existing dwellings
- adverse impact on security
- increased pressure on landfill site
- loss of agricultural land
- loss of recreational facilities
- adverse impact upon bats
- lack of water supply
- Daux Avenue appeal is a precedent
- hosepipe ban demonstrates existing problems
- consultation process means it is a foregone conclusion
- a reservoir should be provided
- scale of development is excessive
- inadequate plans for rainwater disposal
- insufficient employment
- lack of detail in an outline application
- premature pending Core Strategy Review
- unsustainable development
- inadequate police resources
- school is too far from the village centre
- comments made at the consultation events have not been addressed by the consortium
- adverse impact upon Silver Lane
- precedent
- no youth facilities provided
- the spine road is inadequate
- comprehensive scheme is not delivered with this proposal
- the proposal is a short term fix to meet housing numbers
- ecology and screening from other landowners should not be relied upon

3.32 2 letters of support have been received.

3.33 2 letters of comment raising neither support nor objection to the application have been received.

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 the 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 from the details submitted so far that the application will have an adverse impact upon crime and disorder. Further details will be provided at the reserved matters stage if the application is approved and so further consideration to crime and disorder issues would be given at that stage.

6. PLANNING ASSESSMENT

- 6.1 The application has been submitted in outline form with all matters reserved except, in part, access. The development seeks to establish the location of the spine road (which has been amended during the consideration of the application) and the key principles of the development are set out in the parameter plans and supporting information which would inform any subsequent reserved matters application.
- 6.2 The parameter plans, Design and Access statement (amended), Soil and Agricultural Assessment, Outline Energy Strategy, Utilities Assessment, Phase 1 Environmental Study, Sustainability Statement, Statement of Community Involvement (plus addendum) and Environmental Statement (plus addendums) form the basis against which the application has been assessed.

Principle of Development

- 6.3 This application needs to be considered against the development plan. At present, the development plan consists of the South East Plan and the Horsham District Local Development Framework (LDF) including the Core Strategy, the General Development Control Policies DPD, the Site Specific Allocations of Land DPD and the Proposals Map, all of which were issued in 2007. Other relevant local development documents are the Facilitating Appropriate Development (FAD) (2009), the Planning Obligations SPD (2007) and the Billingshurst Design Statement SPD 2009).
- 6.4 The application was submitted in August 2011 and so the LDF documents remain unchanged although emerging policy is also of relevance in the form of the consultation on the amount of housing for Horsham District (How much housing does Horsham District need? February 2012) which is the start of the process to set the District's housing targets as required by the Localism Act 2011 and the 2009 Core Strategy Review consultation document, 'Leading Change in partnership to 2026 and beyond'.
- 6.5 National guidance has changed since the application was submitted however with the publication of the National Planning Policy Framework (NPPF) which is now a material consideration in the determination of the application. The guidance within the NPPF confirms that until March 2013, decision makers can give full weight to policies adopted since 2004, as is the case in the District, even if there is a limited degree of conflict with the NPPF.
- 6.6 Policy CP5 of the Core Strategy states that 'priority will be given to locating new development within...towns and villages which have defined built-up areas.' The

current application site is located outside of the built-up area and accordingly has been advertised as a 'departure' application from LDF policies.

- 6.7 The strategy of policy CP5 is to locate development in sustainable locations and a hierarchy of settlements provided within the policy identifies these more sustainable towns and villages. Billingshurst is defined as a Category 1 settlement which are stated as 'towns and villages with a good range of services and facilities as well as some access to public transport – capable of sustaining some expansion, infilling and redevelopment'
- 6.8 Concern has previously been expressed regarding the status of Billingshurst as a Category 1 settlement, although such categorisations were explored in some detail prior to the publication of the Core Strategy in the 2005 document 'Settlement Sustainability and Greenfield Site Allocations in the Horsham Local Development Framework. As stated in paragraph 4.37 of the Core Strategy, the study concluded there 'is no compelling reason to re-categorise any of the settlements...it is therefore considered that the hierarchy and categorisation indicated provides a straightforward and robust policy approach.'
- 6.9 Notwithstanding the categorisation of Billingshurst as a Category 1 settlement, the application site is outside of the built-up area and as such it could be argued that given the aim of policy CP5 to locate development within the built-up area, the development as a matter of principle is unacceptable. However, as members will be aware such an argument was unsuccessful at appeal at land to the south of Hilland Farm, Billingshurst and Oddstones, Pulborough which were both sites outside of the built-up area. Despite the policy conflict of the location of the sites outside of the built-up area, the Inspector concluded that the significant shortfall in the Council's housing land supply requirements was such to over-ride such conflict and the appeals were allowed. The Council did not contest an appeal at Marringdean Road, Billingshurst following legal advice for these reasons while even when the Council has been successful at appeal, most notably Athelstan Way, Horsham and Daux Avenue, Billingshurst for sites that are outside of the built-up area, the shortfall in housing land supply has been conceded and the appeals successfully defended for other reasons.
- 6.10 In accordance with policy CP4 in order to provide the flexibility to ensure that there is sufficient housing land supply to meet the District's needs, the Council adopted the Facilitating Appropriate Development (FAD) SPD which sets out a criteria based approach for considering planning applications that adjoin defined built-up area boundaries. The majority of the application does adjoin the built-up area boundary except by the allotments/woodland to the west of the central part of the site and the Hilland Farm site to the north of the application site although this is now being developed despite its location outside of the built-up area.
- 6.11 Criterion 3 of the FAD states that development permitted under the document should not exceed 150 dwellings to accord with the aims of policies CP1, CP3, CP8, CP9, CP15, CP19 and DC9. Quite clearly, the current proposal would vastly exceed such a total and indeed the total has already been exceeded in Billingshurst as a result of the successful appeals. At the Marringdean Road, appeal the Inspector concluded that in light of the shortfall in housing land supply, the

exceeding of the 150 dwelling threshold would not be a sufficient reason to refuse the application (and indeed the Council had received prior legal advice concluding the same) nor did he consider that a prematurity argument could be advanced due to the fact that the Council was still in the early stages of the Core Strategy Review. This Council has resolved to respond to applications on an ad hoc basis (following the decision to reject the draft Interim Statement approach) which was also taken into account by the Inspector.

- 6.12 The shortfall in housing land supply therefore remains a key consideration. The NPPF states that the Council must 'identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional 5% (moved forward from later in the plan period) to ensure choice and completion in the market for land'. This requirement to be able to show a five year supply is similar to that required by the old PPS 3 Housing. An assessment of the Council's land supply position therefore remains crucial.
- 6.13 The current five year housing land supply requirement for the District is set by the South East Plan. The latest published Annual Monitoring Report (AMR) 2010/11 shows the supply position against the South East Plan as 77%. Shortfalls of 73% and 74% have been described as 'significant' by Inspectors in recent appeal decision letters. An alternative position could be to measure housing supply against the Core Strategy requirements since the AMR 10/11 reports that the five year supply position is 173 net projected completions above the target, a supply of 105.8%. However, the South East Plan remains the most up to date element of the Development Plan (having been published 2 years after the Core Strategy) and although the government set in legislation the intention to abolish the Plan, which can be given some weight in the determination of applications, for the time being the Plan still remains.
- 6.14 In light of the apparent contradiction between the housing supply figures, the guidance within the NPPF needs to be taken into account. At paragraph 49, it is stated that 'housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing'
- 6.15 The Strategic Planning Officer states that 'the key benefit of granting permission from a strategic point of view is to increase the delivery of new homes in the District. The deficit in five year supply could be halved as a result of approving this site, subject to build out rates, and the supply would be 88% of the target' (as set out in the South East Plan). Purely in terms of housing supply numbers, therefore, the scale of development could not be considered as excessive if the South East Plan figures are accepted since there would not be an over supply of dwellings, but clearly the scale of development would also need to be addressed against normal development management criteria.
- 6.16 The above paragraph needs to be taken in conjunction with paragraph 14 of the NPPF, a key paragraph of the document which states that the presumption in favour of sustainable development should be seen as a golden thread through both

plan making and decision taking. This means that where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole or specific policies indicate that development should be restricted (though the latter point appears primarily to relate to areas of designated protection such as National Parks).

- 6.17 Taking the above into account while the preferred approach would be to consider the proposal through the LDF process, having regard to the continuing shortfall in housing land supply and the advice of the Strategic Planning department it is not considered that an objection to the application could be made solely on the conflict with policy CP5 or criterion in the FAD. Members are reminded that spatial objective 4 of the Core Strategy seeks to ensure the provision of a sufficient number of dwellings to meet the requirements of regional planning policy to 2018. The acceptability of the application or otherwise is therefore considered to depend on its compliance with national and local policies in terms of its detail rather than principle.

Detailed aspects of the proposed development

- 6.18 The application was submitted in August 2011 and was amended in April of this year. Although the determination period has been lengthy, an application of this type clearly requires detailed consideration. Moreover, your officers felt that the original submission was unacceptable both in terms of the details of the proposal but also the lack of sufficient information with the application.
- 6.19 Following the receipt of consultee comments in respect of the original submission and discussions with officers, amended plans were submitted comprising the following main changes:
- realignment of the spine road to attempt to provide the optimum solution between highway and landscape considerations
 - relocation of the proposed school and community facilities to the south eastern corner of the site
 - a greater focus on the landscape aspects of the development including a greater priority given to open space and the ecological corridors
- 6.20 Additional information was also submitted in response to concerns from, amongst others, the Design and Conservation Officer, Natural England and the County Council Highways section.
- 6.21 It can be seen from the consultation responses summarised in paragraph 3.2 above that the objections hitherto lodged by those referred to in paragraph 6.19 have all been withdrawn. The only outstanding objection from consultees is from the Landscape Architect, albeit he recognises that the scheme represents an improvement from that previously submitted. Your officers feel, therefore, that it is justifiable to conclude that the proposal as amended is a significant improvement on the original submission. This does not, of course, make the development necessarily acceptable as a result and the amount of local opposition to the

application does not appear to have reduced and in particular the Parish Council's extremely strong concerns remain.

Effect upon the landscape

- 6.22 Having regard to the continued objection from the Landscape Architect it is considered appropriate to begin the assessment of the detailed aspects of the proposal with consideration of the proposal on what is essentially undeveloped countryside.
- 6.23 The scale of development being of over 500 houses with the associated spine road will obviously have a significant impact upon the character of the area, though the fact that the site is countryside in itself is not, as discussed above, sufficient to resist the development for that reason alone. It is a matter of fact that the site is adjacent to a Category 1 settlement and, in terms of access to facilities for example, it would be difficult to conclude that the development is unsustainable given the definition in policy CP5.
- 6.24 The advice as to how to deal with the proposed development of areas of open countryside close to built-up areas in the NPPF is contained in various places. The ministerial foreword to the Document states 'sustainable development is about change for the better, and not only in our built environment' and that 'sustainable development is about positive growth'. Equally it also states that our natural environment is 'essential to our wellbeing'
- 6.25 The guidance then continues to state that the components of sustainable development are economic (therefore supporting growth), social (specifically stating that this requires the supply of housing with accessible local services) but also environmental which includes protecting the natural environment. The roles should not be undertaken in isolation, the guidance goes on to state, and so the planning system should play an active role in guiding development to sustainable solutions. Decisions need to take local circumstances into account.
- 6.26 The NPPF also recognises that the supply of new homes can sometimes be best achieved through planning for larger scale development including extensions to existing towns and villages working with the support of local communities.
- 6.27 A section of the NPPF in relation to the protection of the countryside relates to Green Belts: the application site is not designated as Green Belt. In terms of specifically protecting the natural environment, the Landscape Architect draws attention to paragraph 109 of the guidance which refers to 'protecting and enhancing valued landscapes' and he states that he refers to this 'in the sense of landscape of parts of the application site being considered to be of value for its distinctive landscape character and qualities and also valued by local people as a recreational amenity rather than it being a formally designated landscape'
- 6.28 The points made by the Landscape Architect have most certainly been reflected in an number of the representations from local people. It is clear that he considers that there would be a significant impact upon the landscape as a result of the proposals

albeit that he also considers that the scheme has significantly improved upon that originally submitted.

- 6.29 As a conclusion on this point, members are entitled to give very detailed consideration of the Landscape Architect's comments and, as such, it could form a valid reason for refusing the application. That being said, the guidance within the NPPF very much indicates that a balance has to be made against various considerations and therefore all other aspects of the proposal must be taken into account before an overall conclusion can be made.

Design & Conservation

- 6.30 Given the landscape concerns above, it is considered in that context the design of the proposal is similarly important. In some aspects, the considerations of design and landscape can often be considered together. The NPPF places 'great importance' to the design of the built environment and confirms that good design is a 'key aspect' of sustainable development. Although an outline application, where matters of design are reserved, nonetheless detailed discussion has taken place with regard to the parameters of the scheme which have been included in the supporting details
- 6.31 It is clear from the Design & Conservation officer's comments at paragraph 3.5 above that insufficient information was submitted with the application when it was originally lodged. However, a significant amount of further information has been submitted to an extent where an objection is no longer raised to the application by the officer.
- 6.32 Attention is drawn by the Design & Conservation Officer in her comments to paragraph 134 of NPPF which states that "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use." These public benefits, as listed by the Officer in her comments could include meeting the Councils' housing needs, provision of affordable housing, land for a new school, provision of open space, provision of a spine road and the provision of other community land uses. The officer concludes that 'the proposals are likely to cause less than substantial harm to the setting of the conservation area and the setting of Hammonds and Little Daux farm complex, and does provide a number of public benefits which could not be provided without the development. Therefore in my opinion the public benefits outweigh the harm to the heritage assets.'
- 6.33 Having regard to the above points, it is considered that it would be difficult to justify a refusal of the application on the grounds of the impact of the proposal upon existing heritage assets or its design. This conclusion, however, rests on the extent of wider benefits from the proposals.

Provision of spine road / wider highways considerations

- 6.34 West Sussex County Council as the Highways Authority have accepted previously that the provision of a new road to take A272 through traffic around Billingshurst

and away from the village centre would improve cycle and pedestrian safety, the retail environment and air quality. It has also been accepted by the County Council that the development will deter short cutting through the village and provide cycle and footpath links from the development to existing facilities within the village.

- 6.35 From the representations received in respect of applications and from previous consultation events such as those set out in the Statement of Community Involvement, it does not appear that the benefits in the terms suggested above are especially contested albeit concern has been expressed about the loss of trade in the village centre if traffic is reduced. The more substantive points relate to the actual impact of the spine road in visual terms (although its alignment was revised following comments from the Landscape Architect), the potential impact of noise upon residents of the new dwellings and the relationship between the road and, for example, pedestrians given that four of the parcels of residential development as well as the community uses are located to the east of the spine road and therefore will have to cross it to gain access to the main facilities of the village.
- 6.36 In respect of highways safety considerations, following the receipt of additional information, the County Council raise no objection and, as with any application, the views of the technical consultee are critical in determining the acceptability of a proposal or otherwise. It is evident from their comments that the Highways Authority also accept the principled justification for the spine road.
- 6.37 Issues in respect of air quality and noise as a result of the spine road are appreciated and, again, it was necessary to seek more information during the consideration of the proposals. Air quality, in particular, is becoming an increasingly important issue and is referred to explicitly in the NPPF. It would appear that this matter is capable of being resolved acceptably at the Reserved Matters stage.
- 6.38 It is considered that the main consideration in respect of the proposed spine road is its impact upon the countryside area through which it will run. The realignment undertaken during consideration of the application as well as the repositioning of the roundabout with the A272 can be said to represent improvements as can be revised planting locations around it. Nonetheless, it will still have some visual impact and this will need to be balanced against the benefits of the provision of the new road.

Education / school provision

- 6.39 The County Council have confirmed that land for an up to 3 form entry Primary School is required as part of the proposal and this would form part of any legal agreement. Again, this is a benefit of the proposal that is not contested in principle.
- 6.40 However, the development will have additional impacts upon education provision. The County Council have confirmed that at present secondary schools within the catchments area of the proposal currently would not have spare capacity and would not be able to accommodate the children generated by the assumed potential residential development from this proposal. Should an agreement not be made in principle to secure land for additional facilities, contributions would need to be requested with a formula to be agreed once the precise mix of the housing is

known at the reserved matters stage. The County Council also state there are requirements for additional facilities at early years and sixth form levels.

- 6.41 There is understandable concern from local residents that there is inadequate infrastructure within the village to support the additional requirements of the new development and the impact upon the Weald School given its existing lack of capacity is one particular area that needs to be addressed. However, there is no specific objection from the County Council (as education authority) to the development and, as is commonplace, financial contributions, in the absence of available land, to secure new facilities are considered to adequately offset the impact of development. The funding calculation for payments towards the provision of additional educational facilities is detailed and can be assumed to be both justified against government guidance for when such contributions are appropriate but also adequate to ensure the additional impacts of development are indeed covered.
- 6.42 The location of the proposed primary school (and other community facilities) has been moved to the south eastern part of the application site from its position further to the west. Concern has been expressed that the facility would be located at the eastern extremity of the village although it would certainly seem necessary to locate the facility to the southern part of the application site given that the majority of the village is to the south west of the application site. In landscape terms, there does appear to be significant benefits in locating the school and its playing fields on the approach in to the village rather than the large parcel of housing proposed (H11) which was initially proposed to the east of the school.

Other matters raised by consultees

- 6.43 Trees: The Arboricultural Officer raised no objection in respect of the application as originally submitted and has verbally confirmed he has no objection to the amendments. It was considered especially important to ensure that the residential development was kept sufficiently distant from the existing woodland area to the west of the central part of the site and this appears to have been achieved. The lack of objection on tree grounds, while important in its own right, should not detract from wider concerns expressed by the Landscape Architect, however.
- 6.44 Crime: Sussex Police have confirmed that more detailed comments will be submitted at the Reserved Matters stage as it is only possible to submit generic comments at this outline stage. During the course of the application, though, it has emerged that there is local concern regarding this issue and as a result the Billingshurst Action Initiative Team (BAIT) have also been asked to comment.
- 6.45 At an outline stage, it would be very difficult to resist a proposal on crime grounds and, as BAIT acknowledge, this is only the first stage of an ongoing process should permission be granted. That being said, BAIT have provided a set of comments at paragraph 3.15 which would provide a useful basis for consideration as well as providing an opportunity for a community group to become actively involved in any subsequent discussion.

- 6.46 Archaeology: The application was accompanied by supporting information and some investigative work has already taken place which is necessary to inform the County Archaeologist before making his comments and should not be seen as prejudice to the consideration of the application. The details submitted thus far are satisfactory and accordingly no objection is raised.
- 6.47 Ecology: Again, the application was submitted by a detailed amount of supporting information and a local resident also submitted information which was passed to the County Ecologist for comment whose detailed comments are reproduced at Section 3. In terms of protected species, insufficient information was submitted originally and accordingly Natural England raised an objection until satisfactory information was submitted. The revised information did contain more information and included details of mitigation measures which are also shown on the parameter plans. As a result of this information, it is not considered any objection could be substantiated on these grounds.
- 6.48 Drainage / Flooding considerations: This is, as always, an important issue to which the Parish Council have been helpfully bringing issues to officer's attention.
- 6.49 Section 11 of the submitted Environmental Statement dealt in some detail with issues of Hydrology, Flood Risk and Drainage. A Flood Risk Assessment (FRA) supported the information in the form of an appendix.
- 6.50 The part of the application site to the north of the A272 is described as part of the headwater catchment of the watercourse which flows east-west across the application site. The watercourse is culverted for part of its distance across the application site but is visible as an open channel at the western boundary. The watercourse enters a further culvert to the west before again flowing in an open channel behind existing residential properties and then entering a further culvert.
- 6.51 The part of the application site to the south of the A272 drains into an existing ditch on the southern boundary beyond which is a pond and a culvert.
- 6.52 The Environment Agency indicative flood map of the area states that the application site is Flood Zone 1, which represents a low possibility of flooding. As acknowledged in the supporting information, though, the uncontrolled discharge of surface runoff from the application site into the surrounding watercourses and ditches has the potential to cause flooding within the application site and downstream.
- 6.53 It was noted from the supporting information submitted with the application that the Environment Agency were 'concerned about the existing flooding incidents in Billingshurst downstream of the proposed development' but did not anticipate any 'exacerbation of the existing problem'. It is evident that there have been problems with flooding in the vicinity of the application site of which the Parish Council have submitted photographic evidence. It certainly would not be acceptable for any new development to exacerbate existing problems and indeed where possible the opportunity should be taken to improve existing situations when development is allowed.

- 6.54 A range of mitigation measures were set out in the supporting information to alleviate these concerns. As was promoted in the now superseded PPS25 the use of SuDS can provide protection against flooding downstream. Such methods are proposed to be adopted for the proposed development to ensure that increased volumes or rates of surface water runoff do not exacerbate existing problems. Detailed design would follow at the Reserved Matters stage although a preliminary design was carried out to outline the procedure required. It was further stated that swales (a contoured water harvesting ditch) and permeable paving would be used
- 6.55 It is noted that neither the Environment Agency, Southern Water or the Council's Drainage Engineer have objected to the proposal, though a range of conditions are suggested. In the absence of any objection, and fully appreciating the concerns of local residents and the Parish Council, it is not considered that the application could be resisted on this basis without any objections from technical consultees but clearly the imposition, discharge and monitoring of conditions would be critical if development were to be permitted.
- 6.56 Having regard to the consultee responses, it is considered that the main issues relating to the development can be summarised as follows. In principle, there does not appear to be sufficient justification to resist the development given the shortfall in housing land supply. No objections from consultees remain except from the Landscape Architect and therefore it is not considered that the application could be resisted for technical reasons where they have been subject to comment by the relevant consultees.
- 6.57 The concerns of the Landscape Architect, though, are valid considerations. Advice in the NPPF, which can be summarised as a pro growth document, is of importance. If it is accepted that by virtue of its Category 1 designation, the application site is a sustainable location for development and that the Council's Core Strategy housing requirements are superseded by the South East Plan, then the development would appear to fall within the part of paragraph 14 of the NPPF where it states that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. This approach, as identified by the Design & Conservation Officer, is also relevant to the Heritage section of the NPPF, at paragraph 134 where it states that harm to a designated heritage asset should be weighed against the public benefits of the proposal.
- 6.58 The Landscape Architect considers that there will be 'cumulative significant adverse landscape and visual impact' while also conceding that the development is now landscape led and that 'considerable amendments have been made and a creative approach combined with a more in depth analysis of the landscape character and qualities of the site has been adopted.' This harm therefore still needs to be assessed against the wider benefits of the scheme, some of which have already been considered such as the provision of the spine road and primary school. The remainder of such benefits, which would be secured by legal agreement, now need consideration.

Affordable housing provision and infrastructure provision

- 6.59 Policy CP12 of the Core Strategy as well as criterion 15 of the FAD SPD sets a target for the provision of 40% affordable housing where developments of 15 or more dwellings are proposed. The provision of affordable housing can be considered as a key objective of the Council and the supporting text to policy CP12 states that the emphasis will be placed on the developer to provide affordable housing. However, it is also stated that the 40% provision is a 'baseline' or target on the basis that developers will need to demonstrate why the particular targets could not be met if that were the case. The viability of any scheme therefore needs to be taken into account and such considerations have become important because of the current economic circumstances.
- 6.60 The applicants have provided a viability assessment for the development and consequently the amount of affordable housing to be provided which has been the subject of independent consultation with the District Valuer. The District Valuer has concluded that the scheme could provide a maximum of 37.24% affordable housing. While the figure does not meet the 40% target is higher than has been suggested at other sites, with the similarly sized development proposals at Southwater providing potentially for around 30% affordable housing, albeit the site circumstances are different.
- 6.61 As the Housing Strategy & Development Manager comments, the applicant has also worked with Moat Housing Association, one of the Council's principal preferred affordable housing providers, on an affordable housing mix that will provide 70% off the affordable housing as rented accommodation, with the remaining 30% to be delivered as shared ownership tenure. (Policy CP 12 policy allows for a mix nearer 60%:40%). Bearing in mind the strong need for affordable rented homes in the District, the proposed level of affordable housing and tenure split is considered to be very welcome. Housing Officers therefore accept the District Valuer's figures.
- 6.62 It should be clearly stated at this stage that there are some variable factors which could affect the precise figure. Discussions with the applicants have revealed that there is some difference between the amount of affordable housing they consider could be provided based on their work with affordable housing providers and the District Valuer's assessment. The area of difference is the forecast revenue that is likely to be secured from a provider in respect of the affordable rent element of any affordable housing provision.
- 6.63 Notwithstanding this area of difference, the applicants have set out in writing that they agree to an offer of 35% being secured by legal agreement and provided on a phased basis. While this confirmation is most welcome in that it provides a 'safety net' of a minimum level of provision, the District Valuer's assessment currently provides for a figure in excess of 37% and that is the figure that should be pursued unless evidence is provided to the contrary.
- 6.64 Your officers have already begun investigating why there may be some difference between the District Valuer's assessment and the developers with particular reference to the work already carried out with Moat Housing Association. Initial findings indicate that this may be because of the proposed mix of the affordable

housing itself with the Housing Association assuming less shared ownership properties than was originally anticipated in favour of affordable rent. The housing officer states that affordable rent would be preferable to the Council and it is possible that this may reduce the viable amount of affordable housing to the level the developer suggests. If permission is granted, then this matter can be progressed further through the delegation process but for the purposes of this report, the affordable housing provision can currently assumed to be 37.24% unless it can be demonstrated that a reduced provision is necessary in the interest of providing a more appropriate affordable housing tenure mix but in any case, this figure will not be below 35%.

- 6.65 There is however the important issue of wider community benefits which has emerged through consultation undertaken prior to the application. As many representations to the application have pointed out, there has already been a high amount of development permitted in Billingshurst, and the smaller, but still significant, schemes at Marringdean Road and Hilland Farm, for example will provide 40% affordable housing (over 80 affordable dwellings combined) in accordance with policy CP12. Together with other schemes in the village, therefore, there has already been a significant amount of affordable housing provided within Billingshurst, resulting in 90 rented and 53 shared ownership homes that should be built by 2014. Were the affordable housing to be provided at the level considered viable, therefore, it would go beyond meeting the needs of the Parish of Billingshurst; the housing needs survey carried out in 2011 showed 72 households in housing need and thus this scheme as it stands would also meet the wider needs of the District. It has to be emphasised, of course, that the provision of affordable housing is a District wide requirement and the fact that occupation of it on a particular scheme would not be restricted to those within the Parish the development is located, would not be a reason in itself for seeking to reduce the amount of affordable housing.
- 6.66 However, it is clear that there are a number of community schemes in Billingshurst that the community wish to see funded, such as the EYE project. Additionally, there has been a long established desire, and obvious requirement, to improve the village centre and the Council recently commissioned a study which highlights improvements to seek if it is to have long term success as a retail/ community hub.
- 6.67 There is little opportunity that these schemes could be progressed without developer funding and therefore a view could be taken that a potential reduction in affordable housing could be agreed in lieu of additional funding for community infrastructure. The precise figures that could be achieved are still being discussed having only been recently put to the District Valuer but the developer's own estimate is that £1 million would be available towards community infrastructure schemes if the affordable housing provision was reduced by 5%. Your officers have contacted the District Valuer who calculated a larger figure based on a calculation of reducing the affordable housing provision in 1% blocks from the aforementioned 37% to 30%.
- 6.68 The District Valuer concluded that the average surplus would be £323,135 if the payments were required when the first house was completed although if interest were not taken into account and the monies required at a different time, then this

figure could rise to over £400,000 per 1% reduction in affordable housing. Assuming the lower figure, this could provide over £1.6 million towards infrastructure provision if the affordable housing provision were reduced by 5%, which would still leave a figure of at least 30% affordable housing provision.

- 6.69 The policy position in accordance with the Planning Obligations SPD would be to seek the maximum amount of affordable housing considered viable, 37.24% in this instance and it should be noted that the Planning Obligations SPD states that affordable housing is the sole requirement of Group A of the priorities for funding from development.
- 6.70 Nonetheless, the provisions of the Localism Act as reflected in the NPPF states that the achievement of sustainable development should be a 'collective enterprise' (Ministerial foreword) and that the social role of achieving sustainable development should create a high quality built environment with services that reflects the community's needs and supports its health, social and cultural well-being. Decisions should 'take local circumstances into account' (paragraph 10) and a core planning principle at paragraph 17 is that decision-taking should not 'simply be about scrutiny but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives'. It would, therefore, seem possible that were members so minded to place priority on community priority schemes instead of provision of the maximum amount of affordable housing possible, then it is a position that could be supported under current policy.
- 6.71 The Section 106 requirements normally applicable to developments would still remain applicable where not provided on site. The likely substantial funding to adequately ensure that school places are available will be required as discussed earlier in the report, although the precise amount will not be calculated until the precise mix of housing is known. Contributions towards libraries and fire and rescue services would also be required.
- 6.72 A number of highways and transport improvement works are also required including:
- The implementation of a satisfactory shared pedestrian/cycle link between the development site and High Street through the Divine Homes.
 - The implementation of a satisfactory shared pedestrian/cycle link and connecting footway between the development site and Roman Way.
 - The implementation of a pedestrian improvement and speed reduction scheme along the High Street between Hilland roundabout and Roman Way, including the introduction of a village gateway.
 - The implementation of a pedestrian/cycle improvement scheme along East Street between the new spine road roundabout and Silver Lane, including a village gateway and Toucan crossing.
 - The implementation of an improvement scheme at the junction of East Street with the High Street.

- Investigate the provision for more off-street car parking either at the station or in close proximity to it.
- A financial contribution towards improvements at Billingshurst station.
- The developer to finance the review of the proposed CPZ in the vicinity of the station and implement any changes considered appropriate.
- The provision of new bus stops, shelters and RTPI (where necessary) on the A29 south of Hilland roundabout and on the A272 East of Billingshurst.
- The provision of new bus stops and lay-bys along the new spine road with a financial contribution towards new bus shelters and RTPI (if necessary).
- A financial contribution (to be determined) towards subsidising existing bus services, community transport and any other appropriate improvements to improve access to public transport services.
- The modification of the A29 Hilland roundabout to accept a fourth arm to serve the development prior to development commencing.
- The construction of a new roundabout on the A272 to serve the development (but no construction access to be taken from this point).
- The applicants will have to fund a new traffic signing strategy to support the development and the opening of the new spine road.
- A new underpass will be required on the line of FP1941 to be constructed prior to the occupation of development on the eastern side of the new spine road.
- A possible financial contribution towards speed management/casualty reduction strategies for the A272.
- Travel Plan.

6.73 The finalisation of the financial contributions and on site provision of all of the facilities could be secured during the delegation period were permission to be granted in consultation with local members.

Conclusion

- 6.74 There has been a significant amount of objection to the application and the Parish Council, in particular, have submitted a number of valid and well reasoned objections to the proposal. However, the application must be determined in accordance with government guidance and as has been evident in recent appeal decisions, the lack of housing supply is a major factor in the determination of applications for housing development. There have to be extremely clear and specific reasons for refusal if the housing supply position is to be over-ridden by other factors.
- 6.75 The requirement to meet housing supply target has not been removed by the NPPF and the document is even more explicit in promoting the need to provide housing in sustainable locations than previous guidance. In that respect, it is concluded that an objection in principle would be difficult to substantiate against the application.
- 6.76 It is evident from consultee comments that the proposal represents a significant improvement upon that first submitted but nonetheless the Landscape Architect, while himself accepting that the scheme has become landscape led, still considers that the proposal will cause harm to the countryside and it is perhaps an obvious conclusion that harm will occur with the number of houses proposed to be constructed on undeveloped countryside. Nonetheless, if the application is to be refused under current planning policies, then that harm must outweigh the benefits of any proposal.
- 6.77 The benefits of the proposal include the provision of a spine road which will reduce traffic through the village centre, community facilities including the provision of a new primary school and the opportunity to meet the housing needs of the District. In particular, there is an opportunity to provide a significant amount of affordable housing and possibly significant financial payments to long established community priorities such as the improvement of the Village Centre or the EYE project.
- 6.78 Your officers consider that, after very careful consideration, balancing all the relevant issues and having regard to the significant improvements secured during the determination of the application, that the benefits of the scheme outweigh the harm that is caused and that, on balance, the application can be supported having regard to current national and local planning policy guidance.

7. RECOMMENDATION

- 7.1 It is recommended that planning permission be granted subject to the prior completion of a legal agreement within 6 months of the date of the permission and agreement of conditions in consultation with the Chair, Vice Chair, Cabinet Member and Local Members

Such conditions shall include:

A time limited condition regarding the submission of Reserved Matters application to ensure that the development meets the required housing needs without delay

The following conditions as suggested by external consultees:

No development shall be carried out on the land until the applicant, or their agents or successor in title, has secured the implementation of a programme of heritage asset mitigation works in accordance with a written Heritage Asset Mitigation Strategy and timetable which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure that buried archaeological heritage assets will be properly recorded before and during development and that heritage assets to be retained will be enhanced as appropriate.

Prior to the commencement of construction and any preparatory works, an Ecological Management Plan shall be submitted to and approved in writing by the local planning authority and shall include detailed specifications, responsibilities, timing and management regimes as appropriate to support all recommended ecological mitigation and enhancement as outlined in Ch13 of the Environmental Statement.

Reason: To comply with the National Planning Policy Framework and Horsham District Core Strategy policy CP1

Prior to the commencement of construction and any preparatory works a Construction Management Plan shall be submitted to and approved by the Local Planning Authority. The Construction Management Plan will include an ecological section describing how key ecological features will be protected during the construction phase of the development.

Reason: To limit damage to sensitive ecological features by construction activities.

Prior to the commencement of development or preparatory works on-site a scheme showing a bat sensitive lighting strategy shall be produced in liaison with the consultant ecologist and submitted to the LPA for approval; mitigation shall be implemented in accordance with the approved details and timing of the works, unless otherwise approved in writing by the local planning authority. No lighting on the spine road either side of the box culvert and the associated woodland planting to prevent detrimental impacts on the bat flight line. A temporary bat bridge shall

be provided across the road (ES 13.216) to allow bat dispersal whilst the woodland planting establishes.

Reason: To avoid detrimental impact on protected bat species

Prior to demolition of building B5 and should the development be delayed beyond two years following the completion dates of the last survey, an update check for bats will be undertaken.

Reason: To avoid detrimental impact on protected bat species

No removal of woody vegetation shall be carried out on the proposed development site between March to August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority. Where vegetation must be cleared during the bird breeding season a check for nesting birds by a suitably qualified ecologist will be required. Any vegetation containing occupied nests will be retained until the young have fledged. The location details of the compensatory nesting provision as required to be supplied to the Local Planning Authority for approval prior to their erection.

Reason: To safeguard breeding birds

Prior to the commencement of development or preparatory works on the proposed development site a detailed reptile mitigation and translocation plan supporting the Reserved Matters application/s identifying timings and exclusion strategy and features to be employed to improve the receptor site/s shall be submitted to the Local Planning Authority for approval. Mitigation shall then be implemented in accordance with the approved details and timing of the works and under the supervision an Ecological Clerk of Works, unless otherwise agreed in writing by the local planning authority. Final translocated numbers and species translocated to each location to be submitted to the Local Planning Authority upon completion.

Reason: To safeguard legally protected reptiles found on site.

Prior to the occupation of the new residential units a community engagement strategy to promote wildlife gardening throughout the proposed development shall be submitted to and approved by the Local Planning Authority; the strategy shall then be implemented in accordance with the approved details, unless otherwise approved in writing by the local planning authority.

Reason

With reference to sections 13.199 & 264 of the submitted ES and in the interests of nature conservation and amenity

Prior to the commencement of development or preparatory works on the proposed development site an irreducible 3m buffer shall be established alongside all retained hedgerows increasing to 5m for H11.

Reason: In the interests of nature conservation generally and to avoid disturbance to protected species specifically.

Prior to the commencement of development a Construction Management Plan shall be submitted to and approved by the Local Planning Authority to ensure that noise and other potential nuisances from construction site are minimised

Reason: In the interest of amenity in accordance with policy DC9 of the General Development Control Policies Document

Contamination condition

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority (LPA). The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme should be in line with the principles of the submitted Flood Risk Assessment (FRA) (No. 241658-R1-FRA (3)) and shall include:

- The peak discharge rates together with associated control structures and their position.
- Safe management of critical storm water storage up to the 1:100 year event plus climate change.
- How the development has been designed for exceedance events, including flood flow paths.
- Details of agreed adoption, monitoring and maintenance of the drainage and Sustainable Drainage Systems (SuDS) features.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the LPA.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of these.

This planning condition is necessary to ensure the development complies with the principles of DC9 of the Horsham District Council Local Development Framework: General Development Control Policies (2007).

The proposed attenuation ponds shall be constructed in accordance with a scheme to be submitted to and approved in writing by the LPA prior to the commencement of development.

Reasons: To ensure that the proposed attenuation ponds within the site are designed, located, constructed and managed in such a way as to positively contribute to the nature conservation value of the site. PPS9 – “Biodiversity and

Geological Conservation” seeks to avoid a net loss of biodiversity and to actively pursue opportunities to achieve a net gain of biodiversity across the region. PPS9 states how planning decisions should maintain, enhance, restore, and add to biodiversity interests, and recognises that development proposals provide opportunities for including beneficial biodiversity features as part of good design. The ecological value of any existing watercourse/wetland features should be protected.

This planning condition is necessary to ensure that the development complies with the principles of Policy DC5 of the Horsham District Council Local Development Framework: General Development Control Policies (2007)

Prior to the commencement of development a scheme for the provision and management of a buffer zone alongside the proposed attenuation ponds shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the LPA.

The scheme shall include:

- plans showing the extent and layout of the buffer zone
- details of the planting scheme (for example, native species)
- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term

Reasons: Development that encroaches on ponds has a potentially severe impact on their ecological value. Article 10 of the Habitats Directive also stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. Such networks may also help wildlife adapt to climate change.

This planning condition is necessary to ensure that the development complies with the principles of UK BAP and Policy DC5 of the Horsham District Council Local Development Framework: General Development Control Policies (2007)

Prior to the commencement of development, details of all bridges proposed on site shall be submitted to and approved in writing by the LPA. Thereafter the bridges shall be constructed as set out in the approved scheme.

Reasons The use of clear-spanning bridges will maintain the river corridor and allow the movement of both the river and associated wildlife.

This planning condition is necessary to ensure that the development complies with the principles of Policy DC5 of the Horsham District Council Local Development Framework: General Development Control Policies (2007)

No development shall take place until a scheme for the provision and management of compensatory habitat creation has been submitted to and agreed in writing by

the LPA and implemented as approved. Thereafter the development shall be implemented in accordance with the approved scheme.

Reason: To ensure the mitigation measures as detailed in the Environmental Statement dated August 2011 submitted with the application are implemented to protect the potential Great Crested Newt habitat within and adjacent to the development site. Without it, avoidable damage could be caused to the nature conservation value of the site contrary to national planning policy as set out in PPS9, and PPS1 The applicant could also be liable to criminal prosecution under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and Habitats Directive regulations for European Protected Species.

Great Crested Newts are listed under Schedule 5 of the Wildlife & Countryside Act 1981 and Schedule 2 of the Conservation (Natural Habitats, &c.) Regulations 1994. These regulations effectively reinforce the Wildlife & Countryside Act 1981 and to some extent extend their protective provisions. Under the Conservation (Natural Habitats, &c.) Regulations 1994 damage to the breeding site or resting place is prohibited regardless of whether it was intentional or not.

This planning condition is necessary to ensure that the development complies with the principles of PPS1, PPS9 and Policy DC5 of the Horsham District Council Local Development Framework: General Development Control Policies (2007).

The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul drainage has been submitted to, and approved in writing by, the LPA. The scheme shall be implemented as approved.

Reason: Billingshurst Waste Water Treatment Works (WWTW) may not have sufficient capacity to accommodate foul flows from the entire development. The development may need to be phased to allow necessary upgrades to take place. The developer should liaise closely with Southern Water Services Ltd to ensure that the necessary capacity is available in the foul sewerage system and / or Billingshurst WWTW.

This planning condition is necessary to ensure that the development complies with the principles of PPS23 – “Planning and Pollution Control”.

Parking

The development hereby permitted shall not be carried on unless and until provision for car parking has been made within the site in accordance with details to be submitted and approved by the LPA.

Reason : To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of adjacent highways

Construction Environment Management Plan

The development hereby permitted shall not commence unless and until a Construction Environment Management Plan has been submitted and approved by the LPA to include the locations of the following :

Site Offices

Materials and plant storage
Loading and unloading areas
Temporary parking for site staff and contractors
Wheel washing facilities
Reason : In the interests of highway and site safety

Access

The development hereby permitted shall not commence unless and until access to the site from the public highway from which it is taking access (A29 Hillands roundabout or A272 East Street) has been designed, laid out and constructed in all respects in accordance with detailed plans to be submitted to the LPA for approval.
Reason : In the interests of highway safety

Surface Water

The development hereby permitted shall not be commenced unless and until details have been submitted to and approved by the LPA to prevent surface water being discharged onto the public highway.
Reason : In the interests of highway safety

Specification

No development shall take place unless and until details of the layout and specification of and construction programme for the new junctions, roads, footpaths and casual parking areas, foul and surface water drainage and means of disposal have been submitted to and approved by the LPA.
Reason : To secure satisfactory standards of access and drainage for the proposed development.

Existing Access Closed

The development hereby permitted shall not be occupied unless and until all access(es) to the site other than hereby approved have been stopped-up and permanently obliterated.
Reason : In the interest of highway safety.

Public Rights of Way

The existing public rights of way across the site shall remain undisturbed unless and until legally stopped-up or diverted. The alignment of any public right of way shall also be protected during the construction works by fencing as may approved by the LPA.
Reason : To safeguard the rights of the public.

Construction Traffic Routing

The development hereby permitted shall not commence unless and until a construction traffic routing plan has been submitted to and approved by the LPA. Notices shall be erected and maintained throughout the period of development at the site exit indicating to drivers the route agreed by the LPA for traffic entering and leaving the site.
Reason : To encourage construction traffic to use the most appropriate route to avoid the centre of Billingshurst.

The developer must agree with Southern Water prior to commencement of the

development the measures to be undertaken to protect the public water supply main

Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to and in writing by the Local Planning Authority in consultation with Southern Water

Plus conditions in respect of finished floor levels, fencing, recycling, approval of materials, hours of working, sustainable construction methods and any other conditions deemed necessary by internal consultees in respect of landscaping, noise, trees and design

Planning Informatives

1) Under Section 23 of the Land Drainage Act 1991 if it is proposed to fill, divert, obstruct or culvert a watercourse, the applicant would require the prior consent of the Environment Agency,. The applicant should note that in determining an application for consent, there would be a presumption against the culverting of watercourses. Therefore we would recommend that the applicant investigates the use of a clear span structure as it is unlikely that consent will be forthcoming for any culverting works.

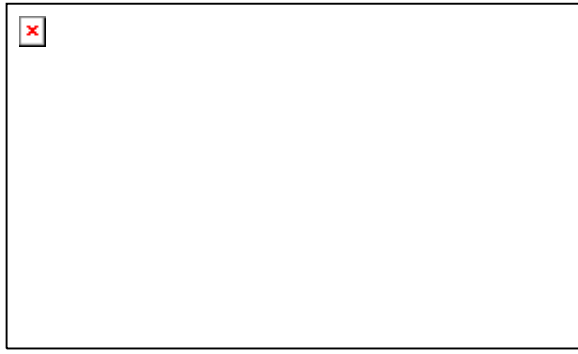
2) Under Section 30 of the Salmon and Freshwater Fisheries Act (1975) prior written consent from the Environment Agency will be required should fish introduction to the ponds be proposed. It is possible that there would be restrictions on the species of fish deemed suitable for introduction. It may also be necessary to carry out health checks on any introduced fish, in case of fish movements into surrounding watercourses during flooding incidents.

8. REASONS

The development is considered to comply with the National Planning Policy Framework in that it represents sustainable development and that any adverse impacts of the proposal are not considered to outweigh the benefits.

Background Papers: DC/11/1654
Contact Officer: Gary Peck

Blank



Our Ref: BB/9.25

13 October 2011.

Development Management
Horsham District Council
Park North
North Street
Horsham
West Sussex
RH12 1RL

Dear Sirs

Billingshurst Parish Council
Response to Planning Application DC/11/1654
550 Houses
Land East of Billingshurst

Summary Statement

Billingshurst Parish Council **OBJECTS** to this planning application:

Only 22 %¹ of the country has an adopted Core Strategy. Horsham District Council was in the first three local planning authorities to adopt their Core Strategy. Billingshurst Parish Council supports the Core Strategy and welcomes HDC's intention to continue to plan, monitor and manage development in the Horsham district.

However, this planning application represents the first phase of a massive strategic site to the east of Billingshurst which, if eventually fully permitted, is set to almost double the population of Billingshurst. Such development is contrary to the local planning framework. Adopted planning principles and Core Strategy policies CP4 and CP5 seek to concentrate new large-scale development in two mixed-use strategic locations on the edge of Horsham and Crawley – an approach that was endorsed by the South East Plan. It is the clear intention of these Plans to focus the delivery of new housing to meet the District requirements in sustainable locations which have the necessary infrastructure, services and community provision or where this provision is planned.

The potential for further development at Billingshurst was examined but it was rejected as a strategic location for development at this stage, given the opportunities which exist for sustainable development in the vicinity of Horsham.

The Parish Council calls upon HDC to commit resources to bringing forward development at the strategic locations at an accelerated rate. If, despite such efforts, the needs of the district are not being met in the short term, then BPC argues that no further expansion of Billingshurst should be approved unless and until, opportunities for development in more sustainable locations adjacent to Horsham have been realised.

¹Database on Local Development Frameworks Closure report – end December 2010

Billingshurst Parish Council sets out below its reasons for objecting to this planning application:

1. Localism

The Localism Agenda – Shifting Power to Local Communities

In a letter dated 15th December 2010 to Chief Planning Officers from Steve Quartermain, Chief Planner, DCLG with regard to the Localism Bill, it is stated, *“I am writing to you to draw your attention to the Localism Bill which was published on Monday 13th December. The Government has been clear that it intends to bring forward a number of reforms to the planning system, aimed at restoring democratic and local control and shifting power to communities. The Localism Bill is a key vehicle for achieving this.”*

It is considered that as the Localism Bill which expressly says that local people should be consulted and that the developer should take into account their views; that even though the Bill is not yet law, the local planning authority should consider the intent of the bill when looking at planning decisions on the scale of this application. There is a concern that if this development is approved it is just the start of a massive strategic site on land east of Billingshurst, as evidenced by the provision of land for a three form entry primary school. (One form entry for every 1,000 houses).

Then, in the forward to the DCLG publication, A plain English guide to the Localism Bill, Update, June 2011 Greg Clarke MP talks of *“...a huge shift in power - from central Whitehall, to local public servants, and from bureaucrats to communities and individuals”* and describes the Localism Bill as setting out *“a series of proposals with the potential to achieve a substantial and lasting shift in power away from central government and towards local people..... to make the planning system more democratic and more effective, and reform to ensure that decisions about housing are taken locally.”* The guide goes on to state, *“There are, however, some significant flaws in the planning system as it stands. Planning does not give members of the public enough influence over decisions that make a big difference to their lives. Too often, power is exercised by people who are not directly affected by the decisions they are taking. This means, understandably, that people often resent what they see as decisions and plans being foisted on them. The result is a confrontational and adversarial system where many applications end up being fought over.”*

Billingshurst Parish Council has embraced the government's shift in power for local planning; it has always fully participated in strategic planning consultations and will continue to do so.

The Parish Council urges Horsham District Council to embrace the Localism Agenda and recognise the strong local feelings and take this into account in determination of this application.

Horsham District Council should oppose this application, reaffirm its support for the development of land at the strategic locations west of Horsham and Crawley and intervene to address the obstacles to house building at an accelerated pace at these sites.

2. Government Planning Policy

In the Design and Access Statement published by the consortium, there is reference to government policy, "*On 15 June 2011, the Government published their definition of the Presumption in Favour of Development. This guidance followed the Ministerial Statement of March 2011 entitled Planning for Growth. This provides clear guidance on the Government's ambitions for sustainable development. In short it states that local planning authorities should plan positively for new development, and approve all individual proposals wherever possible. Specifically local planning authorities should:*

- *Prepare local plans on the basis that objectively assessed development needs should be met, and with sufficient flexibility to respond to rapid shifts in demand or other economic changes;*
- *Approve development proposals that accord with statutory plans without delay; and*
- *Grant permission where the plan is absent, silent, indeterminate or where relevant policies are out of date."*

The Parish Council supports the notion that local planning authorities should '*plan positively for new development*', but would like to see Horsham District Council refuse this planning application and thereafter reaffirm its plan-led approach through the Core Strategy Review.

Press Notice, Positive Planning: a new focus on driving sustainable development, 15 June 2011. It is noted that "*the Government is taking substantial steps to help local communities protect greenfield sites as they plan for sustainable growth.*"

The planning application site is greenfield land.

3. Adopted Core Strategy

Billingshurst Parish Council urges the Council to place weight on the government's intention to abolish Regional Spatial Strategies and revert to the Council's adopted Core Strategy which states in paragraph 4.30, bullet point 6 - "*no provision before 2018 for any further large scale development at Billingshurst but recognition that this position may need to be reviewed in the future, particularly with regard to the need to relocate businesses and redevelop some of the existing industrial areas as part of a comprehensive planning strategy*".

This development is not needed to relocate businesses or to re-develop some of the existing industrial areas as part of a comprehensive strategy and should be judged in the context of Policy CP8, *“Limited provision may be made ... for small scale extensions to the smaller towns and villages to meet identified local needs and assist in the gradual evolution of these communities by enabling development which meets their needs but does not fundamentally undermine the qualities which make them or their countryside setting unique and special.”*.

Furthermore, whilst there remain substantial development opportunities at the strategic locations, the release of land for a major expansion of Billingshurst would be contrary to the adopted spatial strategy for Horsham district which argues in favour of focusing such development in or adjacent to the main urban centres of Horsham and Crawley. The case has not yet been made for the need to abandon this strategy in favour of major development releases in locations remote from these main urban centres.

The proposal contradicts other key Core Strategy policies.

- *“The landscape character of the District, including the settlement pattern, together with the townscape character of settlements will be maintained and enhanced.”* (Policy CP1)
- *“The release of land for housing will be managed in order to ... give the necessary priority to the reuse of previously developed land within built-up areas.”* (CP9)

4. Planning Policy Statement 3

Paragraph 69 of PPS3 requires Horsham District Council to have regard to *“ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives”*. The Policy Statement goes on to make it clear (paragraph 71) that this requirement applies even when the local planning authority cannot demonstrate an up-to-date five year supply. It states explicitly that the authority must determine applications *“having regard to the policies of this PPS, including the considerations in paragraph 69”*. Any short term benefit of the current planning application, if it was built out immediately, in terms of pure numbers would not be justified under this policy. Planning permission would undermine the existing spatial vision for the area and would compromise the ability of Horsham District Council and the local community to review housing land allocations through a proper plan-led approach.

5. Five Year Housing Land Supply

Billingshurst Parish Council has always contended that any five year housing land supply shortfall is a district wide problem, which should be handled with a district wide solution. Yet for the parish of Billingshurst, it is being expected to accept more than its fair share of the district’s development. This application should be considered in the context that 67 houses have already been permitted at Land South of Hilland Farm, Billingshurst (DC/09/1794) to address this perceived district wide 5 year housing land supply shortage and there is an outstanding appeal for 150 houses on land south of Gillmans (DC/10/0939).

It should also be recognised that only a percentage of the proposed 550 houses – unlikely to be more than 30% - will come forward to meet the current 5-year supply shortfall.

There is more opportunity for smaller settlements to integrate into communities and bring benefits to that community through s106 funding and affordable housing to address locally identified housing needs. This proposal is contrary to development plan policies (CP8) which seek the gradual evolution of communities.

In a recent appeal decision (AA/L1765/A/10/2126522, Cala Homes, Winchester), the Secretary of State balanced the short term housing-land supply case for development against the opportunity of a local planning authority to determine a bottom-up housing land release strategy. In that case, he concluded that PPS3 considerations should not undermine the ability of the authority to complete its core strategy review in consultation with local communities. The case also turned, as with the consortium’s application for east of Billingshurst, on a fundamental conflict with the development plan ... “the development of this attractive greenfield site would undermine the character of the landscape and the key characteristics of the relevant Landscape Character Areas.”

6. Core Strategy Release for Identified Local Needs

A further element of the Core Strategy (Policy CP8) has been the limited release of smaller scale sites to meet identified local needs or enable the continued evolution of local communities. Such development needs to be clearly justified and should not undermine the essential form, setting and character of the settlements concerned, either directly or by the potential cumulative impact (paragraph 4.7, Strategy Principles).

An extension to the built up area to accommodate 550 houses fails to satisfy these Strategic Principle tests. Furthermore, land has already been included in this application for a three form entry primary school to serve a potential of 3,000 houses and this scale of development would seriously undermine the character and landscape setting of Billingshurst, by almost doubling the size of the village.

Housing building rates (1989-2008) for category 1 settlements in the ‘Rest of Horsham District’ reveal a startling picture of recent development over the last 20 years. The data in the table demonstrates that, whilst Billingshurst and Southwater have accommodated a similar amount of house building over the full period, no other category 1 settlements in this list has accommodated more growth since 1998 than Billingshurst.

Category 1 Settlement	No. of Houses Built 1989-1999	No. of Houses Built 1999-2008	Total No. of Houses Built 1989-2008
Billingshurst	395	904	1299
Henfield	225	169	394
Pulborough	210	234	444
Southwater	987	322	1309
Steyning	270	200	412
Storrington	180	374	444

7. Transport Links

The Office of National Statistics for the ward of Billingshurst (2001 Census) identifies 3,352 persons travelling to work of which 269 (8%) travelled to work by train and just 35 (0.1%) used the bus. The remainder (91.9%) walked or used a private vehicle. Although the UK has witnessed an increase in passenger numbers on many routes in the last ten years, the attractiveness of rail services from Billingshurst, particularly to London, has suffered. Journey times between Billingshurst and the capital have increased substantially in consequence of improvements to services from stations nearer to London.

There appears to be no evidence to suggest that an enhancement of either bus or rail services at Billingshurst will make a significant difference to the propensity of local people to use public transport. HDC in their draft Horsham Town Plan state, *'Although the Council is seeking to achieve a modal shift towards more sustainable means of transport, it recognises the importance in ensuring that the car continues to be a viable and popular means of access, as a significant proportion of customers will continue to use the car for their journey to the town centre to enjoy the proposed enhanced retail and leisure offer.'*

Therefore, given that employment opportunities in the village are not planned to grow at a pace to match the number of adults of employable age, the building of 500 houses can only swell the number of out-commuters adding yet further pressure on the local road network. The A29 is already significantly constrained by its limited capacity and by heavy commuter traffic into Horsham. The A272 is a winding across-county road not designed for increasing traffic volume without prejudicing its safe and free flow.

Currently, all traffic using the A272 through Billingshurst travels along East Street, down the High Street and then out on to West Street, right through the heart of the Conservation Area. Any increase in the volume of this traffic will bring disturbance and danger to people, particularly school children using this road (and pavement) network.

Taking traffic from the A272 via a north east bypass linking up to the existing (north west) bypass must be an essential prerequisite of an eastward expansion of the village. However, whilst such an addition to the local network might relieve conditions in the village, it will do nothing to address the capacity and safety shortcomings of the wider network that large scale development east of Billingshurst will expose.

West Sussex County Council has already identified a significant number of constraints in the highway network around Billingshurst; in particular the humped back bridge on the A272, accidents at Coolham crossroads and along the A272 and capacity at Buck Barn crossroads where the A272 joins the A24. The bridge over the River Arun at Newbridge is also a significant constraint on the A272, which becomes impassable after periods of heavy rainfall.

The Council fears that any additional traffic on the local road network will inevitably see a corresponding increase in injury accidents. The County Council is also currently undertaking a survey of all residents on the parking problems in Billingshurst, exacerbated by commuter parking, both from within the parish and its hinterland (West Chiltington, Ashington, Thakeham, Wisborough Green, Loxwood,

Kirdford, Ifold, Alfold Bars, Petworth, Midhurst, Coolham, Shipley, Barns Green, Coneyhurst) in the narrow streets around the station area.

Investment in public transport services (rail or buses) in locations, such as Billingshurst, that are remote from main settlement centres is unlikely to offer anything approaching the sustainable transport benefits available at locations in much closer proximity to Horsham, Gatwick and the main south coast settlements. In the more remote locations, the prospects for achieving a significant reduction in the dependence on the use of private motor vehicles are very poor. The County Council has also announced £2 million of cuts to the subsidy for bus services over the next three years. It is this consideration that forms the basis of the adopted spatial strategy to focus major development in and adjacent to Horsham and Crawley.

8. Spine Road

Referring to appendix 4 of the Interim Statement, paragraphs 6.21 and 6.22 HDC state that, *“WSCC has identified a number of constraints on the A272; the existing humped back railway bridge (width and alignment), Coolham Crossroads (accidents and traffic speeds), Buck Barn Crossroads (capacity and queuing) and A272 (accidents). Road safety issues at the junction of New Road with the A29 to the north of the site....*

Again in relation to the progression of a larger strategic development site East of Billingshurst, WSCC indicated the following likely transport infrastructure requirements, which may also be relevant to a smaller release of land:

The provision of a road to take A272 traffic around Billingshurst and away from the village centre.”

There is an identified need for an east – west bypass around the north eastern quadrant of the village, not a spine road which is effectively taking the east – west bypass right through the centre of the proposed new residential area. Residents on the west side of the village frequently suffer noise nuisance from speeding motorcycles, which will use this new spine road on their route east – west across the county.

The spine road will take commuter traffic, HGV’s and motorcycles through the centre of the new housing development. The consortium of developers have already acknowledged in the Design and Access statement in paragraph 4.2, *“Because of the potential number of users of the inner spine road noise could be an issue, to counter this it was suggested that built form directly adjacent to this road could act as a defence against unacceptable noise in the proposed dwellings rear gardens.”*

The Parish Council must consider not only the current residents of the village, but also the future residents of the village who could, just like the residents adjacent to the western bypass, find the noise of speeding traffic unacceptable, so much that it affects their quality of life.

The consortium of developers have said in 4.3 of their Design and Access Statement that, *“Due to the nature of the road it would be necessary to ensure no driveways directly access this route, with their associated parking in courtyards to the rear. This has the added benefit of keeping pedestrian vehicle interface to a minimum.”*

The Parish Council has serious concerns about the interface of pedestrians and vehicles along this spine road. The illustrated scheme shows a number of uncontrolled crossings, as well as toucan controlled crossings. Pedestrians will need to use this road to access the new school, doctor's surgery, crèche, dentist, and further afield for the secondary school, children and family centre and station. There could be mixed pedestrian traffic of parents and children, school children, elderly, disabled, workers walking to the industrial areas and commuters to the station using this road at all times of day. Care was taken in the design of the western bypass to avoid such potential hazards, including the provision of a pedestrian footbridge over the bypass to the sports and leisure facilities at Jubilee Fields. However there is more opportunity for additional pedestrian traffic along this spine road, without the benefit of a safe option of a pedestrian footbridge, over what will undoubtedly be a very busy bypass through the centre of the new development.

An advantage of having a bypass on the north eastern boundary of the development would be that it forms a firm barrier to the edge of development as can be observed with the north western Billingshurst bypass. The spine road has housing development on either side, and development could continue to sprawl eastwards in years to come.

9. Spine Road Junction with A272

West Sussex County Council have confirmed that between Billingshurst High Street and Buck Barn there were 13 recorded injury accidents for the 3 year period between 1 Sep 2008 and 31 Aug 2011; 5 of these were serious and 8 were slight. This resulted in 22 people being injured, 7 seriously and 15 slightly. One of these accidents in 2010 involving slight injury to the driver was in the vicinity of the proposed junction with the new spine road.

10. Silver Lane

Silver Lane forms part of a wider residential area on the eastern side of Billingshurst with many roads leading off it to smaller closes. However the road is subject to a weight limit of 7.5 tonnes. The junction of East Street and the new spine road is not far from the junction of East Street and Silver Lane. The new spine road will deliver traffic that would previously have gone through the village or down the bypass to the industrial areas close to the junction with Silver Lane. It will make a convenient short cut for traffic to the industrial areas located close to the station.

Silver Lane is a residential area, that in the peak school times, is heavily congested with parents dropping and collecting children and many children and young persons walking to the nearby primary and secondary schools and sixth form. Through traffic must be discouraged from using this road as a short cut. The bypass would have been situated further to the east making this less likely to be appealing as a short cut.

11. Fuel

It is certain that further development in Billingshurst will lead to more traffic on our roads and an increased demand to fuel these vehicles. Currently the only petrol stations serving Billingshurst are located on the northern edge of the parish at Five Oaks, outside of the parish on the A24 at Buck Barn or south of the parish in Pulborough. Travelling for re-fuelling will only exacerbate the unsustainability of this planning application. The original plans for the north west bypass included the provision of a petrol station.

12. Drainage

The Parish Council met with the Environment Agency on 28 September 2011 to discuss current and future potential drainage issues in Billingshurst. The District Council was invited to send a Drainage Officer to the meeting, but did not attend. It was noted at the meeting that the topography of this area records a high point to the north of the development site and to the south of the site with a valley running through the middle where the natural watercourse runs through the Bowling Alley to join the barrel drain that runs underneath the High Street. The title map of 1841 records a large area of water in this valley too.

A few years ago, the barrel drain became blocked with debris causing severe flooding to the High Street, to the extent that properties had to be accessed via the first floor from a boat. Horsham District Council took the step of installing a large metal grille in the culvert leading to the barrel drain behind 41a High Street, thus accepting responsibility for keeping this area free from debris.

It is the Parish Council's understanding that it is the responsibility of the riparian land owner to keep the watercourse running freely, and it was noted that many riparian owners will have great difficulty fulfilling this obligation as the watercourse is, in places, land-locked and inaccessible. Where the riparian owners are not known, the responsibility for keeping the watercourse free flowing would fall to the District Council.

Any planning permission for this site must be accompanied by a fully supported maintenance plan to keep the watercourses free running and assurance from Horsham District Council that they will meet their obligations as drainage authority. The Parish Council places Horsham District Council on notice of this statutory duty.

Parish Councillors Homer, Leaney, Longhurst and Wilding attempted to follow the watercourse from the Bowling Alley to the barrel drain in the High Street and recorded their journey in appendix 1, which supports the Parish Council's request for a fully supported maintenance plan for the watercourse.

13. Tipping Points

Referring to appendix 3 infrastructure of the Interim Statement, Horsham District Council has identified that Billingshurst reaches the tipping points for waste water treatment, water supply, primary and secondary school places for 500 houses. There are also capacity issues with the highway network.

14. Education Provision

The latest available figures for capacity of the Weald School reveal that the school is running at capacity for the next four years:

11/12	102%
12/13	102%
13/14	103%
14/15	104%

There are severe limitations to the enlargement of The Weald School in Billingshurst. The increase in demand for secondary school places arising from development already approved, as well as that currently proposed, will therefore generate significant additional journeys to schools in Horsham or, if a new secondary school is built there, in Southwater.

These journeys would not only further demonstrate serious sustainability flaws to an eastward expansion of Billingshurst but signal fewer opportunities for shared experiences amongst school children which could frustrate community development in the long term.

Students from the village attending tertiary education establishments must travel out of or live remote from the village. Only Brinsbury College lies within 15km of the village and its teaching ‘offer’ is very narrowly defined. Other nearby tertiary education establishments can be found in Brighton, Crawley, Chichester, Guildford, Redhill and Worthing. Those reliant on public transport can have a difficult commute to these establishments from Billingshurst where there are no direct public transport links, and/or interchange times are not aligned. Thus there is more reliance on the private car, for those students that are able to drive, and a more limited offer of courses for those that cannot.

15. Acute Healthcare

The parish of Billingshurst sits on the extremity of the catchment area for acute healthcare available only in Worthing, Chichester and the East Surrey Hospitals. All of these hospitals are more than 30 km away from the parish. There is significant reliance locally on the ambulance service and a first response from paramedics and community responders.

	2006	2007	2008	2009	2010	2011
January		15	12	17	12	22
February	4	9	15	17	10	15
March	3	18	11	12	11	22
April	5	20	11	9	13	26
May	6	28	11	20	10	30
June	7	26	14	12	19	16
July	11	35	16	7	18	16
August	6	18	19	18	18	14
September	9	23	12	14	17	
October	4	13	8	19	37	
November	6	11	14	12	22	
December	10	15	15	11	16	
Total	71	231	158	168	203	

The Community Responder service is manned by volunteers from the local community. Billingshurst has no ambulance station, so patients must wait for an ambulance to be sent from wherever the nearest ambulance is located. It is not unknown for ambulances to attend from the south coast, Crawley, Guildford or from Haywards Heath. However, congestion as a result of holiday traffic along the A29 and A272 makes it much harder for the ambulance service to meet its targets in the summer months.

16. Shopping Centre

The viability of the shopping centre in Billingshurst is already under serious threat. The research project into sustainable communities (Developing a Plan for Sustainable Service Provision in the Rural Community of Billingshurst; Wood from the Trees Limited on behalf of Billingshurst Community Partnership; 30 June 2008) found shortcomings in the local retail economy including lack of depth of offer, parking problems and lack of community transport.

The north west bypass has already taken potential passing trade out of the centre of the village and a north east bypass will still further reduce this passing trade. Trade is also vulnerable to changes in the 'offer' of supermarkets some 6 miles south at Pulborough with free parking facilities and a large supermarket some 6 miles north at Broadbridge Heath. The development west of Horsham of 2,000 houses will bring with it more shopping facilities. Billingshurst residents will be attracted to these new 'offers' and may choose stop there on their commute rather than use the facilities in the centre of Billingshurst.

This planning application does not bring with it sufficient planning gain to be able to satisfactorily address the deficiencies of the local shopping offer.

17. Cemetery Provision

St Mary's Churchyard in Billingshurst has been closed for burials since 18 March 1969. There is currently no provision for burials or cremation plots for existing residents. The nearest cemetery is the Hills Cemetery in Horsham.

Ground conditions in Billingshurst are a significant factor in determining the location for a new cemetery and there is little land in the heart of the village that is either available or suitable. The lack of a local burial ground is a highly emotive issue in the village.

Whilst early sight of the plans for land east of Billingshurst showed provision of land for a new cemetery, this has failed to materialise in the submitted planning application.

18. West Sussex Fire and Rescue Service

The parish of Billingshurst is served by one part time retained Fire crew. The nearest manned Fire and Rescue centre is 6 or 7 miles away in Horsham. There are a variety of businesses located within the parish of Billingshurst from a range of industries. A recent massive fire at a business in the parish saw 100 people evacuated with 30 people staying in an emergency rest centre for the night and 50 firefighters from around the county tackling the blaze. Emergency contingency planning must be undertaken when considering any further expansion to the population of Billingshurst.

An increase in traffic will increase the workload of the Fire and Rescue Service. There is currently a consultation to merge the East and West Sussex Fire and Rescue Services.

19. Landscape Character

A number of studies have confirmed that the landscape to the east of Billingshurst is of rural, undeveloped and historic character with high sensitivity to change.

The northern and eastern part of the parish of Billingshurst (north of the railway line) is within the Central Low Weald character area, as defined in the West Sussex Landscape Character Assessment. It is a mainly pastoral landscape with a well-wooded character. It has a gently undulating landform, laid out predominantly to small to medium size pasture fields enclosed by woodlands. This area has a historic character of linear patterns associated with old droveways. Key issues for change to this landscape are loss of woodland cover or diversity of woodland, changes in land management practices leading to loss of hedgerows, loss of tranquillity and vulnerable rights of way network due to increased use and poor drainage management.

This characteristic was broadly endorsed by the Chris Blandford Associates study (2003) undertaken on behalf of Horsham District Council which informed the Horsham District Landscape Assessment of October 2003.

The County Council advises in its land management guidelines for the **Central Low Weald**:

- Maintain the historic character of the area, including the pattern of small fields and network of droveways.
- Maintain and restore hedgerows and shaws.
- Replant and manage isolated trees in pasture.
- Conserve and reinstate small scale hedgerow cover and pasture wherever possible.
- Conserve and manage streamside vegetation and ponds.
- Consider the cumulative impact on landscape character of small developments and land use change. Avoid the introduction of suburban styles and materials.

Chris Blandford Associates (2003)

The Landscape Character Assessment identified individual character areas in the Horsham district of which this planning application area to the east of Billingshurst that is north of the railway line covers character area G3 Slinfold and Five Oaks Wooded Farmlands.

The planning and land management guidelines for **character area G3**, north of the railway line advise:

- Conserve rural undeveloped character. Any large scale housing and commercial development is likely to damage character, e.g. through loss of small scale field patterns and loss of woodlands.

- Consider the cumulative impact of small scale change, e.g. suburbanisation along roads.
- Ensure any appropriate new development responds to historic settlement pattern, local design and building materials and is well integrated into the existing landscape pattern of woodlands, hedgerows and shaws.

These studies confirm that the landscape to the east of Billingshurst is extremely vulnerable to severe degradation in the event that a significant area of land is released here for development. Whilst landscape features, such as hedgerows and woodland, can be retained in any expansion of the village, the attractive and tranquil setting of each feature will be destroyed and their contribution to the wider landscape character of the area lost.

20. Archaeology

The consortium of developers state in paragraph 2.6 of their Design and Access Statement that, *“Desk based assessments conclude that the site has a low to moderate archaeological potential. It is likely that any proposed development could have a potential archaeological impact on below ground archaeological remains of local heritage significance.”*

The Parish Council has been in contact with the County Archaeologist who has reviewed the Environmental Statement and commented that there are a number of features and anomalies indicated by the geophysical survey which, in his view, should be investigated by trial trenching before any 'Masterplan' is firmed up.

21. Biodiversity

The overall carrying capacity of valuable wildlife habitats to the east of the village will diminish as a result of development and, in consequence, biodiversity across the area will decline significantly. The proposed green space in the scheme may not provide an adequate replacement and off-site biodiversity enhancements may be necessary.

A significant increase in the size of the village population will increase the recreational pressure on nearby sites of nature conservation interest. No funds are being offered for habitat enhancement or pressure management to compensate for this effect.

22. Employment

The 2001 Census reveals that there were 3,451 economically active people living in the parish. Despite the presence of significant number of business premises in the village, 60% of these people travelled more than 4km from home to their place of work. Settlements such as Horsham and Southwater are understood to be much more self-contained in this respect. Despite a considerable growth in the number of residents in the village since the 2001 Census, there has been no appreciable increase in the number of business premises in the village, and there may possibly have been a decline. It is likely, therefore, that the 2011 Census will reveal even less self-containment. The Parish Council is disturbed by this trend and would prefer to see it reversed rather than see a more dormitory role for the village.

The employment sites in Billingshurst are principally located around the station in Daux Road, Brookers Road, Myrtle Lane and at Gillmans on Natts Lane. Most have been established over 40 years. These industrial areas are set in the heart of the residential area of Billingshurst. Access can be difficult down residential roads, and noise from movement and transport and work at these sites can disturb the peace and tranquillity of the neighbourhood. The Huffwood Industrial Estate in Brookers Road is especially constrained by the long down-time of the level crossing gates when trains stop at the station. Further still, access to all these areas is impinged by the low railway bridge in Natts Lane, necessitating a circuitous route for larger vehicles along rural country lanes, and Marringdean Road also has a weight restriction.

Paragraph 4.30 of the Core Strategy, bullet point 6, recognised the ‘driver’ for a review of the position in Billingshurst as *“the need to re-locate businesses and redevelop some of the existing industrial areas as part of a comprehensive planning strategy”*. The Core Strategy envisaged that this renewal would take place in the village. It did not acknowledge the need was to accommodate large scale housing growth.

The Parish Council is not convinced that a case can be made for the need to release 35.26 hectares of agricultural land to address this constraint.

23. Affordable Housing

This planning application has deferred until a later date details on the number, type and tenure of affordable housing. Thus, the Parish Council is unable to determine if it will satisfactorily address our locally identified housing needs.

24. Parish Plan Objectives for Future Development

Billingshurst Parish Council has taken a proactive stance on consultation with its electorate over their views on future development in the parish. The Parish Council consulted on the production of its Parish Plan in 2007 and 2008. The Parish Council asks parishioners to identify their top five mitigating factors required if the parish is forced to accept more development. The results of the consultation are given below:

Mitigating Factor	Percentage of Respondents
Local Police to have a base in Billingshurst, rather than working from Pulborough Police Station.	74.76%
Provide more parking in the village centre.	42.48%
New development should include a petrol station to service Billingshurst.	40.78%
Dedicated youth worker provision and facilities for young people.	34.95%
North-eastern bypass.	33.50%
Improved bus service.	26.21%
Provide a new supermarket.	24.03%
Should the development incorporate informal and formal open space, e.g. woodland walks and children’s play areas.	22.09%

Extension of the services provided at Billingshurst Surgery.	21.84%
Day care facilities required for older people.	21.36%
Affordable accommodation.	17.96%
Modernise the village centre.	17.72%
Should any new development incorporate designated footpath/cycle routes to encourage more sustainable travel to existing parts of the village?	17.48%
More parking required at Billingshurst Station.	17.48%
Lengthen the platform at Billingshurst Station.	12.38%
More business and industrial areas to provide local employment.	11.89%
The churchyard at St Mary's is full. Is there the need for a new burial ground in Billingshurst?	11.65%
Provide additional school places on the current school sites.	10.44%
Provide a new school within the new development.	10.19%
Accommodation suitable for the elderly.	8.74%

This application fails to address the Parish Plan objectives that are based on local knowledge and consultation.

25. Possible Community Facilities

The planning application includes land set aside for a three form entry school and doctor's surgery. If the land is not needed for these purposes, the Parish Council would not like it to be built on.

26. New Homes Bonus and Community Infrastructure Levy

The consortium of developers has talked about 'possible' infrastructure benefits but has given no firm facts and figures. There is no clear distinction made between infrastructure requirements necessary to enable the new houses to be occupied and those necessary to enable the successful integration of new and existing communities without an unreasonable strain on community facilities.

There has been no clarity over funding from the New Homes Bonus or the Community Infrastructure Levy.

The Parish Council will not consider future development in the parish without being in possession of the full facts and figures on infrastructure provision to make an informed decision. It is unreasonable to ask the local community to accept a development which clearly will put considerable strain on transportation, utilities and other community infrastructure without there being any certainty about the ability of the developers, utility companies or public agencies to fund the necessary investment programme.

Conclusion

Horsham District Council accepted, when it adopted the Core Strategy, that the expansion of Billingshurst was not justified in the plan period and endorsed a spatial strategy based on the expansion of Horsham and Crawley to achieve the most sustainable pattern of growth. The principles of both sustainable development and the spatial strategy remain just as relevant today.

Even in the face of the slow pace of development in the strategic locations, HDC should continue to apply these principles to the control of development. In doing so it should refuse planning permission for the eastward expansion of Billingshurst. In the event that there continues to be a shortfall in the 5-year supply of deliverable housing land in the short term, then it should not look beyond sites much closer to Horsham and Crawley where:

- journeys to work, school and community facilities can be contained within the close hinterland of these main towns
- a far greater percentage of journeys can be served by public transport than at Billingshurst
- the limited availability of public funds (and developer contributions) can be focused on investments that serve a far greater proportion of the district's population than would be the case in Billingshurst.
- the landscape character of development sites are much less intimate and vulnerable to harm from development.

In any event, the application fails to give any convincing assurances that its impact on local transportation, utility and community infrastructure can be adequately mitigated. The absence of the following information represents a fundamental omission.

- Details of a credible (fully-funded) investment programme.
- Details of the funding available for additional community infrastructure through the New Homes Bonus and Community Infrastructure Levy.

For these reasons, the Parish Council is unwilling to change its position of **vehement objection** to the further expansion of Billingshurst.

Yours faithfully

BILLINGSHURST PARISH COUNCIL

Beverley Bell PILCM
Parish Clerk

**CC: Mr Ray Lee, Mr Gary Peck, Cllrs. A. Breacher, G. Lindsay, K. Rowbottom,
Rt. Hon. Francis Maude MP**

Appendix 1

**Guide to Photographs of the Watercourse from the Bowling Alley
to the Barrel Drain in the High Street**

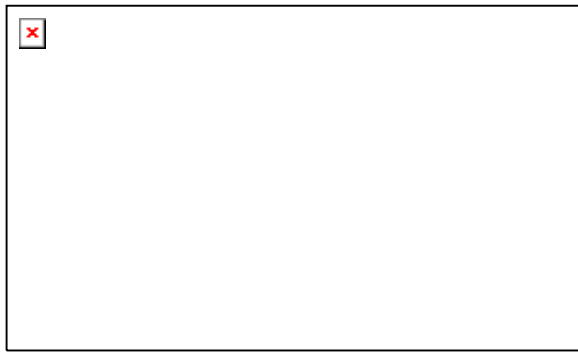
Photo No.	Description
721	The pipe at the bottom of the Bowling alley opposite the Allotments, evidence of water flowing
722	Area to the right of the pipe. Shows extent of the growth of vegetation; just after this no water can be seen because of the vegetation growth
723	This shows the brickwork and pipe at the bottom of the Bowling Alley, next to the Allotment area. It is from this and across the road to the other ditch that the road floods in heavy rain
724	Slightly closer view of the same pipe
725	Overgrown ditch next to the Allotments in which surface water flows from the Bowling Alley to the two pipes. There was water in the ditch even though we have had many days of dry weather.
726	Walking up the Bowling Alley with the ditch on our left. The allotments can be seen through the trees and it looks as though there is no fence between.
727	Water can be seen in the ditch which is flowing from the land further up
728	The extent of the overgrown area around the ditch
729	There appear to be steps from the allotments down into the Bowling Alley and there were visible signs of mounds of dumped vegetation on the site as well as other detritus, some which would not degrade – paint tin
730	Opinion was that this is the site of an old pond
731	At the top of the Bowling Alley just before the fields on which the developers intend to build. There was water running downhill under what looked like flat paving slabs
732	Closer view of the slabs and the water running
733	Barbed wire and posts show the boundary just beyond the ditch
734	Area of “no-man’s land” with a further boundary fence a few yards over
735	View in the field once over the stile. From here it can clearly be seen that the field drainage would run down to the area at the top of the Bowling Alley
736	Walking into the field for a few yards there was a noticeable dip in the land
737	On closer examination it looks like a hole in the land or could even be a pond
738	Standing next to the “pond” the lie of the land can clearly be seen to run towards the top of the Bowling Alley to the area where the paved slabs were located
739	The area on the way back down the Bowling Alley, which also looked like a pond. Could see standing water but the vegetation was quite thick all around.
740	Back to the area just before Little East Street and the ditch runs behind Caffyns Rise, their rear fences shown on this picture
741	There was water clearly shown to be flowing in the ditch and just further on it enters at the side of No.24 Rosehill
743	Access to the ditch was gained from the back gate of No.24 Rosehill. To the left is a little bridge from one bank to the other. Water was running in the ditch.
744	To the right of the property the ditch is not so overgrown because it can be accessed from this property
745	The garden wall at 24 Rosehill which is the side of the ditch

746	This is the wall just along from No.24 moving towards Nos. 22,20,18 & 16
747	A little further along this shows the method of drainage from the gardens into the drainage ditch
748	Roots of trees, very large roots are acting as dams along the drainage ditch and the water was deeper in this location
749	The fence you can see is the back fence of a house in Caffyns Rise. It is clear that they have no access to this ditch for the purpose of “riparian” duties. A forest of trees is on the land to the left, some trees are huge and possibly with TPO’s
750	This shows where the tarmac at the back of the garage of No.22 has been undermined, possibly by water erosion and tree roots
751	Moving along the ditch with the retaining walls of the gardens of No.s 20,18,16 showing the drainage pipes from their gardens. The ditch is no more than two feet wide
752	Shows the ditch and the dense undergrowth to the left on the land which abuts Caffyns Rise. The ditch is very narrow and it would now be difficult to get any plant and machinery in here
753	At this point the water was a steady stream
754	Once again the huge tree roots are acting as dams, quite a lot of debris has accumulated, too. On the other side of this tree root the water was at least 20 inches deep
755	Water much deeper here than at the beginning of this length of ditch, probably because it is not as wide as further back, or even the land may be lower at this point
756	The water began to get less deep at this point and the brambles were difficult to get through as they are very dense
757	Pushed through the brambles and overgrowth but it was getting difficult to get through
758	Reached a few feet from the wall which although I couldn’t see, it was probably the start of the pipe under the road at Rosehill. Undergrowth was very dense at this point, all growing from the land behind Caffyn’s Rise
759	Dense growth in the area further on than the brickwork but impossible to get any further; water still in the ditch at this point
761	Brambles growing across the ditch from the left to the right, ivy and whippy tree branches too
762	On the way back to No.24, at the deepest part of the water; the girth of the tree root was probably a contributing factor
764	Standing on the steps of No.17 Rosehill, looking over the area where the pipe under the road comes out into an open ditch once again; part of the brick wall can be seen but it is so overgrown that no outlet can be seen
765	A closer view of the brickwork to the right just below the fence. This area is possibly part of the new outfall built as part of Bakers Meadow
767	To the right shows the back fences of Bakers Meadow – note there is no direct access from the gardens that you can see.
768	Through the arch at Rosehill to the area at the side of the garages and the final outlet of the ditch with metal grille. This area is possibly the deepest part of the ditch along its length
769	From here the water finally goes out to the barrel drain and comes out at Forge Way to Cedar Brook
770	The area at the side of the garage block where the wall has broken up and bricks are being displaced into the ditch

771	The other grille
772	The water flowing under the grille
773	The area of overgrown vegetation between the Rosehill garages and Bakers Meadow which has the ditch somewhere in it
775	This shows the distance between the area of the Rosehill garages and the fences of houses in Bakers Meadow
777	A resident trying to open the gate through which any maintenance to the ditch at this point should be carried out, as it is the only access for Bakers Meadow residents or maintenance company
778	The gate would only open a fraction and this was taken through the gate looking to the right
779	... and left
780	The frontage to Bakers Meadow
781	Resident in No. 4 Bakers Meadow allowed access to his garden, as is obvious there is not an access to the ditch from his property
782	Taken with permission from the resident's bedroom window. The close board fence visible further over are those of 13-15 Rosehill.
783	Looking back from the bedroom window toward No.17 Rosehill where we stood on their steps to take a photograph 764 of the dense vegetation between Bakers Meadow and Rosehill

- The whole area of the unnamed watercourse should be carefully looked at before any further planning permissions are given, if discharge of surface water to this watercourse is contemplated. There is already known to be flooding of the road at the bottom of the Bowling Alley.
- The existing ditch/culvert between Rosehill and Caffyns Rise should be a cause for concern – width of ditch, present state of ditch and access
- The final access point before the surface water flows under the High Street to the side of the garages in Rosehill and the deterioration of the wall needs to be looked at and dealt with; land slippage into ditch
- The area between Rosehill 15/13 backs onto the new development (Bakers Meadow) however, there is as shown in photographs no access to the ditch from these properties in Rosehill, it appears the maintenance of the ditch falls on the property owners in Bakers Meadow or any maintenance company that may have been part of the planning application agreement. However, judging by the over growth and undergrowth it is doubtful if any maintenance can have been done, as the access through the gate is so overgrown as to be impossible.
- Photograph from the original Bakers Meadow planning application show how the area was before planning permission was granted in 2005 **DC/05/0642** – photographs on HDC public access.

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04 May 2012.

Mr Gary Peck
Development Management
Horsham District Council
Park North
North Street
Horsham
West Sussex
RH12 1RL

Dear Sir

**Billingshurst Parish Council
Response to Planning Application DC/11/1654
550 Houses
Land East of Billingshurst
AMENDED PLANS**

The main changes to the plans are identified in the Design and Access Statement by the developer who states that they are based on a reconsideration of the integration of the landscape into the development:

- Creation of a more natural landscape focussed development
- Providing generous east/west ecological corridors
- Reduction of development area in favour of increased landscape and open space allocation
- Realignment of the spine road to minimise development area to the eastern rural edge
- Moving the school location to the south east corner to ensure a more natural progression of open space into the countryside.

Billingshurst Parish Council had set out its reasons for objecting to the original planning application and considers that the changes outlined do not fundamentally change the Parish Council's strong objection to these plans and points outlined in their letter of 13 October 2011. The Parish Council wishes to re-emphasise some of the original points and include some new reasons why the Council believes the amended plans should be refused planning permission:

1. **The Localism Agenda** – The Parish Council has called upon Horsham District Council to consider a locational strategy based on the Gatwick Diamond in its response to the ‘How much housing does Horsham district need?’ consultation. This strategy would reaffirm HDC’s support for the development of land at the strategic locations west of Horsham and Crawley.
2. **Government Planning Policy** - Press Notice, Positive Planning: a new focus on driving sustainable development, 15 June 2011. It is noted that *“the Government is taking substantial steps to help local communities protect greenfield sites as they plan for sustainable growth.”*

The amended plans still utilise Greenfield land.

3. **Adopted Core Strategy** - Billingshurst Parish Council urges the Council to place weight on the government’s intention to abolish Regional Spatial Strategies and revert to the Council’s adopted Core Strategy which states in paragraph 4.30, bullet point 6 - *“no provision before 2018 for any further large scale development at Billingshurst but recognition that this position may need to be reviewed in the future, particularly with regard to the need to relocate businesses and redevelop some of the existing industrial areas as part of a comprehensive planning strategy”*.

This development is not needed to relocate businesses or to re-develop some of the existing industrial areas as part of a comprehensive strategy and should be judged in the context of Policy CP8, *“Limited provision may be made ... for small scale extensions to the smaller towns and villages to meet identified local needs and assist in the gradual evolution of these communities by enabling development which meets their needs but does not fundamentally undermine the qualities which make them or their countryside setting unique and special.”*.

Furthermore, whilst there remain substantial development opportunities at the strategic locations, the release of land for a major expansion of Billingshurst would be contrary to the adopted spatial strategy for Horsham district which argues in favour of focusing such development in or adjacent to the main urban centres of Horsham and Crawley. The case has not yet been made for the need to abandon this strategy in favour of major development releases in locations remote from these main urban centres.

The proposal contradicts other key Core Strategy policies.

- *“The landscape character of the District, including the settlement pattern, together with the townscape character of settlements will be maintained and enhanced.”* (Policy CP1)
- *“The release of land for housing will be managed in order to ... give the necessary priority to the reuse of previously developed land within built-up areas.”* (CP9)

The amended plans do not require the development to relocate businesses or to re-develop some of the existing industrial areas as part of a comprehensive strategy, and thus are still in contradiction to the adopted Core Strategy.

4. **Plan-Led Approach** - The Parish Council remains of the view that planning permission would undermine the existing spatial vision for the area and would compromise the ability of Horsham District Council and the local community to review housing land allocations through a proper plan-led approach.

The Parish Council would like to draw the following planning cases to the attention of Horsham District Council, whose judgements should be considered by the Council when determining these amended plans:

- Newmarket - Plans for 1,200 homes to be built on the edge of Newmarket, Suffolk, have been dismissed by communities secretary Eric Pickles partly on the grounds that the scheme would pre-empt work on the council's local plan. Pickles said he agreed with the planning inspector in rejecting Lord Derby's appeal to build the 1,200 homes on his land at Hatchfield Farm. He said the development would be premature of the Forest Heath District Council's work on its core strategy planning document and also did not comply with design, countryside and agricultural policies.
- St Austell - The High Court has rejected a legal challenge by a housing developer to overturn community's secretary Eric Pickles' refusal of its appeal for a major urban extension in Cornwall. Mr Justice Beatson backed Pickles in the case brought by Wainhomes. The developer had sought to get Pickles' dismissal of its planning appeal for a 1,300-home scheme in St Austell overturned. It argued that the community's secretary should not have rejected the application on the grounds that it would prejudice the local planning process. But the judge upheld the findings by the secretary of state that the scheme would be premature and would detrimentally affect work on the core strategy in Cornwall contrary to the government's localism agenda.

5. **Five Year Housing Land Supply** - Billingshurst Parish Council has always contended that any five year housing land supply shortfall is a district wide problem, which should be handled with a district wide solution. Yet for the parish of Billingshurst, it is being expected to accept more than its fair share of the district's development and this application should be considered in the context of the permissions already given for housing in Billingshurst namely:

Godden Land	67
Manor House	4
Townlands	19
Station Mills	14
Hammonds	14
Trees	14
Wadeys	14
Land south of Gilmans	150

6. **Spine Road** - The Parish Council still has serious concerns about the interface of pedestrians and vehicles along the spine road, and although moved further to the east of the development, it will still pose an unacceptable noise level for residents living adjacent to it.

7. **Fuel** - The original masterplan for land east of Billingshurst for the north west bypass included the provision of a petrol station, yet there was no provision for a petrol station in the original of this planning application or the amended plans. The recent fuel shortages saw the parish without any access to fuel and inadequate public transport services to facilitate a step change to more sustainable modes of transport.
8. **Drainage** - The Council's concerns are unchanged about the ability of the watercourses to cope with the run off from this development on higher ground through to the centre of the village and beyond. Accordingly, the Parish Council has declined to accept the land transfer of the Bowling alley from the developer.
9. **Tipping Points** - Referring to appendix 3 infrastructure of the Interim Statement, Horsham District Council has identified that Billingshurst reaches the tipping points for waste water treatment, water supply, primary and secondary school places for 500 houses. There are also capacity issues with the highway network.

With the following planning applications already permitted, some built, and some under construction, the parish is already close to reaching the tipping points for waste water treatment, water supply, primary and secondary school places:

Godden Land	67
Manor House	4
Townlands	19
Station Mills	14
Hammonds	14
Trees	14
Wadeys	14
Land south of Gilmans	150
Total	296

10. **Education Provision** - Following on from the Council's concerns about secondary education, the Parish Council has also become aware that WSCC are struggling to find premises to accommodate young people for pre-school education in the village. The original and amended plans contain no provision for pre-school education.
11. **Cemetery Provision** - Whilst early sight of the plans for land east of Billingshurst showed provision of land for a new cemetery, this has failed to materialise in the submitted planning application or the amended plans.
12. **Affordable Housing** - The original planning application has deferred until a later date details on the number, type and tenure of affordable housing and the amended plans do not expand this information. Thus, the Parish Council is unable to determine if it will satisfactorily address our locally identified housing needs.

- 13. Possible Community Facilities** - The original planning application includes land set aside for a three form entry school and doctor's surgery, but the amended plans no longer include land set aside for a new doctor's surgery, but for an extension to the existing surgery.
- 14. New Homes Bonus and Community Infrastructure Levy** - There is still no clarity over funding from the New Homes Bonus or the Community Infrastructure Levy.
- 15. Water Supply** – The country is in the grip of one of its worst droughts since 1976 with over half of the country officially in drought. A hosepipe ban was introduced in this area on 05 April 2012 and is expected to last until at least Christmas. The District Council has put in a place a Drought Plan and is working on contingencies for the provision of standpipes in the district. The Parish Council is extremely concerned about the provision of water supply to the properties that have already been granted planning permission, aside to the proposed 550 houses in this application.

Conclusion

The Parish Council is unwilling to change its position of **vehement objection** to the further expansion of Billingshurst and sees nothing in the amended plans to fundamentally change this position.

Yours faithfully

BILLINGSHURST PARISH COUNCIL

Beverley Bell PILCM

Parish Clerk

CC: Cllrs. A. Breacher, G. Lindsay, K. Rowbottom, Rt. Hon. Francis Maude MP

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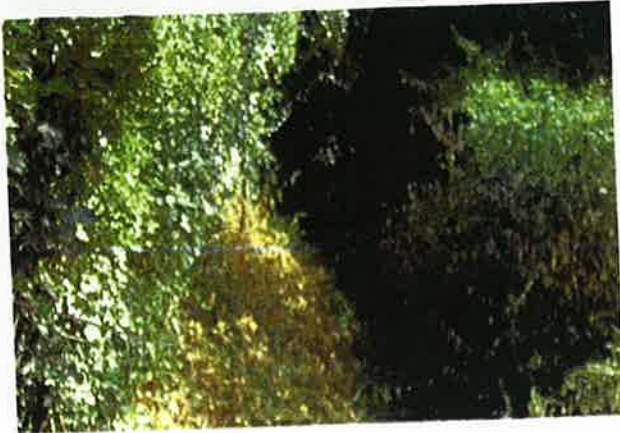


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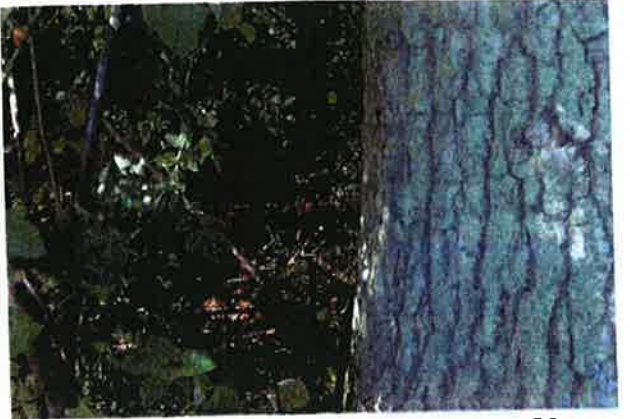
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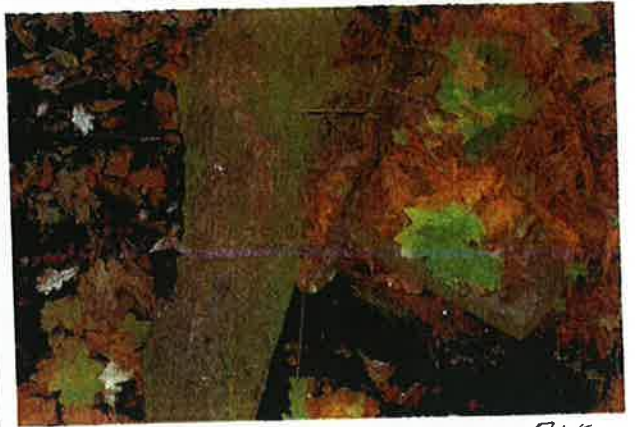
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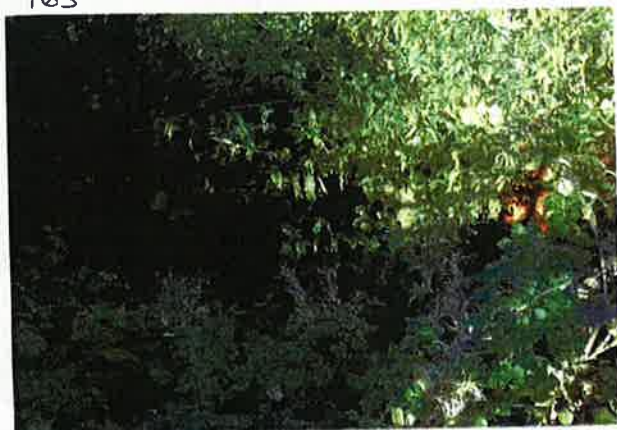


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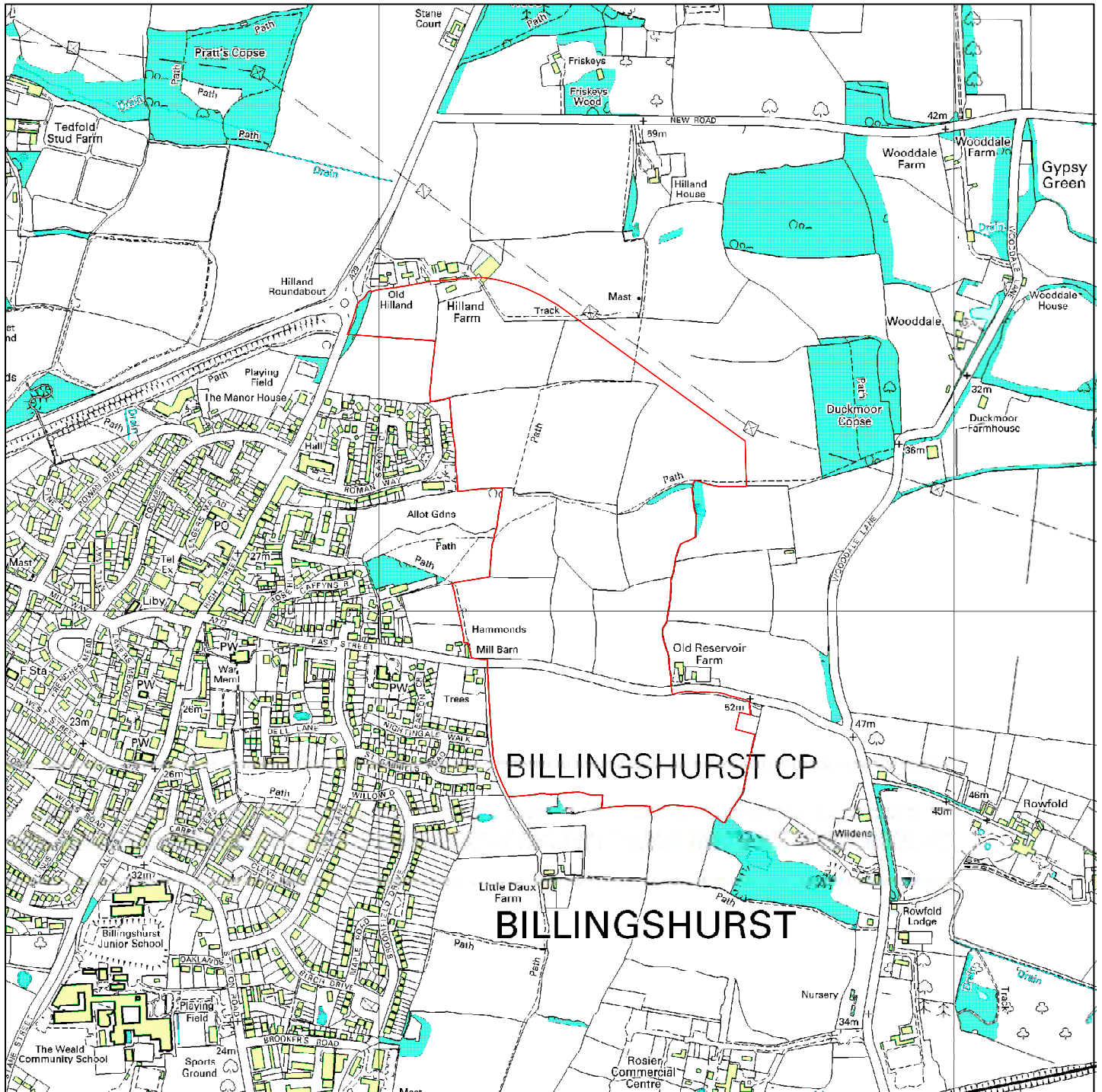
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DC/13/0735

Land East of Billingshurst To North and South of A272



Scale : 1:10000

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Organisation	Horsham District Council
Department	
Comments	O/S EXTRACT
Date	07 August 2013
SLA Number	100023865



Horsham
District
Council

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee South

BY: Head of Planning and Environmental Services

DATE: 20th August 2013

DEVELOPMENT: Development of 160 residential dwellings (comprising 10 x 5-bed, 49 x 4-bed, 24 x 3-bed, 67 x 2-bed and 10 x 1-bed) together with associated landscaping, open space and access

SITE: Land at Junction of Stonepit Lane and West End Lane Henfield West Sussex

WARD: Henfield

APPLICATION: DC/13/0787

APPLICANT: Mr Rob Phillips

REASON FOR INCLUSION ON THE AGENDA: Category of Development

RECOMMENDATION: To refuse planning permission

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 This application seeks full planning permission for the erection of 160 residential units together with associated landscaping, open space and access.
- 1.2 The proposed development would comprise the following mix of units:-10 x 1 bed dwellings, 67 x 2 bed dwellings, 24 x 3 bed dwellings, 49 x 4 bed dwellings and 10 x 5 bed dwellings. The proposal would provide 64 affordable units which would equate to 40% affordable housing provision, incorporating a mix of rented and shared-equity.
- 1.3 Vehicular access would be taken off West End Lane and within the development the following features would be provided:- a central amenity open space and greenway route; a local equipped area of play (LEAP); 'trim trail'; allotments and a community orchard. Cycle and pedestrian routes are also proposed which would link to the South Downs Link.
- 1.4 In terms of landscaping, it is proposed to provide landscape buffers supplemented with new planting on the northern, western and southern boundaries.
- 1.5 The dwellings would be of a traditional design and constructed in vernacular materials.

DESCRIPTION OF THE SITE

- 1.6 The application site lies to the west of the village of Henfield and is located on the northern side of West End Lane. The site has an area of 7.3 hectares and is roughly rectangular in shape. To the east of the site lies the residential development of Staples Barn Lane and to the south that of Hollands Road. To the west the site is bounded by Stonepit Lane which serves a number of detached dwellings in addition to kennels, known as Stonepit Kennels. Open countryside abuts the northern boundary of the site whereas further to the west and south there is a mix of smaller fields and paddocks characterised by sporadic residential development.
- 1.7 The South Downs Link recreational route, a disused railway line, lies immediately to the east of the site. Public footpath no.2524 crosses the middle of the site in an east to west direction and then along the eastern boundary and Public Footpath no. 2530/1 follows Stonepit Lane to the west of the site.
- 1.8 The application site is outside of any built-up area as defined by the Horsham District Local Development Framework. The applicant states that the proposal has been submitted under the auspices of the Facilitating Appropriate Development SPD which seeks to deliver small housing sites capable of delivering housing in the short term and to maintain the Council's rolling 5 year housing land supply.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 National Planning Policy Framework 2012 – Delivering Sustainable Development - Sections 4, 6, 7, 8, 10 & 11 are relevant to the proposal.

RELEVANT COUNCIL POLICY

- 2.3 Policies CP1, CP2, CP3, CP4, CP5, CP9, CP12, CP13 & CP19 of the Core Strategy are relevant to the determination of the application
- 2.4 Policies DC1, DC2, DC3, DC5, DC6, DC7, DC8, DC9, DC10, DC18 and DC40 of the General Development Control Policies Document are relevant to the determination of the application.
- 2.5 Guidance contained within the Facilitating Appropriate Development (FAD) SPD, the Planning Obligations SPD and Henfield Parish Design Statement are also relevant to the determination of the application.

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

- 3.1 **Strategic Planning Policy Manager**: has summarised that the proposal would be contrary to the Council's current adopted planning policies (CP1 & DC1) which seek to protect the countryside by preventing development in the countryside unless it is considered essential to its countryside location.

It is acknowledged that the Council does not have a 5 year housing supply against the South East Plan and as such the NPPF states that the relevant housing policies of the Horsham District Local Plan should not be considered up-to-date. However, the FAD SPD has been used as a local approach to address the Council's shortfall in housing supply. The consistency of the FAD SPD against the objectives and principles of the NPPF has been recently endorsed by the Planning Inspectorate through the appeal decision at the RMC Engineering Works.

Sustainable development is a 'golden thread' running through the NPPF, and as such the NPPF still requires that all development be considered sustainable in the wider sense. It is considered that due to the countryside location and nature of this site, including its relationship with the built-up area, there is concern as to whether the proposal should be considered to be a form of sustainable development.

Officers have given full consideration to the consultee's response which is available to view on the public file at www.horsham.gov.uk

3.2 **Landscape Architect:** raises a strong landscape objection to the proposed development as in his opinion it would result in substantial material landscape and visual harm.

It is considered to be contrary to the National Planning Framework in respect of :Para 7- an environmental role in achieving sustainable development, Para 9- positive improvements in the quality of the built and natural environment, Para 17-always seek to secure high quality design and take account of the different roles and character of different areas, Para 58-requiring good design so planning decisions should aim to add to the overall quality of the area, establish a strong sense of place, respond to local character and history are visually attractive as a result of good architecture and appropriate landscaping and Para 61- planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment

Furthermore it is considered to be contrary to the Core Strategy Policy CP1 Landscape and Townscape Character, Policy CP3 Improving the Quality of new Development, Policy DC1 Countryside Protection and Enhancement, DC2 Landscape Character, DC9 Development Principles. In addition should the case officer consider the FAD policy relevant then it is also contrary to criteria 6 and 7. It is clearly stated in the FAD document that all criteria must be met.

The principal issues are:

- The site as a whole is of high landscape character sensitivity with a predominantly rural and undeveloped character and wide ranging very attractive views northwards to the low weald , south westwards to the South Downs and north westwards to the Adur valley and the greensand ridge.
- The site is visually exposed in particular to views from the very well used network of local footpaths across the site and those in the local area.
- The existing built up area boundary provided by the Downs Link on the eastern side of the site is very well defined by a thick buffer of existing trees and vegetation, even in winter and the physical barrier of railway cutting. There is not a strong enough case to breach this barrier which will all too easily risk creating an impression of an unconstrained suburban sprawl into the countryside
- There will be an adverse visual impact on the Downs link an important strategic footpath and cycleway link, especially in winter, adjacent to and close to the site.
- Due to the scale, height and massing of the proposed development there are likely to be a number of significant adverse landscape character impacts and visual impacts, both on the site and the surrounding area.

- The layout is a of suburban form that does not respond sufficiently to the local settlement/townscape character of the village of Henfield or the mainly dispersed rural settlement pattern characteristic of the landscape where the site is located
- The proposed access for the development will have an adverse landscape impact on the rural character of West End Lane
- The additional traffic generated by the development is likely to have an adverse townscape and visual amenity impact on the experience of pedestrians using Church Lane close to the village centre
- Whilst consideration has been given to provision of planted landscape buffers and the application has been supported by a detailed landscape and visual assessment the provision of planting, which will take a very long time to establish, is not sufficient to mitigate against the adverse impact of a built development that is not in itself well integrated or sufficiently sensitive to its surroundings.

3.3 **Design & Conservation Officer's** response relates to the impact of the proposed development on the setting of Camelia Cottage, a Grade II listed building, situated to the south of the application site, in particular, that the proposed development would affect the setting of the listed building by developing part of the rural context of the building for which the building draws its significance as a former farm. The proposal for 160 dwellings would serve to suburbanise the general rural character of the area north of the lane, immediately outside Camelia Cottage, and as such cause harm to the significance of the asset by eroding the setting.

However, the impact of the development is considered to be 'less than substantial harm' as per para.134 of the NPPF, therefore, the harm should be weighed against the public benefits of the proposal. Should there be clear public benefits in permitting the development the proposal could be considered to meet the requirements of the NPPF.

Officers have given full consideration to the consultee's response which is available to view on the public file at www.horsham.gov.uk

3.4 **Arboricultural Officer;** raises no objection to the proposal on the grounds of the open field nature of the site and that no trees need to be removed to facilitate the development. Whilst a section of hedgerow, approx. 40m in length, would be removed to provide vehicular access to the site, the hedge does not appear to be particularly old or 'important' as defined under the 1997 Hedgerow Regulations. In addition, the provisions for the protection of boundary tree stock appear satisfactory.

3.5 **Head of Environmental Health & Licensing;** has made the following comments on the application:

Land Contamination

A desk study report assessing the risks posed by ground contamination at the site has not been provided. Although some information on previous land use history is presented in the Archaeological Desk Based Assessment this report does not consider risks arising from ground contamination.

Noise

The proposed development will introduce noise sensitive receptors in close proximity the existing kennels adjoining the western boundary of the application site. There is the potential for noise from this established business to adversely affect the amenity of the occupiers of the proposed development. Action under statutory nuisance is unlikely to resolve such issues as the defence of Best Practicable Means would limit the actions this authority could require in controlling noise from the kennels.

This issue is recognised in the Design and Access Statement and a series of mitigation measures have been proposed to deal with this issue: separation, mounding, screening/vegetation and building fabric.

However no environmental noise survey or other information is provided that demonstrates the effectiveness of these measures in limiting exposure to noise from the kennels. Accordingly it is considered that the application does not contain sufficient information to be properly determined.

- 3.6 **Housing Services Manager**; welcomes the applicant's intention to provide 40% affordable housing and the attention paid to mix of sizes and tenure split.

OUTSIDE AGENCIES

- 3.7 **West Sussex County Council (WSSC)** as highways authority has been in on-going discussions with the applicant regarding the information submitted with the application and at the time of writing this report is awaiting further information on the following issues:

- A further trip rate analysis using data more appropriate to the actual location of the development.
- Footway provision at the site entrance and within Henfield.
- West End Lane surfacing
- Traffic calming
- Framework travel plan

WSSC also advise that the developer would be required to contribute or carry out mitigating works to address the impacts of the development as an alternative to a Total Access Demand contribution should planning permission be granted. The works would be likely to include schemes to enhance non-motorised travel opportunities in the locality.

Officers have given full consideration to WSSC's response which is available to view on the public file at www.horsham.gov.uk

- 3.8 **County Ecologist** has no ecological objection to the development subject to the imposition of suitably worded conditions relating to the submission of a long term management plan, breeding birds and lighting.

- 3.9 **County Archaeologist** raises no objection on archaeological grounds subject to suitable archaeological safeguards.

- 3.10 **Southern Water** advises that a public water trunk main is located within the site and its exact position must be determined on site before the layout of the proposed development is finalised. It is further advised that there is currently inadequate capacity in the local network to provide a water supply and foul sewage disposal to service the proposed development. Therefore additional off-site mains and sewer infrastructure or improvements to the existing systems will be required which can be facilitated through the relevant provisions of the Water Industry Act 1991.

Officers have given full consideration to the consultee's response which is available to view on the public file at www.horsham.gov.uk

PUBLIC CONSULTATIONS

3.11 **Henfield Parish Council** raises strong objections to the application and the grounds of objection are summarised below:

- It fails to conserve and enhance the natural environment including the protection and enhancement of valued landscapes
- This is not a sustainable development
- The proposal does not promote sustainable transport and will exacerbate traffic congestion and conditions of highway safety in the village
- The proposal will place excessive demands upon local infrastructure provision not least education, health and sewage disposal
- The site is considered 'Not Currently Developable' by Horsham District Council in its Draft SHLAA document
- The proposed development does not adequately provide for a satisfactory layout for either affordable housing nor provide satisfactory room sizes
- It is contrary to Horsham District Council's adopted Development Control Policies
- It is contrary to advice contained in the National Planning Policy Framework
- It is contrary to the adopted Henfield Parish Design Statement
- The applicants have not pursued acceptable pre-application consultation procedures.

Officers have given full consideration to the Parish Council's comments which are available to view on the public file at www.horsham.gov.uk

3.12 653 letters of objection have been received based on the following grounds:

- Inadequate vehicle access
- Over-development of the site
- Increased volume of traffic will exacerbate problems at the school and the junction of the High Street and Church Street.
- Access for emergency vehicles will be difficult
- Extra strain on the doctors surgery which is at capacity
- Limited parking within the village
- School over-subscribed
- Not near the public transport system
- Detrimental impact on the landscape and wildlife
- Kennels would cause nuisance to future residents
- Nep Town Road is a dangerous alternative route
- Development is premature having regard to forthcoming Neighbourhood Plan
- Lack of infrastructure within the village
- Development could jeopardise the livelihood of the family run business at Stonepit Kennels
- Contrary to the Ministerial Foreword to the NPPF as the development is not a collective enterprise
- Increased potential for urban sprawl
- Adjacent roads not suitable for increase in traffic – too narrow
- Loss of valuable and attractive landscape
- Downs Link is a clear boundary between the village and the countryside
- Land adjacent to Stonepit Lane and West End Lane becomes waterlogged – could cause problems for existing residents further to the west
- Prominent development within the countryside
- Area is important for walkers/cyclists and horse riders

- Wrong development in the wrong place.

3.13 39 letters of support and 22 letters of comment have also been received.

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 It is considered that the principal issues in the determination of the application are i) whether the proposal is acceptable in principle having regard to central government and development plan policy ii) the effect of the development upon the character and appearance of the area iii) residential amenities of future occupiers and iv) highway safety

At the forefront of the assessment of the application is the prevailing policy context set by the National Planning Policy Framework (NPPF) and its advice for decision makers which is set out below before addressing the key issues identified above.

Policy context

6.2 The National Planning Policy Framework (NPPF) sets out the government's planning policy. In this regard, the NPPF has the presumption in favour of sustainable development running through it as a golden thread. Para.7 of the NPPF explains that there are three dimensions to sustainable development:- an economic role, a social role and an environmental role. Para.8 advises that these roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. Therefore whereas previously the concept of sustainability in relation to development in rural areas has been widely interpreted to relate purely to transport sustainability, in fact, the concept should be applied on a much wider basis to encompass all aspects of sustainability. This broader view, now encompassed in the NPPF, requires an assessment at the overall impact of a development on the community.

6.3 Specific advice for decision taking is set out in Para.14 which requires that development which accords with the development plan should be approved without delay and where the development plan is absent, silent or relevant policies are out of date, to grant permission unless any adverse impacts of so doing would significantly and demonstrably outweigh the benefits.

6.4 The site lies outside any defined built-up area and is therefore subject to the countryside protection policies of the Local Development Framework. However, the application has been submitted under the auspices of the FAD SPD. This document has arisen from the need to provide 'flexibility' to ensure that there is sufficient housing supply during the life of the existing adopted Core Strategy. The document sets out the requirements against

which those planning applications for development, put forward by landowners/developers as a response to the evolving circumstances, on greenfield and brownfield sites which adjoin defined settlement boundaries in the District will be considered.

- 6.5 The approach put forward in the document is a criterion based one to enable all stakeholders to determine if sites may be considered suitable for development. Sites put forward under this policy approach should be 'deliverable' at the time that the site is put forward for planning permission. In the case of housing, there is likely to be a specific need in the short term, therefore sites should be capable of delivering housing completions during the life of the Core Strategy.
- 6.6 A willingness to develop and hence deliverability, is not the only criterion which governs the permitting of potentially suitable sites. LDF policy also requires that development is in 'sustainable' locations. Category 1 settlements are considered sustainable locations, as these are town and villages with a good range of services and facilities, as well as some access to public transport; they are also deemed capable of sustaining some expansion. In the case of Category 2 settlements only small scale development within the settlement and minor extensions to the settlement may be permitted providing that they address a specific local need. In both cases any site would be expected to adjoin the defined Built-up Area Boundary.
- 6.7 The scale of development will impact on the deliverability and the sustainability of a development. The size of all developments that come forward under this approach will be considered in terms of their scale in relation to the settlement to which they are attached.
- 6.8 The three issues of deliverability, sustainability and scale form the basis for the approach to be taken in considering proposals on greenfield and brownfield sites which adjoin defined settlement boundaries and are a constant theme running through the FAD SPD. All development proposals should also respect the requirements of Policy CP8 by assisting '*in the gradual evolution of the communities by enabling development which meets their needs but does not fundamentally undermine their qualities which make them or their countryside setting unique and special*'.
- 6.9 The SPD sets out a number of criteria against which development proposals will be assessed. These include:
- The site boundary is contiguous (at least one boundary must physically adjoin in whole or part) with an identified Built-Up Area Boundary to accord with policies CP5 and CP8 of the Core Strategy.
 - The scale of the development adjoining a Category 1 settlement does not exceed around 150 dwellings, individually or cumulatively, to accord with the aims of the policies CP1, CP3, CP8, CP9, CP15, CP19 and DC9. Any development adjoining a Category 2 settlement would be expected to be of a much smaller scale in accordance with policies CP3, CP5, CP8, CP15 and DC1, DC9.
 - The impact of the development individually, or cumulatively, around the edges of a settlement does not result in the actual or perceived coalescence of settlements in accordance with policy DC3.
 - The impact of the development individually, or cumulatively, does not prejudice comprehensive, long term development, in order not to conflict with the development strategy set out in the Core Strategy and/or not to prejudice the review of the Core Strategy.

- The landscape and townscape character is protected, and conserved and/or enhanced, in accordance with policies CP1, DC2, DC4, DC9, DC11 and DC12
- The biodiversity of a site is protected, conserved and enhanced where relevant, in accordance with policies CP1 and DC5
- Existing natural features, such as woodland, trees and hedgerows are retained wherever possible, in accordance with policies DC2, DC6 and DC9
- The site and proposed development is sustainable in accordance with PPS1, PPS3, PPG13, and the Core Strategy (2007) in particular policies CP5, CP8, and CP9. A sustainability report must be submitted with any planning application following the criteria and scoring guidelines set out in the Appendix.
- In order to assess and where necessary compare sites adjoining the same settlement, the advice in paragraph 75 of PPG13, that is, the length of short journeys that are likely to be replaced by walking are those under 2km, shall also be used. Sites where it is possible to walk to a wide range of facilities will be considered preferable to sites which are further away and make car journeys into town/village centres more likely
- The development is of a high quality, in all aspects, including layout and design, to accord with policies CP3 and DC9. In addition, high standards of sustainable construction are expected as well as the inclusion of renewable and low carbon energy generation where feasible, in order to comply with policies CP2 and DC8.
- Where housing is proposed there is a mix of housing sizes, types and tenures in accordance with policy CP12; on developments of more than 15 dwellings up to 40% of the dwellings are required to be 'affordable' dwellings, and a mix including smaller units is required by policy DC18.
- The proposal satisfies the criteria relating to transport and access set out in policy DC40. Note that criteria b of Policy DC40 requires that the development is of an appropriate scale to the transport infrastructure in its location. Infrastructure contributions may be required. A Green Travel Plan will be required for developments that exceed Travel Plan thresholds.
- The Council is satisfied that the site is deliverable and sufficient evidence is provided to demonstrate this. Applicants must be prepared to accept time limited permissions which have regard to new policy development

6.10 It can be seen from the above criteria that, potentially, the application site could fall within the remit of the SPD and therefore could be considered for development. However, it would be necessary to meet the requirements of all the criteria for a favourable recommendation to be given to construct up to 160 dwellings on a site outside of the built-up area.

Principle of development

6.11 The application site lies in the countryside outside of the Built-up Area Boundary of Henfield as defined in the Proposals Map of the Local Development Framework and as such would normally be considered contrary to Policy CP1. However, in light of the Council's current lawful position in relation to 5 year housing land supply as outlined by the Strategic Planning Policy Manager at Para.3.1, the Council's approach is to consider the proposal against the criteria outlined in the FAD SPD.

- 6.12 Whilst Henfield is a Category 1 settlement as defined by Policy CP5 and is therefore capable of sustaining some expansion, infilling and redevelopment nevertheless the proposal fails to meet the first criterion which requires that at least one boundary of the application site must physically adjoin, in whole or part, the identified built-up area boundary of Henfield. The site is physically separated from the village by the South Downs Link along its eastern boundary and by West End Lane on its southern boundary. As such, the proposal is considered contrary to Policy CP1 which seeks to ensure that the landscape and townscape character of settlements are protected, conserved or enhanced. Whilst this aim must be integrated with the need to accommodate change in order to address social or economic objectives and meet the needs of communities, in so doing, it is necessary to ensure that not only is harm to the environment minimised but that opportunities are taken to bring about improvements. It is also considered that the proposal is contrary to DC1 which seeks to restrict development outside built-up areas to certain categories of development which does not include the erection of 160 dwellings. The adverse impacts of the development in terms of the landscape and extension of the village beyond a clearly defined physical boundary is set out below at Para.6.18.
- 6.13 There are two other criteria which are of relevance when considering the principle of development. Firstly, the criterion that the scale of development adjoining a Category 1 settlement should not exceed around 150 dwellings, individually or cumulatively. Members will be aware that outline consent has previously been granted on appeal for up to 102 dwellings on land east of Manor Close (DC/11/1962), which taken together with the current proposal would result in a total of 262 dwellings and thus seemingly fail this criterion. In this respect, a recent appeal decision at Daux Avenue, Billingshurst (DC/11/2385) is a material consideration in the determination of this current application. The Inspector when considering the Daux Avenue appeal was fully aware that there had been three previous grants of permission in Billingshurst resulting in a total which far exceeded the 150 dwellings limit but given the Council's 'substantial shortfall' in housing supply that he had identified, the Inspector considered that the proposed development would make a modest but valuable contribution to meeting the shortfall. As such, the Inspector gave substantial weight to the contribution of the site to meeting the Council's housing land requirements and very little weight to the requirements of the criterion. The cumulative impact of development is not in itself a reason for refusing planning permission given the benefits of the development in making a contribution to the Council's 5 year land supply but the benefits would be outweighed by the wider adverse landscape impacts.
- 6.14 Another matter for consideration in terms of principle is whether the development individually or cumulatively prejudices the comprehensive, long term development strategy set out in the Core Strategy and /or the review of the Core Strategy – Criterion 5 of the FAD SPD. The Inspector in the Oddstones, Pulborough appeal decision (DC/09/0488) took the view that unless the development actually hinders or holds back other developments in the Core Strategy or prevents something being taken through the Core Strategy Review, it can not be considered contrary to this criterion. Henfield has not been previously suggested as a strategic location for development in the Core Strategy review process and the Council has taken the decision to respond on an ad-hoc basis to planning applications whilst working on the review. Therefore, there is no justification for a refusal of the proposal on this basis.
- 6.15 Notwithstanding the above comments, in terms of the principle of development, it should be noted that the site has been previously put forward for potential housing allocation in the 2009 Strategic Housing Land Availability Assessment (SHLAA) but this document was never adopted. In the 2013 SHLAA document the site has been identified as 'Not currently developable' for the following reasons:

'The site extends the settlement beyond the BUAB, jumping the railway line which is a significant natural boundary to the village. The site is very rural in nature and sloping

meaning it has extensive views over the countryside. All these factors mean the site is currently considered unsuitable for development'.

- 6.16 In this respect and taking into account that the proposal fails to meet the first criterion of the FAD SPD it is considered that there is an in principle objection to the development of the site as proposed. Whilst it is acknowledged that support for development on greenfield sites has recently been given at appeal, in all such cases the application site physically adjoined the built-up area boundary of the relevant villages, Billingshurst and that of Pulborough, whereas the current proposal does not, being physically separated from the boundary by the South Downs Link, which is a clear natural boundary to the village, and West End Lane to the south. It is considered that the approved developments are not comparable to the current application.

Landscape and townscape impact

- 6.17 It is also important to note that normal development management criteria must be fulfilled to ensure that the development complies with the criteria set out in the SPD. Development considered under the FAD document must, for example, ensure that the landscape and townscape character is protected, and conserved and/or enhanced. Policy CP1 states, amongst other things, that protected landscapes, habitats and species should be properly protected, conserved and enhanced. This objective must be integrated with the need to accommodate change in order to address social or economic objectives and meet the needs of communities, but it is also important to be aware of the broader implications of gradual change through the cumulative effects on character, particularly in terms of the impact on more small-scale or local features.
- 6.18 Members will note from the Landscape Officer's comments that he is of the view that the site is not suitable for development and that the proposal would result in substantial material landscape and visual harm. Relative to other areas of land close to existing Category 1 settlements in the District the site is considered to be of high landscape character sensitivity to housing development and areas of low-moderate sensitivity should be considered for development in the first instance. The site has a predominantly rural and undeveloped character with wide ranging long distance views. Given the topography of the site and its open nature, the proposed development would be visually exposed and highly visible from the footpaths which cross the site and within the immediate vicinity. In this respect, it is considered that the development would be highly prominent within the landscape and would thereby have a detrimental impact on the character and visual amenities of the surrounding area. Similarly, there is concern that development of the site would have an adverse visual impact on the adjacent South Downs Link, an important strategic footpath and cycleway link, which is extremely well used at all times.
- 6.19 Related to this concern is the impact of the proposed means of access to the site on the rural character of West End Lane. The lane has historically provided access to farms and garden nurseries but no other settlements. The lane is relatively narrow and bounded by high hedging along its northern boundary, particularly as it passes the application site. The proposal, however, would require the removal of approx. 40m of hedgerow in order to facilitate the proposed development. This element of the proposal would also have an adverse landscape impact as it would irrevocably change the rural character and appearance of the lane to the detriment of the visual amenities of the area.
- 6.20 Criterion 7 of the FAD SPD requires that the development should complement the character of the settlement as defined in the relevant Town or Parish Design Statement. Henfield Parish Design Statement (December 2008) refers specifically to West End Lane on Page 6. The SPD recognises that there are a number of houses in the Lane, nevertheless, they all lie within the countryside where national policy discourages new development. Consequently, it is considered that there should be no further development

west of the Downs Link, apart from minor extensions. The proposed development would clearly be contrary to this criterion.

- 6.21 Notwithstanding the above comments, it is considered that the proposed development would not complement the character of the settlement for the following reasons. The South Downs Link is a significant natural barrier between two very different areas of the village. The area to the east of the link is characterised by relatively high density residential development whereas the land to the west is characterised by fields and paddocks interspersed with sporadic residential development. It is acknowledged that Hollands Road lies to the south-east of the application site, however, the introduction of high density development in this area to the west of the link would be perceived as 'urban sprawl' entirely at odds with the existing development. The proposal is considered to represent a suburban form of layout by virtue of its scale, height and massing and would not relate well to the character of the development to the east or the sporadic residential development to the west. The proposal is not considered sufficiently sensitive to the character of the surrounding area and consequently would thus fail to integrate well with the existing development. The proposal is therefore not considered to comply with criteria 6 and 7 of the FAD SPD.

Residential amenities of future occupiers

- 6.22 The consultation response from Environmental Health at Para.3. advises on the issues of land contamination and noise. Members will note that a desk study report assessing the risks posed by ground contamination has not been provided. With regard to noise, the proposed development will introduce noise sensitive receptors in close proximity to Stonepit Kennels adjoining the north-western boundary of the site. There is therefore the potential for noise from this established business to adversely affect the amenity of the future occupiers of the proposed development. Whilst this issue has been recognised by the applicant and mitigation measures proposed, nevertheless, no environmental noise survey or other information has been provided that demonstrates the effectiveness of the measures in limiting exposure to noise from the kennels.

Highway Safety

- 6.23 In relation to the proposed means of access to the site, the consultation response from the County Highways Authority at Para.3.7 indicates that further information is required in order for a definitive response to be given to the application. At the time of writing this report the information has not been received and any further comments will therefore be reported verbally to the Committee.

Summary

Having regard to the assessment above the key factors to be taken into account in reaching a decision in respect of this application are:-

- The NPPF has the presumption in favour of sustainable development running through it as a golden thread. The three dimensions to sustainable development comprise:- an economic role, a social role and an environmental role and these roles should not be undertaken in isolation, because they are mutually dependent. This broader view, now encompassed in the NPPF, requires an assessment at the overall impact of a development on the community.
- The proposal would represent an opportunity to help meet the housing land requirements within the District and Members will be aware of the current shortfall in the 5 year housing supply. In this respect, the comments of the Inspector on the Daux Avenue appeal are

again of particular relevance. The Inspector identified the shortfall as 2,410 dwellings which in his view represented a 'very substantial shortfall'. The current proposal for 160 units would thus make a valuable contribution to tackling the existing shortfall in the housing land supply.

- With regard to the provision of affordable housing, the proposed provision for 40% affordable housing on the site is welcomed by the Housing Services Manager. In this regard, the proposal would comply with the requirements of Criterion 15 of the FAD SPD and Policy CP12. Given the shortfall in the provision of affordable housing in the District, the provision of some 64 affordable housing units would be a significant increase in the number of affordable housing units coming forward.
- The proposed development would give rise to some important economic and financial benefits. There is no dispute that the construction of the development would generate jobs. It is also recognised that the expenditure by the occupants of the development in local shops would put money into the local economy thereby indirectly supporting retail and service jobs. The economic and financial benefits of the development should be accorded due weight in the assessment of the proposal.
- The site is considered to be of high landscape character sensitivity with wide ranging attractive views northwards to the Low Weald, south westwards to the South Downs and north westwards to the Adur Valley. The site has a predominantly rural character and is visually exposed in particular to views from the surrounding footpaths as set out in Paras. 6.17 – 6.19. The development of the site would result in significant adverse landscape and visual impacts due to the scale, height and massing of the proposal.
- The proposed means of access to the site, involving the removal of a substantial section of hedge would irrevocably change the rural character and appearance of West End Lane to the detriment of the visual amenities of the area.
- The proposed development would fail to complement the character of the settlement as it would be perceived as unconstrained suburban sprawl into the countryside and would also not relate well to the pattern and grain of the existing residential development to the east of the South Downs Link. Further it would cause some harm to the significance of Camelia Cottage.
- It has not been demonstrated that future occupiers of the proposed development would not suffer a loss of residential amenity arising from noise from the neighbouring dog kennels.
- At the time of writing this report the concerns of the County Highways Authority have not been addressed

Conclusion

- 6.24 In conclusion, it is accepted that there is a need for more housing land to be identified and planning permissions granted in order to help meet the shortfall in the 5 year supply and it is accepted that the provision of 160 units would make a valuable contribution. However the potential benefits of the scheme need to be balanced against the identified potential harm that would arise from the proposed development. In balancing these factors, it is considered that in this instance the potential harm outweighs any potential benefits and the application is therefore recommended for refusal.

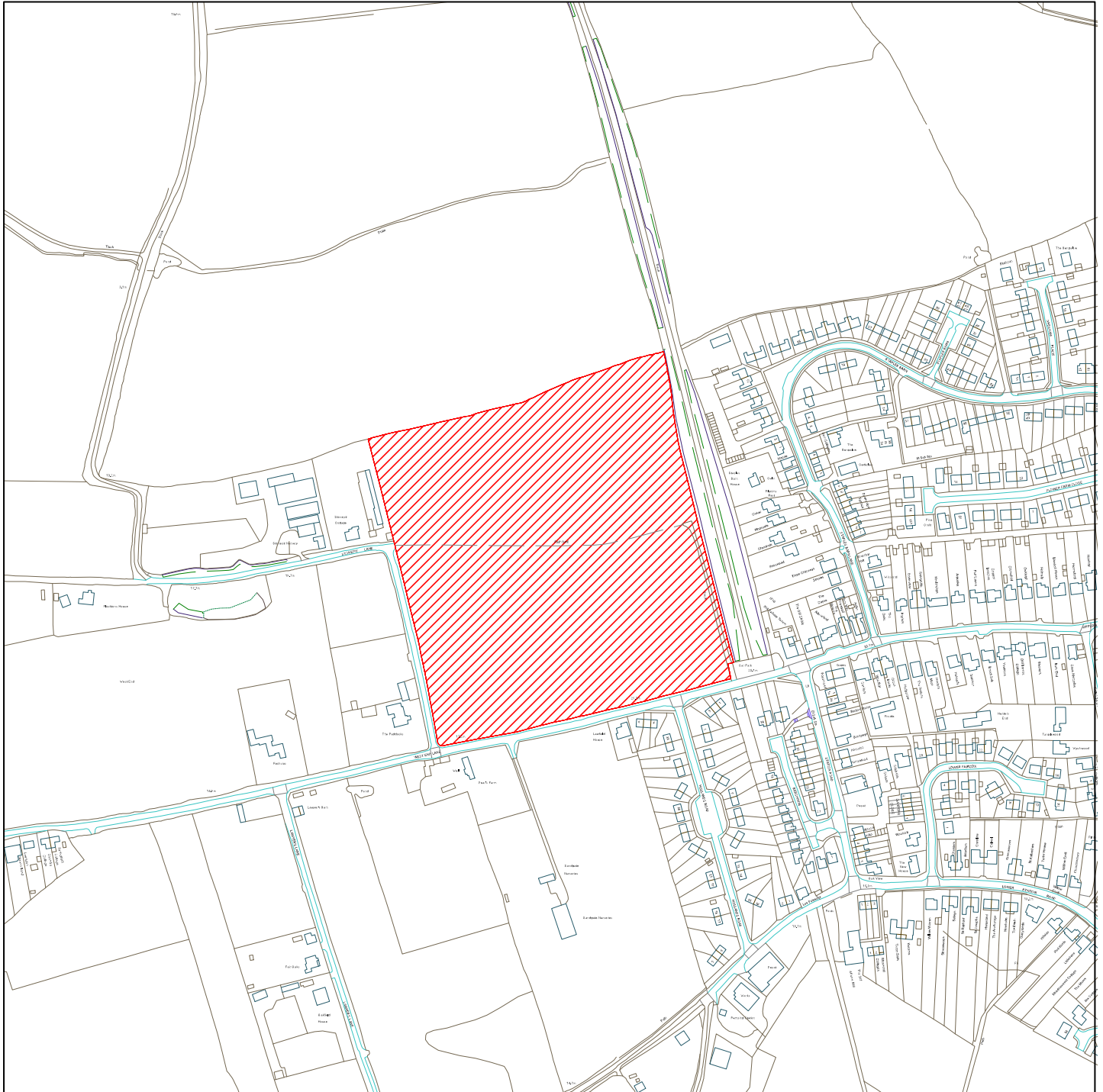
7. RECOMMENDATIONS

- 7.1 Planning permission be refused for the following reasons:-

1. The proposed development is located in the countryside, outside of the defined built-up area boundary and is unrelated to the needs of agriculture, forestry, the extraction of minerals or the disposal of waste. It therefore represents an unacceptable form of development in the countryside contrary to the National Planning Policy Framework and Policy CP1 of the Horsham District LDF Core Strategy (2007) and Policy DC1 of the Horsham District LDF: General Development Control Policies (2007).
2. The proposed development is unacceptable as there is no provision for contributions towards improvements to transport, education, community facilities and fire and rescue infrastructure and is thereby contrary to Policy CP13 of the Horsham District LDF Core Strategy as it has not been demonstrated how infrastructure needs for the development would be met.
3. The proposed development fails to protect the townscape character of the area as it is considered out of keeping with the development pattern and grain of the residential development to the east of the site. It consequently fails to integrate with the locally distinctive surroundings and as such is contrary to policies CP1 and CP3 of the Horsham District LDF Core Strategy (2007), and policy DC9 of the Horsham District LDF: General Development Control Policies (2007). The proposal would also not accord with criteria 6 and 7 of the Facilitating Appropriate Development SPD.
4. The proposed development by reason of its scale, height and massing would result in substantial material harm to the landscape character of the site and its rural surroundings. It is also considered the proposal would have significant adverse impacts on the visual amenity of the surrounding area. The proposal is therefore contrary to the National Planning Policy Framework and policies CP1 and CP3 of the Horsham District LDF Core Strategy (2007), and policies DC1, DC2 and DC9 of the Horsham District LDF: General Development Control Policies (2007). The proposal would also not accord with criterion 6 of the Facilitating Appropriate Development SPD.
5. It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed development would provide a safe and adequate highway solution to serve the proposed development. The proposal is therefore contrary to the National Planning Policy Framework and policy DC40 of the Horsham District LDF: General Development Control Policies (2007). The proposal would also not accord with criteria 11 and 12 of the Facilitating Appropriate Development SPD.
6. It has not been demonstrated to the satisfaction of the Local Planning Authority that future occupiers of the proposed development would not suffer a loss of residential amenity as a result of the noise arising from the neighbouring dog kennels. The proposed development is not sustainable since it is contrary to Paragraphs 14 and 109 of the National Planning Policy Framework and policy CP2 of the Horsham District LDF: Core Strategy (2007) and criterion 13 of the Facilitating Appropriate Development SPD.
7. The proposed development would adversely affect the setting of a Grade II listed building, Camelia Cottage, and as such would cause harm to the significance of the asset. The proposal is therefore contrary to the National Planning Policy Framework and policy DC13 of the Horsham District LDF: General Development Control Policies (2007).

DC/13/0787

Land at Junction of Stonepit Lane



Scale : 1:5000

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Organisation	Horsham District Council
Department	
Comments	O/S EXTRACT
Date	07 August 2013
SLA Number	100023865



Horsham
District
Council

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee South

BY: Head of Planning and Environmental Services

DATE: 20th August 2013

DEVELOPMENT: Approval of Reserved Matters relating to layout, scale, appearance and landscaping of the development following Outline permission DC/10/1457 (Outline planning permission for the demolition of existing buildings and construction of up to 78 residential units, associated ground preparation works, highways, access and the first phase of the Sandgate Country Park)

SITE: RMC Engineering Services Ltd Workshops Storrington Road Washington Pulborough

WARD: Chantry

APPLICATION: DC/13/0609

APPLICANT: Barratt Southern Counties

REASON FOR INCLUSION ON THE AGENDA: Category of Development

RECOMMENDATION: To grant Approval of Reserved Matters

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 This application seeks Approval of Reserved Matters relating to the layout, scale, appearance and landscaping of the development following the grant of outline consent at appeal for the demolition of the existing buildings on the site and the erection of up to 78 residential units under application DC/10/1457.
- 1.2 The application proposes the erection of 78 residential units comprising 24 x 5 bed dwellings, 23 x 4 bed dwellings, 12 x 3 bed dwellings and 19 x 2 bed dwellings. The scheme proposes that 23% of the units be provided as affordable homes which is a slight increase of 2% over the level of provision proposed at the outline stage.
- 1.3 All of the dwellings would be 2 storey in height and constructed to a traditional design. The proposed materials to be used in the development would include stock facing brick, coloured render, tile hanging and occasionally the use of flint. Concrete plain tiles are proposed for the roofing materials. In terms of car parking provision, 13 visitor spaces would be provided and 224 spaces for private residents resulting in a total of 237 spaces.

- 1.4 The application has been amended during the course of its consideration in response to officer concerns relating to the proposed layout of the development.
- 1.5 It should be noted that the proposed means of access to the site was approved at the outline stage and is not therefore for consideration under this application.

DESCRIPTION OF THE SITE

- 1.6 The application site lies to the west of the village of Washington on the northern side of the A283. The site is roughly rectangular in shape and Hampers Lane runs along its western boundary. Beyond Hampers Lane lies the Hanson sandpit and further to the west adjacent to the Hanson pit lies the Sandgate Quarry owned by Cemex. Clayton Boarding Kennels is located adjacent to the existing vehicular access to the site and the South Downs National Park boundary lies on the southern side of the A283. The majority of the surrounding area is characterised by sporadic residential development however, to the north and north-west of the site is residential development at Heath Common which is characterised by large detached dwellings set in large plots. To the east of the site is an area of National Trust land which is in agricultural use and beyond this is a large area of public open space known as Warren Hill.
- 1.7 The site was previously excavated for sand and has been partially filled. The southern part of the site previously contained engineering workshops with associated hard standing and ancillary office buildings. However the site has now been cleared as part of the enabling works and is enclosed on two sides by very steep slopes which are subject to slippage. The northern part of the site has been restored and contains two ponds which were flooded as part of the site restoration works. This part of the site extends on a steep gradient from the ponds to the south of Heath Common. The northern part of the application site area is proposed as part of the first phase of the Sandgate Country Park.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 National Planning Policy Framework 2012 – Delivering Sustainable Development - Sections 4, 6, 7, 8, 10 & 11 are relevant to the proposal.

RELEVANT COUNCIL POLICY

- 2.3 Policies CP1, CP2, CP3, CP4, CP5, CP9, CP12, CP13 & CP19 of the Core Strategy are relevant to the determination of the application.
- 2.4 Policies DC1, DC2, DC3, DC5, DC6, DC7, DC8, DC9, DC10, DC18 and DC40 of the General Development Control Policies Document are relevant to the determination of the application.
- 2.5 Guidance contained within the Facilitating Appropriate Development (FAD) SPD and the Planning Obligations SPD is also relevant to the determination of the application.
- 2.6 Also of relevance to the application is Policy AL19 of the Site Specific Allocations of Land (2007) document which states that the Council will seek to secure the Sandgate Park area for the formation of a Country Park as soon as it is practical to do so, taking into account the requirements for mineral extraction.

PLANNING HISTORY

- 2.7 The site has a long planning history dating from the 1950s and primarily relates to applications for workshops, maintenance buildings and ancillary offices. A number of applications were also submitted for the deposit of excavated material and builders' rubble:-

WS/34/84 – Planning permission was granted in 1984 for the deposit of excavated material and builders' rubble to form support for the existing unstable quarry face.

WS/20/88 – Planning permission was granted in 1989 for the deposit of excavated material and builders' rubble. It should be noted that Condition 4 attached to this permission required the restoration of the northern part of the current application site but did not include the southern part of the site.

- 2.8 In 2004 planning permission was granted for the carrying out of remedial earthworks in order to stabilize land on the eastern side of the site.
- 2.9 In November 2012 outline planning permission was granted at appeal for up to 78 residential units, associated ground preparation works, associated highway and access works, and the first phase of the Sandgate Country Park. Whilst the Inspector considered that future residents would be heavily reliant on the car for goods and services he nevertheless attached great weight to the contribution of the development to meeting the need for housing in the District. He also considered there would be substantial highway safety benefits and a benefit of moderate weight from the provision of the first phase of the Sandgate Country Park.

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

- 3.1 **Council's Landscape Architect:** No objection to the proposed layout and associated landscape works following the submission of amended plans. It is advised that the amended layout allows sufficient space for hedge and tree planting to the frontages, a reasonably generous central open space/green overlooked by dwellings with play provision for young children, together with scope for a play trail for older children within the larger open space to the north.

However, to ensure its integration within the surrounding area it is essential that a new woodland structure planting be provided on the former pit boundaries, a long term management plan and sensitive lighting scheme is submitted.

Officers have given full consideration to the consultee comments which are available to view on the public file at www.horsham.gov.uk.

- 3.2 **Housing Services Manager:** The affordable housing contribution of 18 units (23%) is considered acceptable following the submission of a viability study at outline stage. The overall target is to provide 25% of the total affordable housing as rented properties with other forms, including shared ownership and shared equity, comprising the rest of the affordable housing. He applauds the work done by the applicant in reaching agreement with Saxon Weald to deliver an acceptable tenure mix. The homes are to be provided in two clusters of nine units each, which is in accordance with current practice and has been approved by the affordable housing provider.

Officers have given full consideration to the consultee comments which are available to view on the public file at www.horsham.gov.uk

OUTSIDE AGENCIES

3.3 **West Sussex County Council**

Whilst the means of access to the site has been approved under application DC/10/1457 West Sussex County Council as highways authority was consulted on the proposed layout within the site and has made the following comments:

It is noted that the internal roads within the development are not proposed for adoption as public highway. The proposed car parking provision of 237 spaces is above the 227 spaces derived from the County Council's residential parking calculator but the Authority considers that the applicant's proposal is broadly consistent with the calculator and therefore no objection is raised to the proposals for car parking. It is recommended that a system of temporary signing on the A283 to warn of construction traffic be agreed and maintained throughout the whole period of construction of the development which can be secured by condition.

Officers have given full consideration to the consultee comments which are available to view on the public file at www.horsham.gov.uk

3.4 **Southern Water** : comments remain unchanged and valid from those given under application DC/10/1457 and are therefore repeated below:

'.....there is a public rising main in the vicinity of the site and its exact position must be determined on the site before the layout of the proposed development is finalised. No development or new tree planting should be located within 3 metres either side of the centreline of the public sewer and all existing infrastructure should be protected during the course of construction works. However, no objection is raised to the proposal subject to the imposition of appropriate conditions.'

3.5 **Environment Agency**: no comments to make on this reserved matters application. However, the Agency advises that the planning conditions relating to surface water drainage, buffer zone for the pond, removal or long term management of Japanese Knotweed and contamination investigation and verification report attached to the approved outline permission still stand.

PUBLIC CONSULTATIONS

3.6 **Washington Parish Council**:- strongly objects to the proposal and has the following concerns:

- That the 29 conditions should be discharged in a transparent manner prior to any development taking place.
- Does the ground works and demolition that has taken place constitute development
- Highways and access issues
- Removal of trees marked for retention
- Children's play area should be re-located to a more central area within the site
- Affordable housing should be provided in smaller blocks integrated within the site
- Implications of proposed foot and cycle access to Hampers Lane and Sandy Lane which are privately owned
- Impact of street lighting upon Heath Common area
- Body has yet to be appointed to manage the Country Park

- How will the developer maintain the Country Park over the next 25 years
- Who will be responsible for the Country Park after the 25 years has elapsed.

3.7 **Storrington & Sullington Parish Council** : strongly object to the proposal on the grounds of traffic, air quality, lack of infrastructure and the fact that the schools, dentists and doctor surgeries are at maximum capacity already.

3.8 **Heath Common Residents Association**: strongly objects to the proposed development on the same grounds as listed by both Parish Councils.

3.9 11 letters of objection have been received from local residents on the following grounds:

- Increase in traffic
- Village amenities are already stretched
- Increase in pollution
- Possible increase in crime
- Damage to the woodland increase in lighting and noise
- Noise and disturbance from the construction activities
- Development will be visible from the South Downs
- Screening is inadequate
- Access to the site is potentially dangerous
- Development is not in keeping with its surroundings
- Playground should be in a central location
- Height of the development
- Street lighting
- Access has been altered now shown as adjacent to Hampers Lane

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 principle of residential development and the means of access to the site has been established by the grant of planning permission at appeal in November 2012. Matters for consideration under this current application therefore relate to the layout, scale, appearance and landscaping of the development.

6.2 As previously advised at Para.1.4 the proposed layout of the development has been amended during the consideration of the application in response to officer concerns primarily relating to the location of the children's play area in the north-western corner of the site, adjacent to the ponds, and the lack of landscape planting along the frontages of the development.

6.3 Within the amended layout, a reasonably generous area of public open space has been created in a more central location within the site and at the northern end of the internal

access road. It is proposed that play provision for young children would be located within this area which would enable the play area to be overlooked by neighbouring dwellings to ensure public safety. This amendment has also helped to create a more spacious layout and an attractive focal point when approaching from the site entrance. The affordable housing is now located in two groups, one of 8 units and one of 10 units. This arrangement is in accordance with current practice and as advised by the Housing Services Manager has been approved by the affordable housing provider.

- 6.4 The principle of a loop road around the site was proposed at outline stage and has been retained in this current scheme. However, the road is now in a smaller more central location which leads onto cul-de-sacs and private drives. Also within the site there would be clearly defined and accessible routes throughout and connections to the country park to the north of the site and onto the existing bridleway along Hampers Lane. It is therefore considered that the layout as amended is acceptable and would result in a satisfactory form of development.
- 6.5 With regard to the scale and appearance of the development, it is proposed that all the dwellings would be 2-storey in height but the various ridge heights, ranging from 8m – 9m, would comply with the building height envelope as set by the approved parameter plan under application DC/10/1457. The development would comprise of 10 different house types all of a traditional design incorporating such features as gable projections, bay windows and balconies. The dwellings would be either detached or semi-detached and each dwelling would have its own garage. It is proposed that a mix of local materials would be used in the construction of the development, using stock facing brick, coloured render, tile hanging and flint. Architectural details would be picked out using contrast colour bricks.
- 6.6 Notwithstanding that the site is well screened by its topography and mature boundary trees, it is considered that the proposed designs of the dwellings and the use of vernacular materials would help to integrate the development within its surroundings so there would be no adverse impact on the character and appearance of the locality.
- 6.7 In terms of landscaping, Members will note that the Landscape Architect has no objection to the proposal following the submission of the amended layout plan which has demonstrated that there would be sufficient space for hedge and tree planting to the frontages. He has also advised that a new woodland structure planting along the former quarry boundaries, a long term landscape management plan and sensitive lighting scheme should be submitted to ensure the integration of the development in the local area. However, these matters are already covered by conditions imposed by the Inspector in his decision letter.
- 6.8 With regard to the concerns of both Parish Councils and local residents in respect of traffic, access, air quality and lack of infrastructure it should be noted that these were all matters considered by the Inspector at appeal and he found that none of these issues were of sufficient weight in order for him to dismiss the appeal. Indeed, he was of the opinion that the relocation of the access would result in substantial highway safety benefits.
- 6.9 In relation to the concerns that a larger number of trees have been felled than had been anticipated, this has resulted from the need to stabilise the slopes in order to create a safe environment for future residents. A site meeting was held between officers and the applicant where it became apparent that whilst every effort had been made to avoid the loss of the trees and in particular the oaks on the southern boundary of the site, the extent to which the slopes needed stabilising would unfortunately necessitate the removal of the trees. The bank stabilisation scheme and levels strategy would raise the levels within the site and result in banks around the edges of the site that can be safely and successfully planted.

- 6.10 With regard to the issue of the Country Park, under the terms of the Section 106 Agreement, the owner of the land shall not commence development until the Country Park Management Scheme has been submitted to and approved in writing by Horsham District Council. The scheme shall be implemented prior to the occupation of the 39th dwelling and the owner shall thereafter maintain the park to the satisfaction of the Council.
- 6.11 In conclusion it is considered that the scheme as amended would result in a satisfactory development layout that would integrate well into its surroundings subject to the satisfactory implementation of the landscape master plan which would be secured by condition.

7. RECOMMENDATIONS

- 7.1 It is recommended that Approval of Reserved Matters be granted subject to the conditions attached to DC/10/1457 and the following conditions:
1. M1 – Approval of Materials
 2. E3 – Fencing
 3. J10 – Removal of permitted development
 4. Before any other operations are commenced, the applicants shall agree with the highway authority and implement a system of road signing to warn road users on the A283 of the presence of construction vehicles. The signing shall then be retained throughout the whole period of construction.

Reason

To ensure the safety of road users in accordance with Policy DC40 of the Horsham District Local Development Framework: General Development Control Policies.

5. Prior to the commencement of the development, and notwithstanding the submitted Context Landscape Masterplan, the following specific details of the hard and soft landscape scheme, in addition to those set out in condition 3 attached to application DC/10/1457 shall be submitted to and approved in writing by the Local Planning Authority. These details shall be submitted concurrently as a complete scheme, unless otherwise agreed with the Local Planning Authority, and shall comprise:

- A written specification (National Building Specification compliant) of plating (including ground preparation, cultivation and other operations associated with plant and grass establishment) and for hard works
- Existing and proposed levels and cross sections for all external soft and hard landscape
- Hard surfacing materials: layout, colour, size, texture, coursing
- Walls, fencing and railings: location, type, heights and materials#
- Minor artefacts and structures – location, size, and colour and type of street furniture, signage, refuse units and lighting columns and lanterns
- Details of the play equipment layout, play area surfacing, fencing and gates for the proposed young childrens play area in the central open space

The approved scheme shall be implemented in full accordance with these details.

Reason : To ensure a satisfactory development in the interests of amenity in accordance with Policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007)

6. Prior to the commencement of the development full details of all underground services, including the position/layout, sizes and depths of service ducts, pipes, soakaways, manhole covers, and any above ground boxes/units shall be submitted to and approved by the Local Planning Authority in writing. These details shall demonstrate effective coordination with the landscape scheme submitted pursuant to condition **[insert]**, and with existing trees on the site by submission of a plan overlaying these details on the landscape scheme. All such underground services shall be installed in accordance with the approved details.

Reason: To protect roots of important trees and hedgerows on the site in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007) and in the interests of visual amenity.

Note to Applicant

The detailed planting plan to be submitted for approval in respect of condition no... shall demonstrate consideration of sustainable planting design within the housing area ie the use of a mix of shrubs, perennials and ornamental grasses, including drought resistant species (adapted to climate change) rather than single species blocks of amenity horticulture shrub planting

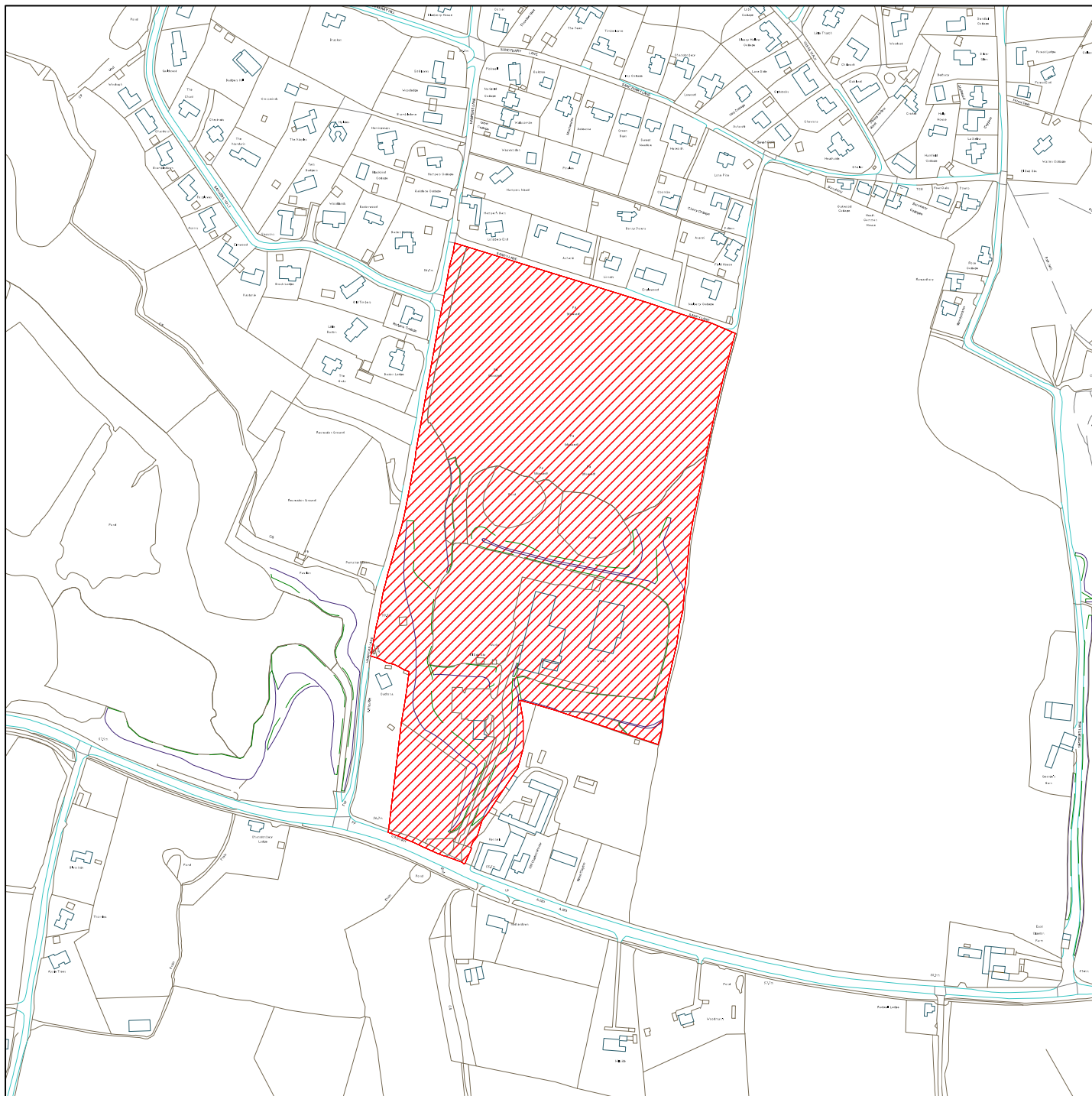
8. REASONS FOR RECOMMENDATIONS

IDP1 – The proposal is consistent with the provisions of the development plan

Background Papers: DC/10/1457 & DC/13/0609

DC/13/0609

RMC Engineering Services Ltd Workshops



Scale : 1:5000

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Organisation	Horsham District Council
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Comments	O/S EXTRACT
Date	07 August 2013
SLA Number	100023865



Horsham
District
Council

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee South

BY: Head of Planning and Environmental Services

DATE: 20th August 2013

DEVELOPMENT: Erection of 42 later living apartments with communal facilities, car parking and landscaping and re-siting of car parking spaces at the Mill Stream Medical Centre

SITE: Land North of Mill Stream Medical Centre Ryecroft Lane Storrington West Sussex

WARD: Chantry

APPLICATION: DC/12/2260

APPLICANT: McCarthy and Stone Retirement Lifestyles Ltd

REASON FOR INCLUSION ON THE AGENDA: Category of development

RECOMMENDATION: To refuse planning permission

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 This application seeks full planning permission for the erection of 42 apartments comprising a mix of 26 x 1 bed apartments and 16 x 2 bed apartments together with a communal residents lounge, laundry, guest suite, refuse area and house managers office. The proposed scheme would be for owner occupied retirement housing on the basis of a 125 year lease requiring the accommodation to be occupied by persons over 60 years and in the case of a couple, where one of the occupants is over the age of 60 years and the other is over the age of 55 years. Following discussions with the Parish Council, the application has been amended during the course of its consideration in order to address concerns regarding the bulk of the building.
- 1.2 The proposal would provide a single block of accommodation and orientated to address the river frontage with a varying two and three storey façade. 18 car parking spaces would be provided in a secure car park, producing a ratio of 1:2.3 cars to apartments, and a dedicated area for mobility scooter parking, with charging facilities, as well as bicycle storage provision.
- 1.3 Vehicular access would be provided at a new point adjacent to the Medical Centre and a right of way has been negotiated by way of a land swap with an equal number of parking spaces to be apportioned from within the site to replace those lost by the new access. The existing access from Ryecroft Lane would be closed as it does not present viable access to

the site. A separate pedestrian access is proposed on the river elevation that with the permission of the Council , would be intended to join the existing riverside walk leading to the centre of Storrington.

DESCRIPTION OF THE SITE

- 1.4 The application site is located on the north eastern side of the centre of Storrington, along the west bank of the River Stor. The site is an irregular shaped plot of land with an area of approx. 0.3ha. The site was a former allotment site but is currently overgrown and uneven. The site slopes down to the east by approx. 5m but there is a fall of around 3m across the majority of the site and then a steeper slope in the south east which drops down to the River Stor.
- 1.5 To the east the site is bounded by dense hedgerow and a linear stand of trees and a raised bank topped by a dense beech hedge over 4m in height partially encloses the site along the western boundary. The southern boundary is formed of several mature trees and an open wooden fence.
- 1.6 Residential development lies to the north and west of the site along Ryecroft Lane and Spierbridge Road and also further east beyond the river along Riverside and Stor Meadow. The surrounding residential development contains a mix of architectural styles and materials but is generally two storey in height. The car park serving the Mill Stream Medical Centre and the library is located to the south of the site.
- 1.7 Existing vehicular access to the site is restricted and is via Ryecroft Lane, which is an unmade road, leading from North Street to a gate on the south of the site adjacent to no.11 Ryecroft Lane. A footpath runs through the wooded area along the eastern boundary between the site and the river.
- 1.8 The site is situated within the built-up area boundary and the Conservation Area lies some 90m to the south east of the site.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 The National Planning Policy Framework – Sections para.7, 9, 17, 58, 59 & 61 are relevant to the proposal.

RELEVANT COUNCIL POLICY

- 2.3 Policies CP1, CP2, CP3, CP4, CP5, CP12, CP13, CP16 & CP19 of the Core Strategy are relevant to the determination of the application.
- 2.4 Policies DC5, DC7, DC8, DC9, DC10, DC12, DC18, DC31 & DC40 of the General Development Control Policies Document are relevant to the determination of the application.

PLANNING HISTORY

- 2.5 There is no history of any relevance to the application.

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

- 3.1 **Housing Services Manager:-** objects to the proposed development on the grounds that there is no provision for affordable housing or a commuted sum in lieu thereof.

Officers have given full consideration to the comments of the consultee which are available to view on the public file at www.horsham.gov.uk

- 3.2 **Landscape Architect:-** objects to the proposal on the grounds of its layout, scale, height and appearance. It is considered that the development of the site as proposed would:

- Result in the unnecessary loss of trees and of the semi-wooded character at the southern end of the site
- Erode the very attractive natural character of the River Stor riverside valley which is a distinctive and very important feature of this part of Storrington
- Have a significant adverse visual amenity impact on users of the riverside walk and immediately adjacent residential properties
- Does not take into account the townscape character of the area
- Does not demonstrate that local distinctiveness has been promoted – it could be an ‘anywhere development’

Officers have given full consideration to the comments of the consultee which are available to view on the public file at www.horsham.gov.uk

- 3.3 **Head of Public Health & Licensing:-** does not object to the proposal but there are a number of issues which need to be addressed should permission be granted for the development relating to (i) the lack of an assessment of impacts during the site clearance and construction phases and (ii) additional air quality mitigation measures to off-set the estimated increase in traffic. Both of these issues could be made a requirement by the imposition of suitable conditions.

Officers have given full consideration to the comments of the consultee which are available to view on the public file at www.horsham.gov.uk

- 3.4 **Access Forum:-** has raised concern that the apartment furthest away from the car parking is approx. 60m which may be too far a distance for some people, given the average age of a resident is 78, as mobility is likely to be an issue for a considerable number of residents. Similar concerns are raised in respect of the scooter storage, so ideally a secure scooter charging point closer to each apartment would be beneficial to make the homes more functional for the residents.

- 3.5 **Arboricultural Officer:-** has no objection to the proposal as the scheme would not result in the loss of, or harm to, any important tree on the site.

Officers have given full consideration to the comments of the consultee which are available to view on the public file at www.horsham.gov.uk

- 3.6 **Building Control Manager:-** has advised of the following;

- Fire appliance access may be insufficient to reach all parts of the building and alternative approaches may need to be considered.

- Refuse store location will not meet the requirements for domestic developments due to excessive carrying distances from some units.
- Submitted Energy Statement demonstrates significant improvements over minimum building regulation standards if built as intended.

3.7 **Head of Corporate Support Services:-** has confirmed that following discussions with the Environment Agency no objection is raised to the drainage strategy proposed for the site.

OUTSIDE AGENCIES

3.8 **West Sussex County Council** as highways authority objects to the proposal. It was originally advised that whilst there would be no over-riding concerns in terms of matters relating to trip generation or parking demands, however, the use of the footpaths to Old Mill Drive is questioned given they are not lit or greatly overlooked. Also a Stage One Road Safety Audit would be requested to consider the safety implications of the proposal in respect of the increase of vulnerable pedestrian movements through the public and Medical Centre car park towards North Street

The submitted audit raised two issues: the lack of manoeuvring space around the disabled parking bays and the access for pedestrians across the public car park. Whilst the Designers Response resolved the first issue, the concerns of the Auditor have not been addressed in relation to the second issue as no account has been taken of the services, including the Post Office, to the south of the site with the most direct route for pedestrians to be via the car park. Similarly there are a number of services along the High Street with the most direct route being via the car park.

In conclusion, the development has not been demonstrated as providing safe access for pedestrians and this is particularly pertinent given the nature of the development proposed.

Officers have given full consideration to the comments of the consultee which are available to view on the public file at www.horsham.gov.uk

3.9 **County Ecologist:-** objects to the proposal as insufficient information has been submitted to allow a suitable determination. Whilst there is no objection to the principle of development in this location, further clarity is required to manage impacts on wildlife and further consideration needs to be given to ecological provision. Subject to the submission of this additional information it is expected that the remaining issues could be managed by condition, however to date no further details have been submitted.

Officers have given full consideration to the comments of the consultee which are available to view on the public file at www.horsham.gov.uk

3.10 **Environment Agency:-** has reviewed the Flood Risk Assessment (FRA) and is pleased to see residual run off rates are less than the greenfield rates. However the developer would need to submit a further FRA for the headwall used to discharge into the watercourse.

Officers have given full consideration to the comments of the consultee which are available to view on the public file at www.horsham.gov.uk

3.11 **Southern Water:-** advises that there are a number of foul sewers within the site which would require protection should the development proceed. Furthermore, there is currently inadequate capacity in the local network to provide foul sewage disposal to service the proposed development. Therefore additional off-site sewers, or improvements to existing sewers, would have to be provided.

Officers have given full consideration to the comments of the consultee which are available to view on the public file at www.horsham.gov.uk

- 3.12 **Sussex Police**:- advises that the key to maintaining security in this type of facility is controlled access. The Authority is satisfied that the measures to be incorporated will follow Security by Design principles both externally and internally.

Officers have given full consideration to the comments of the consultee which are available to view on the public file at www.horsham.gov.uk

PUBLIC CONSULTATIONS

- 3.13 **Storrington and Sullington Parish Council**:-strongly object to the proposed development. Whilst there is no objection in principle, the Parish Council is totally against the design which is considered totally out of keeping, imposing and looks more like an institution than a residential development. Concern is also expressed with regard to the proposed materials to be used in the development and the proposed fencing.

Officers have given full consideration to the comments of the consultee which are available to view on the public file at www.horsham.gov.uk

- 3.14 6 letters of objection have been received from neighbouring residents on the following grounds:-

- Height of the building impact on wildlife
- Surface water run off
- Surfeit of 'later living accommodation' within the village
- Extra strain on medical surgery
- Flooding
- Access via the car park
- Materials
- Riverside walk would be spoilt
- Over-development of the site
- Lead to more on-street parking
- Badgers on the site
- Need for more housing for younger people
- Increase in pollution
- Air quality.

- 3.15 28 letters of support and 6 letters of comment have been received.

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 It is considered that the main issues in the determination of the application are i) the principle of development, ii) the lack of affordable housing provision iii) the effect of the proposal upon the character and appearance of the area, iv) the amenities of neighbouring properties and v) pedestrian safety.

At the forefront of the assessment of the application is the prevailing policy context set by the National Planning Policy Framework (NPPF) and its advice for decision makers which is set out below before addressing the key issues identified above.

Policy context

- 6.2 The NPPF sets out the government's planning policy. In this regard, the NPPF has the presumption in favour of sustainable development running through it as a golden thread. Para.7 of the NPPF explains that there are three dimensions to sustainable development:- an economic role, a social role and an environmental role. Para.8 advises that these roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. Therefore whereas previously the concept of sustainability in relation to development in rural areas has been widely interpreted to relate purely to transport sustainability, in fact, the concept should be applied on a much wider basis to encompass all aspects of sustainability. This broader view, now encompassed in the NPPF, requires an assessment at the overall impact of a development on the community.
- 6.3 Specific advice for decision taking is set out in Para.14 which requires that development which accords with the development plan should be approved without delay and where the development plan is absent, silent or relevant policies are out of date, to grant permission unless any adverse impacts of so doing would significantly and demonstrably outweigh the benefits.

(i) Principle of development

- 6.4 The application site is currently vacant and untended but its former use was as allotments. The applicant therefore maintains that the site is a brownfield site. However, to clarify, it should be noted that allotments are specifically excluded from the definition of 'previously developed land' as defined in the National Planning Policy Framework. Notwithstanding that the site is a greenfield site, it does lie within the built-up area boundary of Storrington which is classified as a village capable of accommodating some expansion, infilling and re-development in the LDF Core Strategy document. The site is located in a sustainable location within the village with a range of facilities within close walking distance. The principle of residential development on the site is therefore considered acceptable provided that it meets with all the relevant development control criteria.
- 6.5 The proposed development would provide 42 retirement apartments providing 26 x 1 bed and 16 x 2 bed units in total. The proposed scheme would be for owner occupied retirement housing but subject to a condition restricting occupancy to persons over 60 years and in the case of a couple, where one of the occupants is over the age of 60 years and the other is over the age of 55 years. The proposed development would provide a mix of smaller homes (1 & 2 bed dwellings) and as such meets the requirements of Policy DC18 of the General Development Control Policies.

(ii) Affordable Housing Provision

- 6.6 In terms of affordable housing provision, Policy CP12 of the Core Strategy (2007) states that on residential developments of 15 dwellings or more the Council will seek 40% affordable homes. However, the submitted Affordable Housing Statement states at Para1.30 :

'In practical terms this means the development cannot fund either affordable housing and/or a Section 106 package'.

The applicant submits that having regard to development costs including the market value of the site that no affordable housing can be delivered in this instance.

- 6.7 An independent assessment of the applicant's viability appraisal has been undertaken which concluded that based on the submitted information, that it would be possible for a commuted sum of between £500,000 - £700,000 to be supportable from the proposal. However, progress has subsequently not been made in negotiating an appropriate commuted sum and as such the proposal would not meet the requirements of Policy COP12.

(iii) Impact on the character and appearance of the area

- 6.8 With regard to the proposed design of the proposal, the surrounding residential development is characterised by dwellings predominantly two-storey in height and comprising a mix of styles and materials. It is submitted by the applicant that the proposed scheme has been designed to respond to the scale and massing of the neighbouring buildings. As such, the elevation to the riverside ranges from two to three storeys in height and incorporates breaks in the ridgeline, gutter levels and returning gables which it is maintained reduces the perceived visual mass of the building. The building would also be positioned at a lower datum in the surrounding landscape in response to the falling site levels which the applicant considers would provide an appropriate domestic scale to the building and significantly reduce its height.
- 6.9 Notwithstanding the applicant's submission that the proposal would sit comfortably within its surroundings, the scheme has been amended during the consideration of the application, following discussions with the Parish Council, and the amendments are listed below:

- The roof pitch has been reduced over the main body of the building from 45° to 40°, to reduce the perceived mass of the roof.
- The pitch of the projecting feature gables has been reduced from 50° to 45°, again to reduce the perceived mass of roof form.
- The gables on the right-hand end of the North-East elevation, and the left-hand end of the South-West elevation, have been amended to "barn-end" hips to provide greater variety and domesticity to the roof in this area.
- Elements of the roof on the South-West side of the building have been amended by a reduction in the eaves line to result in some of the accommodation in those areas being dormered. This incorporates sprocketed dormers which respond to many local examples, not least the adjacent doctors' surgery.
- A series of valleys have been incorporated within the roof structure to reduce the amount of roof mass proposed which, when combined with the changes to the pitch, form and eaves level noted above, represent a significant reduction in roof mass.
- The proposed roof tiles have been changed, at the request of the Parish Council, from slate grey to Antique Red to more closely respond to examples nearby.
- The extent of timber boarding has been reduced, and changed from a dark stain to "Arctic White" so as to lighten the finish and the perception of mass of the elevation.

- The amount of white render has been reduced to allow more areas of red brick, in keeping with the suggestions of the Parish Council in their consultation response.
- The proposal now incorporates areas of flint work in the elevational treatment, primarily on the “entrance block”, i.e. the section of the building closest to the site entrance, which now is primarily faced in flint.
- Finally, the site plan has been amended to propose new boundary treatments of 1.8m chainlink fence within the existing hedgerows (the hedgerows to be reinforced as necessary with new planting) instead of the previously-proposed 1.8m close-board fencing, again in direct response to the point raised by the Parish Council.

- 6.10 It will be noted that the most significant amendments to the scheme relate to the pitch of the roof, a reduction in the eaves line and the introduction of a series of valleys within the roof structure in order to reduce the perceived mass of the roof. Whilst these amendments are welcome, no amendments are proposed to the overall height and footprint of the building. In this respect, given the development of the surrounding area is generally two storey in height, it is considered that the proposal would appear over-dominant within the street scene and totally out of keeping with the character of the surrounding residential development. It is appreciated that advantage would be taken of the falling site levels, however this is not considered sufficient to mitigate the dominating influence the proposed building would exert over the surrounding area and it would thereby fail to integrate with the existing development.
- 6.11 A related issue is the impact of the development on the character of the River Stor valley which is a distinctive and very important feature of this part of Storrington. Members will note that the Landscape Architect has raised this as a particular concern as the proposed development would be likely to have a significant adverse visual amenity impact on users of the riverside walk.

(iv) Impact on the residential amenities of neighbouring properties

- 6.12 In terms of the impact of the proposal on the residential amenities of neighbouring dwellings, it is considered that the properties that would be most affected by the proposed development are no.11 Ryecroft Lane and nos. 13 & 14 Spierbridge Road. With respect to no.11 Ryecroft Lane, this detached property is located broadly south-east of the application site and is set side-on to the common boundary. The proposed building would be approx. 4.8m from the common boundary but due to changes in level it is maintained that the proposed building would be approx. 2m lower and would thus appear as two storey in height from the neighbouring property. It is acknowledged that the proposal would not have any habitable windows facing the flank wall of the neighbouring dwelling, however, given the proximity, scale and mass of the proposed building it is considered that it would appear over-bearing to the existing dwelling and the occupiers would therefore suffer a loss of residential amenity.
- 6.13 Similar concerns are raised with regard to nos. 13 & 14 Spierbridge Road which are a pair of semi-detached properties situated to the north of the application site. In this regard, the proposed development would only be some 3m from the common boundary and whilst this element of the proposal would be two-storey in height it is considered that it would also appear over-bearing to the existing dwellings by virtue of its scale and massing, resulting in a loss of residential amenity.

(v) Pedestrian Safety

- 6.14 The site would be accessed by way of the adjacent Medical Centre’s car park and the adjoining North Street public car park, which both share a single vehicular access from North Street. There is a separate route for pedestrians from the public car park eastwards

towards Old Mill Drive. No changes are proposed to the existing vehicular or pedestrian accesses. The proposed development however would introduce a number of additional movements by vulnerable road users towards existing services within the village centre. Notwithstanding the need for pedestrians to utilise the car park for a length of their journey, the applicant has indicated that movements east towards Old Mill Drive would be catered for by way of existing footpaths. The desirability for pedestrians to use the surrounding footpaths is questioned by the Highway Authority as the footpaths are not lit or greatly overlooked, thus there would be potential perceived security concerns.

- 6.15 A further concern in this regard, is the access for pedestrians across the public car park. The Designers Response submitted at the request of the Highway Authority appears to ignore the fact that there are a number of services to the south of the site and along the High Street to which the most direct route would be via the car park. Given no further information has been submitted in this respect the proposed development is not considered to provide a safe access for pedestrians.

Conclusion

- 6.16 In conclusion, whilst the principle of development of the site is considered acceptable and the provision of 42 units would contribute to meeting the housing requirements within the District, nevertheless, the scheme as currently proposed would fail to make adequate provision for affordable housing of which there is also a shortfall within the District. In addition, it is considered that the development of the site as proposed would result in a significant adverse impact on the character and appearance of the area and result in a loss of residential amenity to neighbouring occupiers. Furthermore, it has not been demonstrated that the development would provide a safe access for pedestrians to local services. It is therefore considered in this instance that the potential benefits of the scheme do not outweigh the identified harm resulting from the proposal.

7. RECOMMENDATIONS

- 7.1 It is recommended that planning permission be refused for the following reasons:-

1. The proposed development makes no provision for affordable housing or a commuted sum in lieu thereof. The proposal therefore fails to comply with the National Planning Policy Framework and Policy CP12 of the Horsham District Local Development Framework Core Strategy (2007)
2. The proposed development by virtue of its height, scale and massing would represent an over-development of the site and would thereby have a detrimental impact on the character and appearance of the surrounding area. The proposal would also adversely affect the residential amenities of neighbouring occupiers as it would appear over-bearing. The proposal is therefore contrary to the National Planning Policy Framework, Policies CP1 & CP3 of the Horsham District Local Development Framework Core Strategy (2007) and Policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).
3. It has not been demonstrated to the satisfaction of the Local Planning Authority that the development would provide safe access for pedestrians. The proposal therefore fails to comply with the National Planning Policy Framework and Policy DC40 of the Horsham District Local Development Framework: General Development Control Policies (2007).
4. The proposed development would erode the natural character of the River Stor valley and would thereby have an adverse visual amenity impact on users of the riverside walk and occupiers of immediately adjacent residential properties. The proposal would therefore be contrary to the National Planning Policy Framework, Policies CP1 & CP3 of

the Horsham District Local Development Framework Core Strategy (2007) and Policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

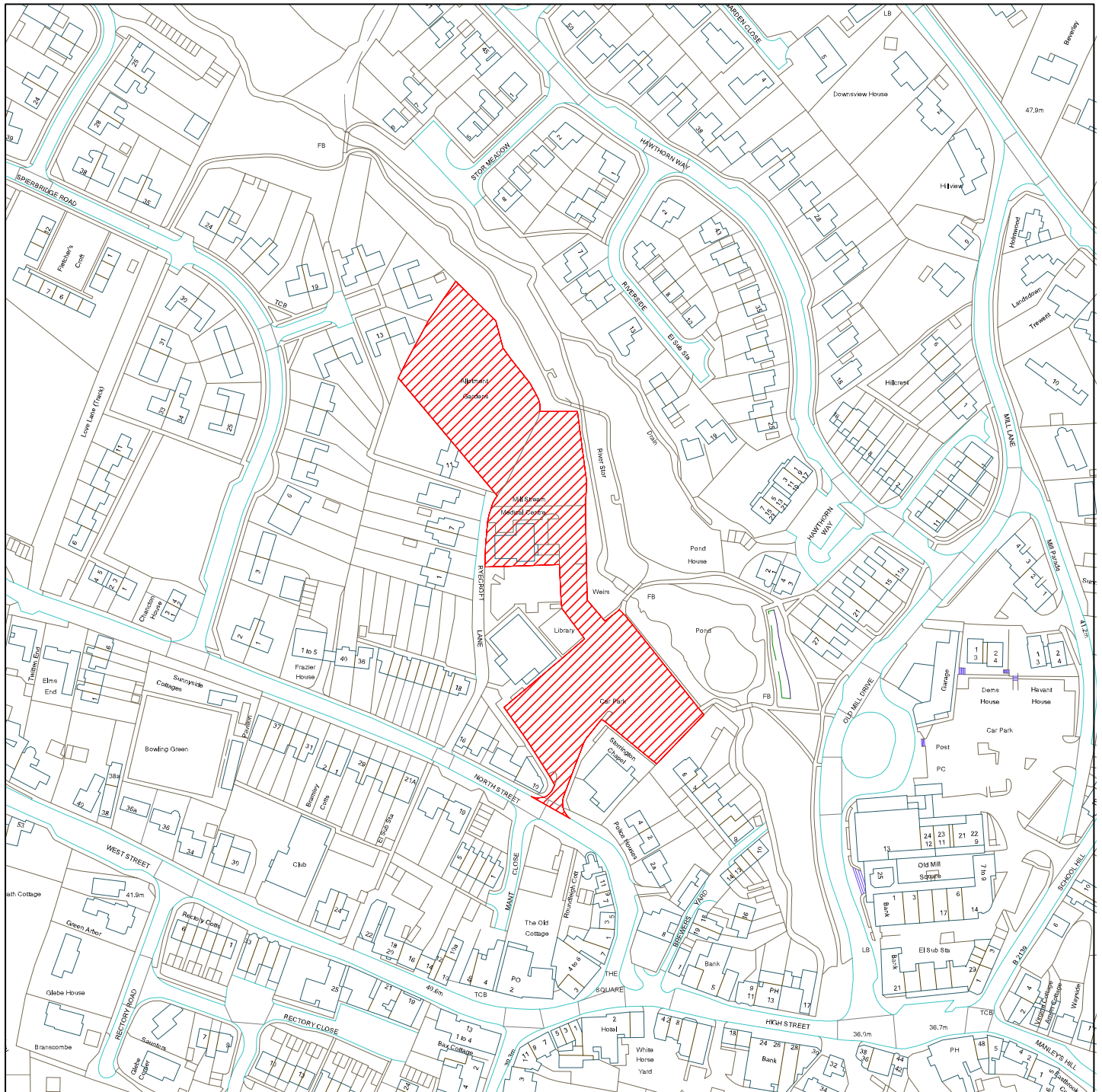
5. It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposal would not result in a significant loss of biodiversity on the site. The proposal would therefore be contrary to the National Planning Policy Framework, Policy CP1 of the Horsham District Local Development Framework Core Strategy (2007) and Policy DC5 of the Horsham District Local Development Framework: General Development Control Policies (2007).

6. The proposed development is unacceptable as there is no provision for contributions towards improvements to community facilities, libraries and fire and rescue infrastructure and is thereby contrary to Policy CP13 of the Horsham District LDF Core Strategy as it has not been demonstrated how infrastructure needs for the development would be met.

Background Papers: DC/12/2260

DC/12/2260

Land North of Mill Stream Medical Centre



Scale : 1:2500

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Organisation	Horsham District Council
Department	
Comments	O/S EXTRACT
Date	07 August 2013
SLA Number	100023865



Horsham
District
Council

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee South
BY: Head of Planning and Environmental Services
DATE: 20th August 2013
DEVELOPMENT: Construction of a conservation lake
SITE: Hoes Farm Coolham Road Shipley Horsham
WARD: Billingshurst and Shipley
APPLICATION: DC/13/1027
APPLICANT: Mr Peter Thompson

REASON FOR INCLUSION ON THE AGENDA: Category of Development

RECOMMENDATION: To Grant Planning Permission

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks planning permission for a conservation lake which would measure 155m in length by approximately 40m in width. The lake would have gentle grading around the lake and the angle of the slopes and sides will vary to produce a more natural irregular shore line and to enable a range of vegetation types to establish. The maximum depth will be 2.5m but a range of depths will allow colonisation by a range of flora and fauna. The pond will be allowed to fill naturally over a period of time from water within the ditch to the east and an overflow will be piped into the river in accordance with Environment Agency directions. A wetland/reed bed is also proposed adjacent to the lake which will extend the existing floodplain and provide habitat for birds, insects and invertebrates. A dam is also proposed to the western end of the lake which will control water levels. The proposal does involve the removal of a large stretch of hedgerow. All the spoil removed to create the lake will be spread at a thickness of 100mm deep on the two fields directly to the north of the A272. The topsoil on these fields would be striped and re-spread on completion of the earth works.

DESCRIPTION OF THE SITE

- 1.2 Hoes Farm is located within a countryside location and to the north of the A272. The farm house is a Grade II Listed Dwelling with numerous outbuildings. The lake would be sited to the front (west) of the house within two existing fields. These two fields slope down to a

central ditch and a hedgerow which would be removed as part of the proposals. The lake would be sited over 200 metres from the A272 and 65 metres from Hoes Farm House. The River Adur runs to the west of the site and Flood Zone 2 and 3 extends into the application site. Flood Zone 2 is the Environment Agency's best estimate of the areas of land between Zone 3 and the extent of the flood from rivers or the sea with a 1000 to 1 chance of flooding in any year. Flood Zone 3 represents land assessed, ignoring the presence of flood defences, as having a 1% or greater annual probability of fluvial flooding or a 0.5% or greater annual probability of tidal flooding.

- 1.3 Hoes Farm consists of 180 acres of grassland which has been managed under the terms of a Countryside Stewardship Scheme overseen by Natural England. The two application fields are used as grassland with a hedge and two oaks trees separating the two fields. There is a public footpath to the east of the proposed lake that runs down the access drive then branches off to the east, west and north.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 The National Planning Policy Framework 2012

RELEVANT COUNCIL POLICY

- 2.3 The following policies of the Local Development Framework Core Strategy (2007) are relevant in the assessment of this application:

CP1 – Landscape and Townscape Character, CP2 – Environmental Quality, CP3 - Improving the Quality of New Development & CP15 – Rural Strategy.

- 2.4 The following policies of the Local Development Framework, General Development Control Policies Document (December 2007) are relevant in the assessment of this application: DC1 – Countryside Protection and Enhancement, DC2 – Landscape Character, DC5 – Biodiversity & Geology, DC9 – Development Principles, DC13 – Listed Buildings & DC40 (Transport & Access).

PLANNING HISTORY

DC/05/2662	Creation of a lake	WDN
DC/07/1482	Creation of a lake on agricultural land	WDN

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

- 3.1 Drainage Officer has no comments to make but has commented that “It would appear from the submitted documentation that the applicant has sought pre-application advice and Flood Defence Consent from the Environment Agency and as the adjacent River Adur is designated a ‘main river’ any such any works / approvals comes under their jurisdiction.
- 3.2 Landscape Officer has no objection subject to conditions.

OUTSIDE AGENCIES

- 3.3 Environment Agency has stated that “the proposed development will only meet the requirements of the National Planning Policy Framework (NPPF) if the following measure as detailed in the Flood Risk Assessment (FRA) submitted with this application is implemented and secured by way of a planning condition on any planning permission.
- 3.4 Natural England has commented that the environmental assessment submitted with the application has not identified that there will be any significant impacts on statutorily protected sites, species or on priority Biodiversity Action Plan (BAP) habitats as a result of this proposal. The land has been subject to agri-environment grants and as such we recommend that the applicant contacts their Natural England Land Management Adviser as there may be implications for their agreement following the hedgerow removal. For Natural England’s full consultation response, please visit www.horsham.gov.uk
- 3.5 Highway Authority has no highway objection to the lake itself but has requested that the applicant confirm estimated vehicle movements during construction works. The Highway Authority’s full consultation response may be accessed through the Council’s website at www.horsham.gov.uk
- 3.6 Rights of Way Officer has no objection to the proposal as it does not directly affect the public footpath. However, I would be concerned about the safety of users while construction of the lake is underway as I assume there will be large vehicles using the tarmac access track, which carries the footpath. Contractors should ensure that appropriate safety signage is in place to advise path users of the works. If the landowner feels it would be more appropriate to close the path while works are underway, he may apply to WSCC for a path closure.
- 3.7 County Ecologist has no objections.

PUBLIC CONSULTATIONS

- 3.8 Shipley Parish Council has no objection to this application. There should be no importing of soil and any recommendations from the Environment Agency should be met.
- 3.9 No other representations have been received to public notification on the application at the time of writing this report. Any further representations received will be reported verbally at the committee meeting.

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.

6.0 PLANNING ASSESSMENT

- 6.1 The main issues in determination of this application are considered to be the principle of the development, the effect of the development on the visual amenities and character of the area and on the existing trees/hedges around the peripheries of the site.

- 6.2 The application seeks consent to construct a lake of 0.98 hectares (2.42 acres) with an associated wetland. The proposed lake would have spits and bays allowing several niches for plants to colonise. The gradient of the shore is gently shelved which gives a wide draw down zone which gives easy access to the lake and is where the greatest abundance and diversity of plant and aquatic life would occur. The lake has been designed so that there would be deep pockets of water that would remain cold in hot weather and unfrozen in cold, providing an essential oxygen store.
- 6.3 The application seeks to fill an existing dip in the landscape in front of the Farm House and create a retaining wall from Redi Rock which will create a 'ha ha'. The proposed wetland / reed bed adjacent to the lake will extend into the flood plain and will provide habitat for birds, insects and invertebrates. Three scrapes are also proposed on the banks of the River Adur, up stream from the lake. They are shallow excavations in the ground with a seasonally high water table and provide areas of standing water or wetland according to seasonal fluctuations.
- 6.4 The proposal involves the removal of approximately 200 metres of hedgerow. The applicant has demonstrated that the hedgerow is relatively modern with the hedge plants having grown tall and leggy with little or no foliage at the bottom. This has allowed greater penetration by wind making the habitat less suitable for nesting birds. The Landscape Officer has raised no objections to the loss of this hedge due to its fairly young age and not being considered as an historic hedgerow.
- 6.5 There are two oak trees within the middle of the site that would be retained and a small island provided so that the root protection areas of the trees are not excavated which could potentially result in the loss of these mature specimens.
- 6.6 The proposal has been amended to remove the proposed bunds along the A272 road frontage. It was proposed that the spoil removed from the lake would be used to create these bunds. However, the Council's Landscape Architect raised concerns with regard to the creation of bunds. Instead the applicant intends to spread the arisings of the lake at approximately 100mm in depth across the two fields that run parallel to the A272. The topsoil would be striped from the site and re-spread on completion of the earth works. The outer 4 – 5 metres would not have the spoil spread on top in order that the existing hedgerow trees are protected from damage. This approach has been agreed by the Council's Landscape Architect.
- 6.7 The Environment Agency has no objection to the scheme subject to the works being carried out in accordance with the FRA and the provision of compensatory flood storage which should be provided on a level for level basis and located outside of the 1% flood zone as detailed in the Flood Risk Assessment (FRA) submitted. This is proposed to be condition as part of any approval given.
- 6.8 The proposal to create a lake for nature conservation purposes within this location, is considered acceptable as it will increase the ecological value of this area. The shape and size of the lake is considered acceptable in this location as it utilises the natural contours of the land and will retain the two existing oak trees on site. There will be views of the lake from the public footpath but it is not considered that the lake will be visually intrusive. Therefore, it is considered that the proposal accords with policies DC1 and DC2 of the General Development Control Policies 2007 and CP1 and CP15 of the Core Strategy 2007.

7. RECOMMENDATIONS

- 7.1 It is recommended that planning permission be granted subject to the following conditions:

- 1) A2 Full Permission
- 2) Notwithstanding the submitted planning application plans and documents, prior to the commencement of the development the following information shall be submitted to and approved by the local authority
 - Existing topographical survey for the entire area proposed to be effected by the works including existing levels, precise position of existing trees and hedgerows etc at a scale of 1:500
 - Plan identifying those trees and hedges to be retained and those to be removed, with the root protection areas of those to be retained clearly identified, demonstrating a satisfactory area in terms of the BS Trees in Relation to Construction 2012 from the trees in which no excavation will take place.
 - A detailed proposed excavation and earthworks layout plan at a scale of 1:500 for the lake, scrapes and surrounding land areas for re-grading of excavated sub soil and topsoil to show proposed contours and spot levels and how they will be tied in with existing contours using the topographical survey as a base
 - Cross sections across the lake and scrapes at approximately 50m intervals
- 3) Prior to the commencement of the development full details of hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. These details shall be submitted concurrently as a complete scheme, unless otherwise agreed with the Local Planning Authority, and shall comprise:
 - A detailed plan and specification for topsoil stripping, storage and re-use on the site in accordance with recognised codes of best practice
 - Planting and seeding plans and schedules specifying species, planting size, densities and plant numbers
 - Tree pit and staking/underground guying details
 - A written hard and soft specification (National Building Specification compliant) of planting (including ground preparation, cultivation and other operations associated with plant and grass establishment)
 - Any proposed walls, fencing and railings: location, type, heights and materials

The approved scheme shall be implemented in full accordance with these details. Planting shall be carried out according to a timetable to be agreed in writing with the Local Planning Authority prior to commencement of the development.

Any plants which within a period of 5 years die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure a satisfactory development in the interests of amenity in accordance with Policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007)

- 4) Prior to the commencement of development a detailed long term Landscape Management and Maintenance Plan for the lake and for all planted and seeded areas shall be submitted to and approved by the Local Planning Authority in writing.

The plan shall include:

- Aims and Objectives
- A description of Landscape Components
- Management Prescriptions
- Details of maintenance operations and their timing
- Details of the parties/organisations who will be maintain and manage the site, to include a plan delineating the areas that they will be responsible for.

The plan shall demonstrate full integration of landscape, biodiversity and arboricultural considerations. The areas of planting shall thereafter be retained and maintained in perpetuity in accordance with the approved Landscape Management and Maintenance Plan.

Reason: To ensure a satisfactory development and in the interests of amenity and nature conservation in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

- 5) The lake hereby permitted shall be used as a wildlife habitat and for drainage of 'Hoes Farm' and associated agricultural land. The lake shall not be used for any commercial or recreational purposes.

Reason: To enable the Local Planning Authority to control the development in the interests of the character of the area in accordance with policy DC1 & DC2 of the General Development Control Policies 2007.

- 6) No fill material shall be imported to the site and the banking/landscaping works associated with the construction of the lake shall be formed from the excavated material emanating from the construction of the lake hereby approved.

Reason: In the interests of the character and amenities of the countryside and in accordance with policy DC1 & DC2 of the General Development Control Policies 2007.

- 7) Prior to the commencement of development, a construction method statement shall be submitted to and approved by the Local Planning Authority detailing the type of plant to be brought onto site, how the plant will be transported to the site, the route the plant will take and any mitigating measures if these vehicles damage the verges along the access route and implemented in accordance with such approved details.

Reason: In the interests of highway safety and the amenities of neighbouring properties in accordance with policies DC9 and DC40 of the General Development Control Policies 2007.

- 8) H6 Wheel Washing

- 9) Construction vehicles shall only be operated on the premises between 0800 in the morning until 1800 in the afternoon Monday to Saturday. No work shall be undertaken on Sundays or Bank Holidays.

Reason – N10

- 10) The development permitted by this planning permission shall be carried out in accordance with the approved FRA contained within the Supporting Statement and the following mitigation measure detailed within the FRA:

- Provision of compensatory flood storage which should be provided on a level for level basis and located outside of the 1% flood zone

Reason: In accordance with the NPPF 2012

Note to Applicant

The applicant is advised that the detailed earthworks plans, planting proposals and management plan should be prepared by a qualified Landscape Architect.

The applicant is advised that the lake design shall follow the Environment Agency and other best practice design guidance in terms of the provision of a variety of lake edge profiles and include the provision of spits, bays and islands

The applicant is advised that the planting proposals should include marginal planting (all be it a balance with leaving areas to naturally colonise would be acceptable), areas of top soil/sub soil spreading/filling to be seeded with a tailored wildflower seed mix (tailored Weald Meadow Initiative mix) and proposed locations for groups of field/parkland oaks to enhance the current landscape character.

Note to Applicant

The applicant is advised that no removal of hedgerow or trees shall be carried out on site between March to August inclusive in any year. Where vegetation must be cleared during the bird breeding season a check for nesting birds by a suitably qualified ecologist will be required. Any vegetation containing occupied nests will be retained until the young have fledged.

Note to Applicant

The applicant is advised to ensure that appropriate safety signage is in place to advise footpath users of the works.

Note to Applicant

Under the terms of the Water Resources Act 1991, if the construction of the embankment is within 8 metres of the top of the River Adur, the applicant will require a Flood Defence Consent from the Environment Agency. Please note that the Environment Agency has two months in which to grant or refuse Flood Defence Consent from the date of receipt of the application. . An application form and further information on the requirements of a Flood Defence Consent is available on our website <http://www.environment-agency.gov.uk/business/topics/143729.aspx>

Note to Applicant

As the application blocks, or dams a drainage ditch it might require an impoundment licence. Further information would be required to make a definite decision on this, including the volume of water in the lake, the flow of the ditch and the potential impacts downstream of impounding this water. The applicant should submit a pre-application form WR48 to the National Permitting Service. This is free of charge, and will provide the applicant with advice on whether a licence is required and if they are recommended to apply. The form can be found through the following link: <http://www.environment-agency.gov.uk/business/topics/water/32034.aspx>

Note to Applicant

Should fish introduction to the proposed lake occur, under Section 30 of the Salmon and Freshwater Fisheries Act (1975) consent from the Environment Agency would be required.

Note to Applicant

If the reservoir(s) proposed are "off-line" (of watercourses) and will be capable of holding water above the lowest natural ground level, you should seek expert independent technical advice from a suitably qualified engineering consultant and be advised of the following:

Capacity of greater than 25,000 cubic metres

The Reservoirs Act 1975 provides a legal framework to ensure the safety of large raised reservoirs. The Reservoirs Act 1975 applies to reservoirs that hold at least 25,000 cubic meters of water above natural ground level. However, be advised that this is currently being proposed to change to cover reservoirs of greater than 10,000 cubic meters. For further information please refer to our internet site at:

<http://www.environment-agency.gov.uk/business/sectors/118421.aspx>

Capacity of less than 10,000 cubic metres

The Environment Agency would recommend that the design of any water retaining embankment follows the principles laid down in CIRIA Document 161 "Small Embankment Reservoirs" (ISBN 086017 461 1). It is also recommended that overflow arrangements are considered.

8. REASONS FOR RECOMMENDATIONS

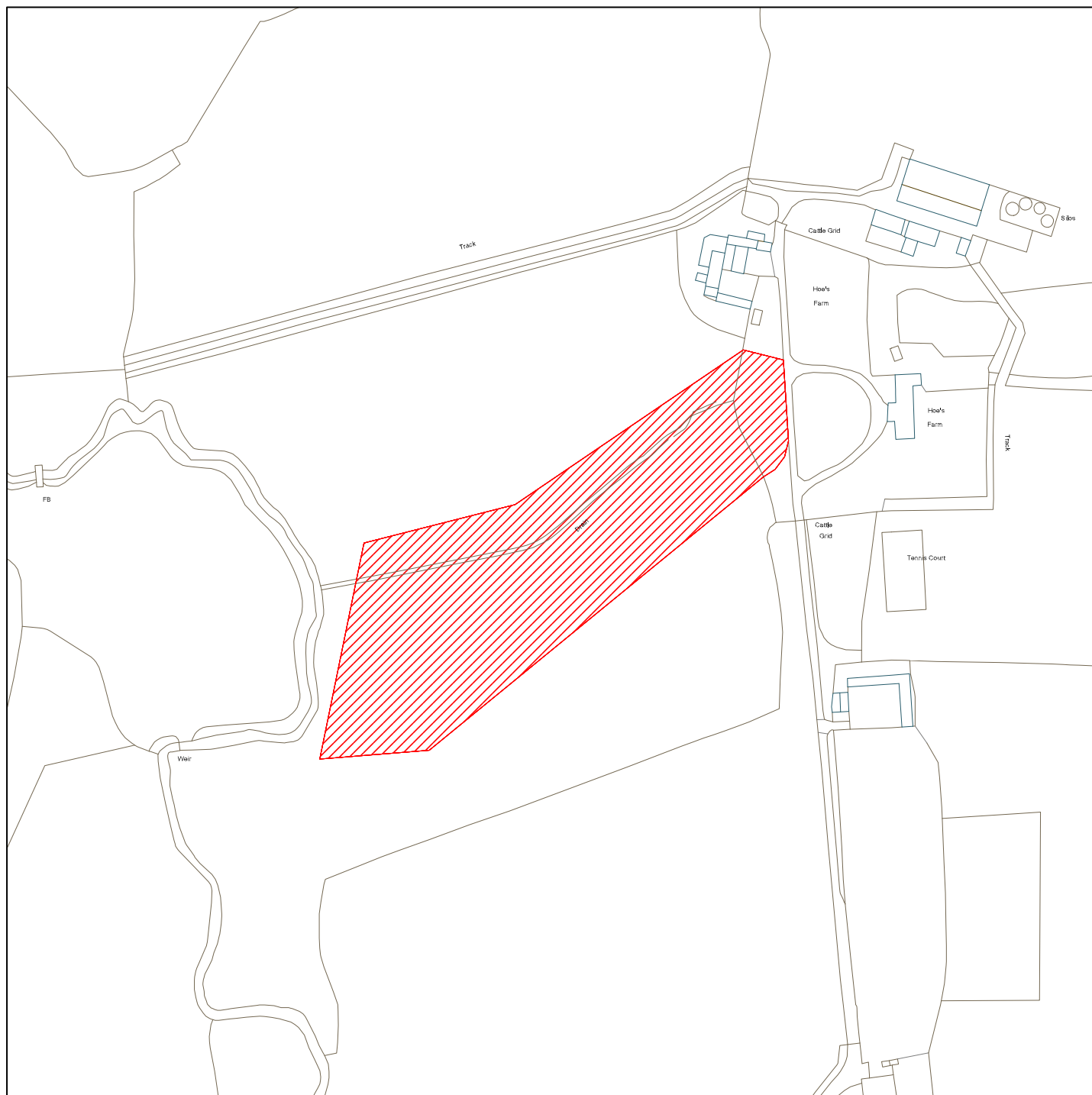
ICTN1 The proposal would not be obtrusive in the landscape or harmful to the visual quality of the area.

Background Papers: DC/13/1027

Case Officer: Kathryn Sadler

DC/13/1027

Hoes Farm



Scale : 1:2500

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Organisation	Horsham District Council
Department	
Comments	O/S EXTRACT
Date	07 August 2013
SLA Number	100023865



Horsham
District
Council

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee South
BY: Head of Planning and Environmental Services
DATE: 20 August 2013
DEVELOPMENT: Erection of stables and construction of sand school
SITE: Well Farm Adversane Billingshurst West Sussex
WARD: Billingshurst and Shipley
APPLICATION: DC/13/1015
APPLICANT: Mr John Fry

REASON FOR INCLUSION ON THE AGENDA: Category of Development

RECOMMENDATION: To approve the application subject to conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks to replace the existing stables on site which will become part of the calf rearing unit and construct a new stable block in a different location with an associated sand school. The new stables would be positioned 30m to the south-west of the farmhouse with the sand school located 7.5m further south. There would be no change to the access to the site from the highway.
- 1.2 The proposed stable block accommodates 7 stables, a corner tack room and 3 open bays for hay storage around a central courtyard. The stables would have a maximum height of 3m above ground level and be constructed of brown weatherboarding and brown felt tiles.
- 1.3 The proposed sand school would measure 25m x 60m and requires minor earthworks to level the ground. It would be enclosed by a post and rail fence to 1.25m high and would have land drain pipes to a new soakway for drainage.

DESCRIPTION OF THE SITE

- 1.4 The site is located outside the built-up area in the countryside. The area of land affected by this application currently comprises a detached two storey farmhouse, tool/store shed with adjoining stables, and open fields used for grazing. There is also scattered machinery parked in the vicinity of the existing stables.

- 1.5 The site adjoins farmland to the east, south and west boundaries and adjoins a country lane to the north that provides access to the B2133 and Adversane located further to the east of the site. There are no neighbouring farmhouses within the vicinity of the site.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 Relevant policy is contained within the National Planning Policy Framework, specifically paragraph 17 and 28.

RELEVANT COUNCIL POLICY

- 2.3 Policies CP1, CP2, CP3 & CP15 of the Horsham District Local Development Framework Core Strategy are relevant to the determination of the application.
- 2.4 Policies DC1, DC2, DC9, DC29 & DC40 of the Horsham District Local Development Framework General Development Control Policies Document are also relevant to the determination of the application.

PLANNING HISTORY

BL/105/86	Farmhouse & double garage (a r m) (From old Planning History)	PER
BL/58/87	Farmhouse & double garage (a r m) (From old Planning History)	PER
BL/59/86	Erection of an agricultural dwelling (outline) Comment: Agricultural occupancy condition (From old Planning History)	PER
DC/13/0347	Erection of stables and construction of sand school	WDN
DC/13/1003	Erection of livestock building	PCO
DC/13/1004	Erection of livestock and general purpose farm building	PCO
DC/13/1005	Replacement of existing livestock shed with a cattle housing building	PCO

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

- 3.1 The Environmental Health department has no objections to the proposal, but would recommend conditions to control the following:
1. Hours of work for installation of structures and curtilage to be restricted to 8:00 -18:00h Monday to Friday, 8:00 -13:00h on Saturdays; no working on Sundays or public holidays.

2. No burning of stable waste or other materials on site
3. Stable waste should be stored or composted in an area distant from adjacent properties.
4. Details of any external lighting of the site shall be submitted to, and approved in writing by, the Planning Authority prior to the commencement of the development.

PUBLIC CONSULTATIONS

- 3.2 Billingshurst Parish Council has no objection and made no further comments.
- 3.3 No other representations have been received to public notification on the application at the time of writing this report. Any further representations received will be reported verbally at the committee meeting.

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

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

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

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

6. PLANNING ASSESSMENTS

- 6.1 The main issues in the determination of this application are considered to be the principle of the development, the scale and form of the development, the potential impact on this countryside location and the neighbouring occupiers amenities.
- 6.2 At a national level the NPPF contains core planning principles that underpin decision-taking. This includes recognising the intrinsic character and beauty of the countryside and encouraging multiple benefits from the use of land in rural areas, meaning that some open land can perform many functions such as for recreation. It is considered the proposal meets this requirement and is an appropriate activity for the countryside location.
- 6.3 Policy DC1 states that outside built-up area boundaries development will not be permitted unless it is considered essential to its countryside location. However, this presumption against new development has to be balanced against the recognition that some forms of development, such as equestrian activity, are only appropriate in rural locations if environmental quality and character are maintained.
- 6.4 As such, policy DC29 states that planning permission will be granted for equestrian related development if:
 - a) it can be demonstrated that the re-use of existing buildings on site for any related equestrian use is not appropriate before new or replacement buildings are considered;
 - b) the proposal is appropriate in scale and level of activity, and in keeping with its location and surroundings; and

c) it does not result in sporadic development leading to an intensification of buildings in the Countryside particularly in an urban fringe location.

- 6.5 The current land owner moved to Well Farm in December 2012. Their main activity has been and will continue to be raising calves to be sold when 8-10 months old, in addition to a lambing flock. There are two existing buildings on site, one houses the existing stables and this is proposed to be used as part of the calf rearing unit. The other building is to be demolished. Three new buildings are proposed under separate applications and would also become part of the calf rearing unit. The erection of these buildings is not part of this application and is being considered separately under applications DC/13/1003, DC/13/1004 & DC/13/1005.
- 6.6 Hence, there is a need to erect a new stable block to accommodate the existing equestrian activity on the property. The owner is an experienced rider and has evented successfully in the past, with a main interest in dressage. The proposed stable block would be for her horses, children's ponies and for her mother who also rides most days. Therefore, it is considered that a replacement stable block for private equestrian use is reasonable in the circumstances of this case.
- 6.7 In addition, the scale and level of activity proposed is not considered to lead to an unreasonable intensification of buildings in the countryside location. The proposed stable block has a widened U-shape with a width of 19.7m and a depth of 16.2m along the northern end and 18m at the southern end. With a low roof pitch of 3m, the building is considered to be in keeping with its location and surroundings. There is also adequate spacing between the proposed stables, sand school and future barn development.
- 6.8 Due to the nature of equestrian related development, adequate provision should be made for the storage and disposal of manure. The proposal includes a manure compound 4.5m x 4.5m to the west side of the stables, which is distant from adjacent properties and the existing dwelling.
- 6.9 The proposal also includes the provision of a sand school to the south of the proposed stable block. A sand school existed on the site to the west side of the current stable building up until the 1990's but has since been grassed over. The proposed dimensions of 25m x 60m are considered acceptable for dressage.
- 6.10 The proposal is therefore considered to comply with paragraphs 17 and 28 of the NPPF and the relevant policies of the Horsham District Local Development Framework (2007).

7. RECOMMENDATIONS

7.1 It is recommended that the application be approved subject to the following conditions:

- 01 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

- 02 The stables hereby permitted shall be used solely for purposes incidental to the occupation and enjoyment of the existing property Well Farm.

Reason: The use of these stables independent from Well Farm would be contrary to Policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

- 03 The stables hereby permitted shall not be used for commercial purposes or in connection with any form of riding establishment.

Reason: In the interests of amenity, to enable the Local Planning Authority to regulate and control the development and in accordance with policy DC29 of the Horsham District Local Development Framework: General Development Control Policies (2007).

- 04 The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved details associated with the application.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

- 04 No external lighting or floodlighting shall be installed without the prior written approval of the Local Planning Authority. Any that is installed with the permission of the Local Planning Authority shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the locality and in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

- 05 No works or development shall take place until full details of all hard and soft landscaping works have been approved in writing by the Local Planning Authority. All such works shall be carried out in accordance with the approved details. Any plants which within a period of 5 years from the time of planting die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development and in the interests of amenity in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

- 06 No stable waste shall be burnt on the land.

Reason: To safeguard the amenities of neighbouring properties in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007)

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

Reason: To safeguard the amenities of nearby residents in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

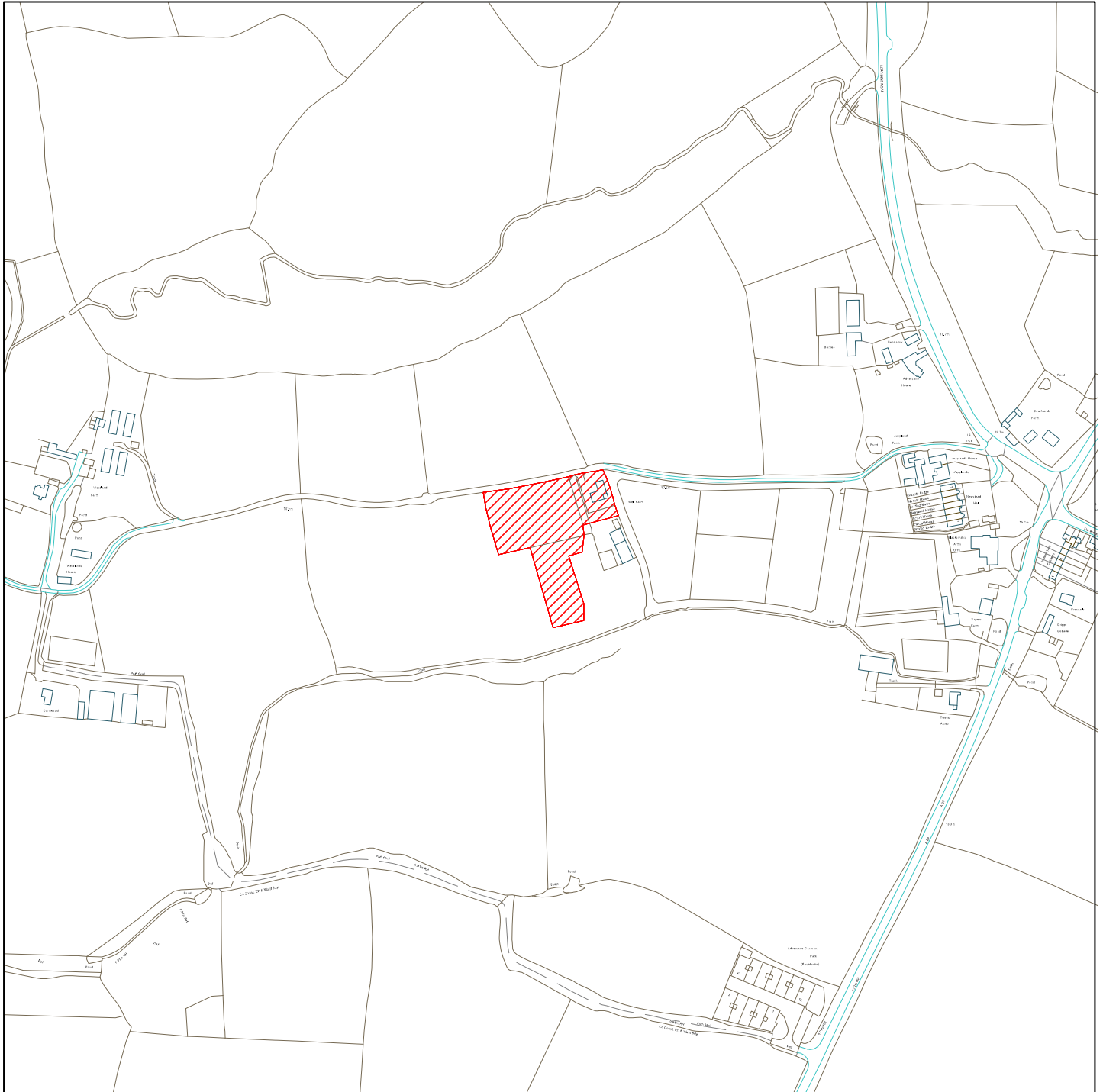
8. REASONS FOR RECOMMENDATIONS

ICTN1 The proposal would not be obtrusive in the landscape or harmful to the visual quality of the area.

Background Papers: DC/13/1015

DC/13/1015

Well Farm



Scale : 1:5000

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Organisation	Horsham District Council
Department	
Comments	O/S EXTRACT
Date	07 August 2013
SLA Number	100023865



Horsham
District
Council

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee South
BY: Head of Planning and Environmental Services
DATE: 20th August 2013
DEVELOPMENT: Demolition of existing buildings, provision of second access and formation of an equine hospital and associated facilities
SITE: Westlands Farm Billingshurst Road Ashington West Sussex
WARD: Chanctonbury
APPLICATION: DC/12/1276
APPLICANT: Mr Robert Van Pelt

REASON FOR INCLUSION ON THE AGENDA: Category of Development

RECOMMENDATION: To Grant Planning Permission

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

INTRODUCTION

1.1 The above application was heard at July's committee meeting where it was deferred for 1 month with a view to approval, to seek amendments to the scheme to try and overcome the concerns with regard to the impact on the neighbouring Listed Building. Officers contacted the agent of the application to request a meeting with Local Members and the Design & Conservation Officer and the Landscape Architect, however the agent declined a meeting and instead submitted a report (which is attached as Appendix A) and amended plans.

1.2 The alterations shown on the amended plans include:

- The Landscape Area has been extended around Priors Barn;
- A 2m high hedge would be established around the landscape buffer zone;
- The horse unloading quai would now have fully enclosed sides;

ASSESSMENT

1.3 The Design & Conservation Officer still maintains her original objection, however the Landscape Officer has requested that:

- A 2m high native species hedge be planted to the south of the sandschool,
- Native trees be provided intermittently along the western boundary,

- Details of the extent of hard surfacing under the two existing trees on site be determined via a Landscape Condition
- The horse unloading quai be moved within the car park area.

1.4 It is acknowledged that the National Planning Policy Framework encourages rural economic growth and paragraph 19 states “The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.” Paragraph 28 also has a similar thrust stating “Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- Support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;

1.5 However, the NPPF also states in paragraph 132 “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting”.

1.6 Therefore, a balance needs to be made whether the benefits of the development outweigh the harm caused to the heritage asset (Priors Barn). It is acknowledged that Priors Barn is a Grade II Listed Building which needs to be protected for future generations and its setting needs to be conserved. However, the applicant has provided a 6 – 7m landscape buffer to the side of the Listed Building and a 38m deep landscape buffer to the rear of the dwelling which does provide separation to the built form proposed. The main building would be sited approximately 46m from the listed building, the stables would be 58m away and the trot up lanes would be 60m away. The existing buildings on site are 55m and 60m away from Priors Barn. That means the proposal is approximately 10m closer than the current relationship on site. The existing barns on site measure approximately 7.3m in height, whereas the proposed buildings have varying ridge heights with the main building at 6.7 – 7.2m in height and the stable building at 4.26m in height.

1.7 It is acknowledged that the development will have some impact on the amenities of the occupiers of Priors Barn and the development will alter the character of this particular site. However, it is considered that overall the benefits of providing a state of the art equine hospital within Horsham District which would also bring jobs to the local area, a training facility for student vets as well as providing a valuable service to the local equine community thus reducing travel time to their current location in Arundel would outweigh the harm caused to the heritage asset. Officers have attached several conditions in order to mitigate the impact of the development on neighbouring occupiers by controlling such things as opening hours, hours of illumination, waste disposal, materials and landscaping.

1.8 The Parish Council, Neighbours and Consultees were notified of the amended plans on 2nd August 2013 and have 14 days to make further comment. It is acknowledged that Members considered this application at July’s committee meeting where they deferred for 1 month with a view to approval, to seek amendments to the scheme to try and overcome the concerns with regard to the impact on the neighbouring Listed Building. It is considered that the applicant / agent could have agreed to meet with Officers and Local Members where additional landscaping details could have been agreed and shown on the amended plans. However, the applicant has agreed that hard and soft landscaping could be conditioned and therefore the other details requested by the Council’s Landscape Architect

could be achieved on site. Therefore, it is considered that on balance the proposal is acceptable subject to a comprehensive landscape master plan being submitted through the imposition of conditions.

2. RECOMMENDATIONS

- 2.1 It is recommended that planning permission be granted subject to the following conditions:
- 1) A2 Full Permission
 - 2) J1 Use Limitation (Equine Hospital)
 - 3) M1 Approval of Materials
 - 4) D6 Finished Floor Levels
 - 5) E2 Fencing
 - 6) G4 Site Surfacing
 - 7) G5 Recycling
 - 8) H4b Construction Material Storage
 - 9) H6 Wheel Washing
 - 10) J7b Stables
 - 11) J8 Hours of Opening "0800 hours – 1800 hours Monday – Friday, 0830 hours – 1300 hours Saturdays only, other than for emergencies"
 - 12) O1 Hours of Working (including demolition)
 - 13) O3 Site Clearance
 - 14) Before development commences details of the surface for the sand school, trot up lanes and lung pen shall be submitted to and approved in writing by the Local Planning Authority.
Reason – In the interests of amenity and in accordance with DC9 of the General Development Control Policies 2007.
 - 15) L11 Works under canopies of retained trees "hardstanding"
 - 16) S4 Surface Water Drainage "and foul water drainage" (Option A)
 - 17) Deliveries and collections shall be limited to:
0800 – 1800 Monday to Friday;
0830 – 1300 Saturdays;
There will be no deliveries or collections on Sundays or Bank Holidays unless otherwise agreed in writing by the LPA.
Reason – In the interests of amenity in accordance with Policy DC9 of the General Development Control Policies 2007.
 - 18) Any open storage of animal waste or waste bedding must be stored at least 30 metres from any residential boundary to prevent odour transmission. The waste shall be removed from site by a licensed waste removal contractor regularly.

Reason – In the interests of amenity and in accordance with Policy DC9 of the General Development Control policies 2007.

- 19) Before work commences on site (including demolition), a survey shall be undertaken by a competent person to identify any asbestos or other hazardous materials contained either within the structure of the buildings or contained within them. The survey together with an appropriate remedial statement shall be submitted to and approved in writing by the LPA prior to the commencement of demolition works.

Reason – In the interests of health and safety and amenity in accordance with Policy DC9 of the General Development Control policies 2007.

- 20) Notwithstanding the approved lighting scheme, a detailed lighting management plan including:

- o The location of the lights;
- o The dimensions of the lights;
- o The angle and wattage of the lights;
- o The hours of use;

shall be submitted to and approved in writing by the Local Planning Authority. The agreed management plan shall be implemented thereafter.

Reason – In the interests of amenity and in accordance with Policy DC9 of the General Development Control Policies 2007.

- 21) No part of the development shall be utilised/occupied until the vehicular access onto Billingshurst Road serving the development has been constructed in accordance with the approved plan.

Reason – In the interests of road safety and in accordance with Policy DC40 of the General Development Control Policies 2007.

- 22) No part of the development shall be utilised / occupied until visibility splays of 2.4m by 165m to the east and 152m to the west have been provided at the proposed site vehicular access onto Billingshurst Road in accordance with the approved plans. Once, provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason - In the interests of road safety and in accordance with Policy DC40 of the General Development Control Policies 2007.

- 23) No part of the development shall be first occupied until such time as the sightlines and visibility sightlines and surfacing of the existing vehicular access onto Billingshurst Road serving the development has been improved in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety and in accordance with Policy DC40 of the General Development Control Policies 2007.

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

Reason: To provide adequate on-site car parking and turning space for the development.

- 25) No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:
- the anticipated number, frequency and types of vehicles used during construction,
 - the method of access and routing of vehicles during construction,
 - the parking of vehicles by site operatives and visitors,
 - the loading and unloading of plant, materials and waste,
 - the storage of plant and materials used in construction of the development,
 - the erection and maintenance of security hoarding,
 - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
 - measures to control the emission of dust and dirt during demolition and construction, lighting for construction and security,
 - details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area and in accordance with Policy DC40 of the General Development Control Policies 2007.

- 26) Notwithstanding the proposals shown on the submitted illustrative landscape proposals, prior to the commencement of the development full details of hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. These details shall be submitted concurrently as a complete scheme, unless otherwise agreed with the Local Planning Authority, and shall comprise:
- A detailed plan and specification for topsoil stripping, storage and re-use on the site in accordance with recognised codes of best practice
 - Planting and seeding plans and schedules specifying species, planting size, densities and plant numbers
 - Tree pit and staking/underground guying details
 - A written hard and soft specification (National Building Specification compliant) of planting (including ground preparation, cultivation and other operations associated with plant and grass establishment)
 - Existing and proposed levels for all external soft and hard landscape areas
 - Hard surfacing materials: layout, colour, size, texture, coursing and levels
 - Walls, fencing and railings: location, type, heights and materials, including full details of the acoustic fence and its staining
 - Minor artefacts and structures – location, size and colour and type of street furniture, signage, refuse units and lighting columns and lanterns

The approved scheme shall be implemented in full accordance with these details. Planting shall be carried out according to a timetable to be agreed in writing with the Local Planning Authority prior to commencement of the development.

Any plants which within a period of 5 years die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason : To ensure a satisfactory development in the interests of amenity in accordance with Policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007)

- 27) Prior to the commencement of development a detailed long term Landscape Management and Maintenance Plan for all landscape areas shall be submitted to and approved by the Local Planning Authority in writing.

The plan shall include:

- Aims and Objectives
- A description of Landscape Components
- Management Prescriptions
- Details of maintenance operations and their timing
- Details of the parties/organisations who will maintain and manage the site, to include a plan delineating the areas that they will be responsible for

The plan shall demonstrate full integration of landscape, biodiversity and arboricultural considerations. The areas of planting shall thereafter be retained and maintained in perpetuity in accordance with the approved Landscape Management and Maintenance Plan, unless any variation is approved in writing by the LPA.

Reason: To ensure a satisfactory development and in the interests of amenity and nature conservation in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

- 28) Prior to the commencement of the development full details of all underground services, including the position/layout, sizes and depths of service ducts, pipes, soakaways, manhole covers, and any above ground boxes/units shall be submitted to and approved by the Local Planning Authority in writing. These details shall demonstrate effective coordination with the landscape scheme submitted pursuant to conditions 26 and 27, and with existing trees on the site by submission of a plan overlaying these details on the landscape scheme. All such underground services shall be installed in accordance with the approved details.

Reason: To protect roots of important trees and hedgerows on the site in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007) and in the interests of visual amenity.

Note to Applicant

The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

3. REASONS FOR RECOMMENDATIONS

IDP1 The proposal is consistent with the provisions of the development plan.

Background Papers: DC/12/1276

Case Officer: Kathryn Sadler

BRETT INCORPORATED

PLANNING AND DEVELOPMENT SERVICES

LIMITED



24th July 2013
Our Ref.: 1583

Dear Kathryn,

Application DC/12/1276

Equine Hospital - Westlands Farm, Billingshurst Road, Ashington

I refer to the resolution of the Committee at its meeting on 16th July 2013 that unanimously supported the principle of this development but which was to defer consideration to the August meeting to ascertain whether the comments of the Landscape and Conservation officers could be addressed in the interim rather than dealing with the matter under delegation.

It is a shame that you did not have the opportunity to inform Members of the lengthy debate and correspondence with you over the past year where we had responded positively to all local concern and that of various consultees with amendments and additional information etc. Further, that we had investigated stopping up the existing access, which included the preparation of amended plans to show why this was not possible on animal welfare grounds etc and how we had amended the point of new access to suit the County Surveyor and the Tree Officer. We had also responded in great length to the two recent internal consultee responses, firstly disputing the merit of their respective claims but pointing out that we could not address their concerns about the bulk and positioning of the development because the scheme represents the conclusion of

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REGD IN THE UK NO: 4869163 VAT REG NO: 823523644

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extensive consideration to keep the development as small as possible whilst allowing for an adequate facility, which is what led us to request the Council determine the application in its present form, particularly as the delay in so doing is having serious financial consequences. However, I suspect had you attempted to explain these matters verbally then the application might not have been seen to be judged fairly in the public's eyes, so the Committee resolution to defer was, in these circumstances, entirely sensible and fair and will hopefully allow this application to be brought to a speedier conclusion than trying to resolve the matters under delegation as initially tabled.

For these reasons and to be as helpful as possible, I therefore set out below a full explanation of how we arrived at our final solution and will pass this to all Committee Members and the Parish Council so they have the opportunity to consider it before the August meeting. Might I suggest that this could usefully be attached to the Committee report with the added benefit of saving you time in the preparation of your report because I know you are very busy. Despite our request to deal with the application in its present form, one benefit of the Committee resolution is that I have managed to winkle out a further small, but I feel worthwhile, amendment that will no doubt be welcomed. I also offer up various options on the landscaping principles, which we expect to be conditioned to allow fully detailed consideration of these matters. We are not beholden to any particular scheme but I hope the rationale behind the illustrative route proposed will be accepted although we are happy to leave reasonable landscaping requirements, including any mounding, around Priors Barn to the owner of that property and Council to dictate.

Pre Application Considerations

The Applicant's expertise in this field of work and what is necessary to support that work, the inadequacies of its current premises and why Ashington is a good location in principle for its business, being almost centrally located to its business catchment area and served by a good road system, is well documented and, I believe, understood by all.

Neither my Practice nor the Applicant's had experience in designing a new purpose built equine hospital so we took advice from the Royal College of Veterinary Surgeons (RCVS), had regard to its obligatory standards, examined plans of new facilities across the Country, inspected two other recently developed purpose built hospitals and drew from the Applicant's experiences from its present site that made use of existing buildings in developing the current purpose built scheme.

It became obvious, mainly from those purpose built premises we inspected on the ground, that various serious deficiencies stemmed from poor liaison between the designers and users and inadequate consideration of key matters such that following those other designs was simply not viable. Examples of poor design included the necessity to demolish and rebuild new stable blocks because of poor internal construction that had the potential to harbour infection, x-ray and scanning facilities in separate buildings with insufficient height to cater for the largest horses and also remote from the operating theatre with no hope of transportation by trolley from one to the other, delicate specialized equipment getting damp and made un-useable because it is located within the theatre that is required to be washed down with hoses, staff washroom and preparation facilities remote from the theatre leading to potential contamination before surgeons get into theatre, inadequate internal drainage allowing wash down water to remain in-situ, inability or inadequate space to maneuver horses on trolleys between x-ray and theatre at times when an x-ray is necessary mid surgery, vets offices located remote from animals in their care resulting in difficulties in locating a vet whilst attending to animals that are scattered about the site and inconvenient positioning of the pharmacy requiring medicine with a limited shelf life etc being stored about the site with little control over quantities available in the premises as a whole resulting in significant waste.

Over a period of about 9 months, we therefore set out the crucial animal welfare and staffing ingredients of an equine hospital, which covers a whole multitude of matters ranging from secure and dry storage for equipment, being able to transport unconscious horses (which can weigh about $\frac{3}{4}$ tonne, exceed 2m in

height and are up to 2.5m in length) on trolleys with ease or hoist them with their legs in the air between the knock down room, operating table and recovery room, ensuring adequate internal ventilation and space in response to animal welfare and the skittish nature of horses, adequately controlling allocation of medicine etc, space for equipment or for general storage, the safety of staff and so on. The only facility that was perhaps a desirable addition to the pure hospital activity to support the overall welfare facilities currently in demand was the artificial insemination building but this has now been deleted from the scheme.

The current layout of the main building is centered around the pharmacy that will act as a hub for all staff to ensure the allocation of precise doses of medicine etc, with ease and efficiency of use as a priority bearing in mind the annual spend can exceed £750,000 and significant amounts are used in the pure equine facilities within the building. Accordingly, vets, nurses, theatre operatives and other authorized staff will collect only that amount of medicine from the pharmacy that is required for a particular case. The nurses work area, vets storage cages, equipment store, changing rooms for theatre staff, the theatre with its hatched access to the nurses room, knock down/recovery rooms, intensive care stables, ct, mri and gamma rooms are all located in this area because these facilities will make the most draw on medicine and need to be close to each other for convenience, efficiency and on animal welfare grounds to provide the correct flow for horses and staff within the building. A healthy, tranquil and stress free environment is an essential requirement for horses in need of care with sufficient internal space to lead horses freely around for their benefit as well as the safety of staff.

For example, an emergency case might be admitted into one of the two examination rooms on the eastern side of the building that are for new arrivals, then led for a scan etc as necessary before being taken to the pre-anaesthetic area to calm the animal. It is then led into the knock down room where it will be anaesthetised with the correct proportion provided by the pharmacy and put into the hoist by its feet and moved onto the immense operating table in the theatre with its legs held up in the air. Surgeons will prepare in the changing rooms and

scrub area with direct access into the theatre. During an operation they will be able to liaise with nurses in their workroom adjoining the theatre. Following the operation the horse will be hoisted into the recovery room where staff will bring it around and back onto its feet before being transferred to the intensive care stables adjoining the theatre where it will be monitored before being led ultimately to the open stables to the south where monitoring will continue before collection by its owner some days later. Although best avoided, during an operation it can prove necessary to carry out an x-ray etc, in which case the horse can be wheeled on the operating table into the relevant room, which is why the corridors are wide and these rooms have wider than average doors. It is essential that all floors in this part of the building are level and that, on the odd occasion when an animal cannot be saved, it can be trolled to the store immediately adjoining the western exit to await collection. Clinical waste will also be kept in this building to await licensed collection. This western exit will also be used for horses that need to be taken direct to the isolation stables following scanning etc that are on this side of the building. Unnecessary staff or equine movements in and around the isolation stables are avoided for the safety of staff as well as to avoid cross contamination etc in case of infection.

There is an overflow storage area above the laboratory because the Applicant considers it crucial that paper records are maintained. In this respect, computer technology enabling assessment of digitized records is incompatible with the conditions within examination rooms where records are often needed and where large horses can cause damage with ease and where there is a need for repeated intensive wash downs with hoses. Rather surprisingly, computer terminals had been installed within the examination rooms of new premises elsewhere but these were not used and nor were the associated computer worktops and cupboards. An early draft scheme prepared for this current site had separate computer rooms next to each examination room with hatches between but these proved too space hungry. Accordingly, they were removed and this part of the building now represents the optimum layout and size having regard to pedestrian and equine needs and flows etc. The building is as high as it needs to be to maintain temperature control naturally primarily for the welfare of horses

but not high enough to accommodate the hoist within the surgery and knock down/recovery rooms so the roof above this relatively small area has been raised above the remainder although to keep it as low as possible, the hoist gantry will form part of the roof construction. Likewise, in other rooms where high-level equipment is required, these have been kept close to the ridgeline where there is maximum height available. External openings have been kept to the minimum on security grounds, to be consistent with safe means of escape in the event of fire and also to avoid natural light ingress to rooms where such would not be conducive to the work carried on in the room.

There is an examination room in the southwest corner of the office building to serve the external stables to the south that will be used primarily to allow horses to recuperate after an operation within the main building. A ramp will lead down to the examination room inside the building to allow the use of trollied equipment etc. The main offices, toilets, service room and ancillary habitable accommodation has been reduced to the minimum compliant with the needs of this business and the requirements of the RCVS and can be made no smaller. Likewise the external stables and other facilities around the site have been kept to the minimum although, as mentioned earlier, the artificial insemination building has been deleted.

Having first established the "shopping list" of requirements including the optimum size of each room following an analysis of their function and size and amount of equipment they would contain etc, we sought to establish whether it would be possible to lay these out within the existing buildings and associated extensions. Despite exploring many alternatives, it proved impossible to achieve the layout adopted in this new build scheme, which is considered essential for a facility of this nature to operate with efficiency and to the highest standards of equine care demanded by the RCVS.

Apart from a few site-specific elements to take account of the topography of the site, this facility could operate as a blue print for any equine hospital because an immense amount of thought has been given to size and layout of rooms and

general facilities etc. The applicant requires a facility of this quality and nature to comply with the RCVS requirements and any less appropriate development is not worth pursuing at this or any other site. Indeed, Chichester District Council support expansion or redevelopment on its current site, and this would no doubt be cheaper for the applicant, but the highway and edge of catchment area problems with that site are, fortuitously for Horsham District, insuperable.

Because the existing buildings are on an artificial plateau built to take account of the original fall in the land to the south from the road frontage hedge, our initial application proposed setting the building into the ground by about a metre, which would have enabled the floor level at the southern end of the building to be approximately level with the stables to the south. However, we subsequently revised our approach following local concern about drainage and water table issues. At about this time the applicants existing premises were unexpectedly flooded, which caused immense operating difficulties and animal welfare dangers. The scheme was therefore amended to take account of local comment, amendments willingly made in the light of the applicant's experience at his current site such that it is now proposed to be built at existing ground level at the front of the site, which necessitated minor variations to the southern end of the building to take account of the topography of the site. The floor level of the equine examination room at the southern end of the building is at a lower level to the offices to ensure the gradient into the room from the stables across the vehicular access behind the building is acceptable for horses and to avoid a toppling effect for vehicles. This revised approach required an internal ramp between the examination room and the equine area of the building to ensure staff can use trollies to get equipment etc into the room. There is an external ramp for office staff etc to escape from the south of the building in the event of fire.

The positioning of the development on the site reflects various factors.

The need for a separate service yard that clients will not be able to access, for the storage of waste, waste collections including turning of large associated vehicles within the site to ensure they can enter and leave the highway in forward gear, removal of any dead horses, for vets to load their cars from the pharmacy and storage bins, deliveries to the pharmacy, to accommodate the isolation stables, avoid cross contamination by those in isolation to others and give equine access from the main building to the external stables. The natural area for this is to the west of the site with the added benefit that the use of the existing access would be reduced; an approach welcomed by the County Surveyor.

It is better to locate the service yard on the western side of the site next to the existing stables and other agricultural buildings in the adjoining property to the west and which adjoin the common boundary rather than next to Priors Barn.

To have regard to the siting of the existing buildings on the site. The main building does not extend beyond the eastern flank wall of the existing road frontage building facing Priors Barn. External stables have been kept as close as possible to the southern end of the main building, albeit on land lower than the main building, having regard to the need to provide rear access and an acceptable gradient between the two and keep them as close to the main building where operations will be carried out. They have now been moved as close as possible to the western boundary whilst allowing vehicular access for maintenance of the land primarily so as not to impede views south from Priors Barn. The artificial insemination building originally to the east of the stables was deleted at the same time the stables were repositioned. The sand school, trot up lanes and lunging ring are all surface features originally intended to be enclosed by post and rail fencing and each surrounded by hedging that would still allow uninterrupted views over them bearing in mind they are on much lower land than Priors Barn.

We now suggest that these facilities are not enclosed by their own individual hedges but that they are all contained by a single new hedge planted between the unloading ramp in the eastern car park and running just to their east to connect with the southern field hedge.

To allow a new safe access in an appropriate position, car parking and turning area along with a horse unloading ramp to serve the development as close to the highway as possible. The position of the new access has been amended for the reasons set out below but we attach amended plans of the ramp to show it will now have solid timber sides and will be topped with rubber matting to reduce and contain any noise from its limited use. It is intended that large vehicles or those with trailers will turn by using the turning area in front of it as well as utilizing the first part of the access that runs around the rear of the main building. Through careful layout it has been possible to maintain a landscaped area between the car park and Priors Barn but this is discussed later under Landscaping.

Our highway approach, involving a reduction in use of the existing access, improving its visibility and safety by removing the large Oak hard up against the highway and providing a new safer access for use by the majority, which was ultimately supported by our highway consultants commissioned as a result of the County Surveyor's requirement for a Stage 1 Safety Audit, who subsequently endorsed its supportive findings, has been adapted primarily as a result of addressing the Tree Officers concern about the potential adverse impact of the original point of access on the hedgerow trees. This was our preferred position for the access that we considered would not cause harm to adjoining trees, worked better with the parking and turning layout and kept it as far away from Priors Barn as possible but it was moved east to satisfy the Tree Officer. In turn, this allowed westerly visibility splays for the repositioned access to be increased that the County Surveyor welcomed as part of the safety audit considerations. Visibility to the east is extensive and far in excess of requirements. The extensive highway verge in front of the site will be

maintained free of vegetation over 600mm high to make considerable improvements to forward visibility around the bend to the benefit of all highway users. Neither the Safety Audit nor the County Surveyor consider our proposed gateway features to be necessary and would prefer to consider a general highway scheme outside the terms of this application in consultation with the Parish Council with whom it has been discussing the matter for some time.

Because the County Surveyor would have preferred the existing access stopped up at point of entry into the site, we explored the potential to do so through preparation of amended plans showing access to the service yard from the new access. Because the isolation stables are located within the service yard and it is unacceptable to have general vehicular movements past them to avoid danger to drivers, staff and cross contamination etc, it proved necessary to relocate the whole development about 7m to the south further into the field and into views from Priors Barn, to allow vehicular access in front of the main building. In turn this would have resulted in the removal of the trees in the centre of the site to allow access to the stables. It would also have created immense constructional difficulties, as the rear of the main building would then have been about 2m above the level of the repositioned stables and insuperable problems regarding appropriate and useable gradients between the two. A large proportion of the eastern car parking would have also been lost to allow for the swept path to allow large service vehicles round the north east corner of the relocated main building, precisely in the area where the original access was proposed, also resulting in surface works in proximity to trees that the Tree Officer would no doubt have considered as unacceptable as the impact of the original access in this position. Furthermore, service vehicles and the like are not considered appropriate to the client or equine environment on this side of the site and it proved impossible to separate the two.

Design

This development has been designed with a distinct agricultural flavour to reflect the site's existing character and kept as small as possible. The proportions of the buildings are architecturally correct and the roof of the main building has been increased in height only where it is necessary to accommodate the lifting gantry, which will form part of the fabric of the building. The introduction of a two-storey element resulted from drawing a balance between keeping the footprint and spread of the development to acceptable limits. The vertical impact of the second floor has been reduced by being partly covered by the two containing lean-to roofs either side characteristic of this style of barn. Windows at first floor level on the northern elevation have been kept as small as possible. A traditional clay tiled roof is proposed for one of the buildings on the road frontage to add variety and create interest. The stable design and other buildings are typical of such countryside structures. Indeed, there will be an eclectic mix of buildings that will reflect the traditional evolution of many farmyards as buildings of various designs have been erected to suit the changing needs of the enterprise. To all intents and purposes this development will appear as a traditional Sussex farmyard that has evolved over a number of years entirely consistent with its countryside setting.

This site has been in rural use with rural buildings on it for many years prior to the listing of Priors Barn. The site is currently vacant only because this development is being pursued but it is wrong to compare the proposed scheme development, and its impact on Priors Barn, with reference to a site in "quiet dilapidation" when Priors Barn has existed next to a site that has been, and can be expected to be, maintained and used to its optimum level. Neither continuing rural use of this site nor the proposed buildings will detract in any way from the character and setting of Priors Barn that has always been sited next to farm land. The rural character of the use of this site will continue with less impact on neighbours than an agricultural counterpart that would be noisier, resulting amongst other things from the use of agricultural vehicles that are outside the regulatory emission controls for vehicles using public roads, smellier, operate for longer hours 7 days a week often at unsociable times and be generally less kempt

than that proposed. The current use will be clean, tidy, quiet and tranquil because these are absolute essential requirements for the wellbeing and care of sick horses.

Lighting

In response to queries about light pollution, we commissioned a specialist report rather than rely on satisfying an associated condition requiring appropriate details to be submitted before implementation, which is the normal method of dealing with such matters.

The instructions to the consultants were clear. Produce a scheme that ensures safety of users but avoids light pollution bearing in mind the working regime that may include the odd emergency admission at night but otherwise normal working hours throughout the year. To this end, low emission, no light plume LED lights are proposed. The finger posts will be made of oak with the face of the LED out of direct view in a recess directed down at the ground at about 45 degrees. The face of the LED will not be visible and there will be no visible light plume. It is only the ground that will be subject to a soft glow to allow safe access by pedestrians. These will be subject to movement activation outside normal working hours and put on various circuits to bolster the controls required by Environmental Health to ensure no more lights are on than is absolutely necessary. The external lights above the entrances to the examination rooms etc are also of the LED type and face down at about 45 degrees. It is accepted there are a good number of finger posts but overall they will not be intrusive compared to fewer normal lights that have intense and visible light plumes covering larger areas.

Hard and Soft Landscaping

It is our view this matter is best left to be dealt with by condition. We have endeavoured to steer middle ground in terms of screening the development from Priors Barn, which has high conifers along part of its western boundary, and maintaining views. There is a small proportion of the western side of the house that is visible through other existing landscaping but the landscaping within the

applicant's land has been kept deliberately low by previous owners to ensure Priors Barn has views to the south across their land. The provision of landscaping does not require planning permission but landscaping within the development site adjacent to the western and southern boundaries of Priors Barn can be controlled through the application of an appropriate landscaping condition, which could be to the distinct advantage of Priors Barn in ensuring maintenance of southerly views that could otherwise be obstructed by landscaping carried out outside planning control. The applicant does not object to Priors Barn maintaining southerly views across its land but it would be perverse if the application were resisted because the outlook from that property changed marginally as a result of this development when those reasons could be overcome simply by providing additional landscaping without planning permission to block that outlook altogether. Overall, it seems the outlook of Priors Barn will be better protected by supporting the current development, which has in any case been laid out to protect that outlook, by imposing a condition regarding required landscaping of choice.

Landscaping to the east of the car park up to the western boundary of Priors Barn originally included a small informal mound (less regimented or robust than a bund) to emphasise the screening effects of the landscaping and to act as a physical buffer to the use of the car park and unloading ramp despite noise from the existing use of the site being channeled between the two buildings towards that property for many more hours than will occur from the proposed use. This was deleted at the request of Priors Barn. However, we are happy to reinstate it and we have also fully enclosed the sides of the unloading ramp and will provide a rubber wearing mat to reduce noise from that facility.

Apart from the new entrance that will be of tarmac to avoid material being transported onto the highway, the eastern car park will be mostly porous and of rustic finish with Fittleworth stone or the like. The service yard is already mostly concreted and this will be retained if possible.

The eastern car park will be screened almost entirely from view by the road frontage hedge that will now be maintained and at a height of 3m to the same height as the eaves of the main building, which represents a reduction in 1m from the eaves height of the existing building that is at 4m above ground level. (The ridgeline is 600mm above the existing ridge).

There are objections to the removal of a short length of hedge to provide the new access but not all the car park will be visible through the gap that will be provided with return hedging into the site. Taken together with the new maintenance regime for the hedge that will now be kept at 3m in height, it is not felt the loss of a small amount of hedge will be demonstrably harmful in itself or open up any harmful views into the site. In any case the small amount of car parking that will be visible through the small gap will be against a backcloth of new hedging and landscaping to the south of the car park. It is also crucial that this issue is balanced with the compelling case that the new access is essential irrespective of use to which the land is put and its provision will result in significant improvements to the safe use of the site by vehicles. The County Surveyor has made it clear he would prefer the existing access stopped up and would therefore object if this development relied solely on the use of that existing access. The new access will not therefore be deleted from the scheme, particularly as we consider the objections to hedge removal to be unfounded, insufficient to prevent this scheme from proceeding or to prevent the significant benefits arising from the new access irrespective of what use this site is put to.

Drainage

Details have been submitted in response to public query and we propose a reed bed, to be designed and located to the direction of specialists, to compliment and comply with other controls exercised under the Building Regulations. This will allow for proper drainage of the premises as well as improving the ecology of the land.

General Impact

Tremendous efforts have been made to rationalize this development in the context of the requirements for the facility itself and the constraints on and about the site that is located in an ideal position for this rural based business. We have responded positively to almost all that has been raised by the local community but we cannot dispense with the new access to avoid the loss of a short length of hedge and remain willing to respond positively to the landscaping requirements of the Council and Priors Barn, be that to landscape out views across the site from that property or preserve them. The southerly views that it will have of the site will be over the sand school etc, typical features in the countryside that will not demean the character and setting of that rural property. Furthermore, these ground-based structures will be on lower ground than the house and will not obstruct views. The buildings will not be readily apparent, although they too have a rural character. The neighbour to the west welcomes this development because she is conversant with the applicant's existing site and knows it will be quiet and less intrusive than agricultural use of the land, despite the service yard being next to her property that is likely to be noisier and more active than the use of the eastern car park. She welcomes the improvements to the safety of the existing access. The site will retain its rural character, sit comfortably next to Priors Barn, others around and in the area generally, have safe access and result in improvements to general highway safety on Billingshurst Road that will be of benefit to many.

Policy

The Planning Act requires applications to be determined in accordance with development plan policy unless material considerations indicate otherwise. The development plan comprises the LDF so the NPPF, with its golden thread of a presumption in favour of sustainable development and economic role for planning, is a material consideration that must carry significant weight in this matter because the LDF should have been updated to fall in line with it by April this year. Councils are also encouraged to act strategically with neighbouring councils on sustainability issues; particularly important with this case that will

improve the sustainable characteristics of this business by reducing considerably associated traffic flows by moving to the centre of its business catchment area.

This type of development demands a countryside location and is therefore supported in principle by policy. There are however other policies that must be balanced out and aimed at protecting the countryside for its own sake as well as the amenity and outlook etc of neighbouring properties, the character and setting of heritage assets and highway safety etc.

In coming to a decision on this application, it is essential that a proper balancing exercise be carried out with all the separate issues arising from this development. In this respect it will:

Be appropriate and necessary to its countryside setting.

Maintain the rural flavour of the site with an eclectic mix of agriculturally styled buildings found so often in farmyards that have evolved over a number of years with individual buildings designed to suit specific and varying functions.

Provide much needed new safe access to the site that the majority will use, improve the safety of the existing access by reducing traffic flows over it and enhancing visibility in both directions along the road and improve highway safety for all users of this stretch of the road by maintaining the highway verge to ensure vegetation no longer prevents forward visibility around the bend.

Operate for fewer hours than an agricultural counterpart and mostly within normal working hours.

Be less smelly than an agricultural counterpart.

Operate quietly because this is a low key tranquil use with almost all activity contained within the buildings.

Overall, have less impact on neighbours than an agricultural counterpart.

Bolster this particular business.

Bolster local and rural employment in general.

Bolster the local economy at a development cost of about £1.5M.

Support local services in the village and surrounding area.

Ensure the proper maintenance of the road frontage hedge at a height of 3m.

Ensure additional landscaping on and about the site to suit the Council's and neighbours reasonable requirements where none is likely from continuing agricultural use.

Improve significantly the strategic sustainable characteristics of this business and reduce its carbon footprint by reducing travel for the business and clients alike.

Allow for enhanced welfare of horses in the District, particularly by avoiding emergency cases getting stuck in traffic as occurs at the applicant's present site.

Enhance the ecology of the site through the construction of a reed bed.

Improve drainage of the site.

Be unique to this part of Sussex and Horsham District thereby bolstering the Council's capacity to draw business etc into the District where employees or residents can benefit from this facility and the mix of other facilities already available in the District.

We accept there will be some impact from this development to counteract the benefits referred to above but we consider these to be related solely to the physical attributes of the development that is to replace existing buildings on this site, against which the new must also be balanced. The need for this development has arisen directly from the increase in horse ownership in this rural area. The development will be seen but there are many large agricultural buildings of greater size and other forms of development that must have their place in the countryside if it is to function and continue to evolve and meet the needs of those who live and work in it.

The applicant has ensured this development is as small as it can be and has had as much regard as possible to the constraints on and about this site. Landscaping can be to the Council and Priors Barn's reasonable requirements for them to decide the extent of landscaping and whether it includes any buffer mounds and preservation of views etc.

When all the issues are put into their proper balance, we sincerely hope the Committee will accept we have done all we possibly can to mitigate any adverse impact, build on the robust in principle support at the previous meeting and approve this application with appropriate conditions to control lighting, landscaping, drainage, materials and the use of the premises to an equine hospital.

Yours sincerely,



Simon Brett



Horsham
District
Council

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee South
BY: Head of Planning and Environmental Services
DATE: 16th July 2013
DEVELOPMENT: Demolition of existing buildings, provision of second access and formation of an equine hospital and associated facilities
SITE: Westlands Farm Billingshurst Road Ashington West Sussex
WARD: Chanctonbury
APPLICATION: DC/12/1276
APPLICANT: Mr Robert Van Pelt

REASON FOR INCLUSION ON THE AGENDA: Category of Development

RECOMMENDATION: To Refuse Planning Permission

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks consent to demolish the existing agricultural buildings, provide a second access to the site and create an equine hospital which would involve the erection of the main building comprising of the reception, waiting room, operating theatre, examination rooms, x ray rooms, offices, pharmacy, MRI, CT and Gamma rooms and within the roof space of the building would be a staff rest room, bedsits and dormitory. There is also a main stable building, bone scan stables, hay and feed store, waste building, clinical waste store, trot up lanes, sandschool, lung ring, 43 car parking spaces, horse unloading quai and a fully landscaped area to the east of the site.
- 1.2 The front part of the main building on site would measure 33m by 41.4m and would have a ridge height of 6.7m – 7.2m depending on ground levels. The rear element would comprise of a higher middle element which would measure 8m by 36.5m with a ridge height of 8.8m and two single storey elements either side measuring 4.5m by 35m and with ridge heights of 5.4m and 5.8m. The main stable building would consist of two blocks measuring 11m by 21m each with ridge heights of 4.26m. They would be attached to each other via a nurses station link building. There would be two isolation stables on the end and a farrier's forge. There is also a smaller stable building (small bone scan stables) proposed which would measure 11.6m by 11.6m and would have a ridge height of 4.4m. The proposed hay and feed store building would measure 7m by 15m and would have a ridge height of 4.15m. The waste storage building would measure 5m by 8m and would have a ridge height of 5m.

The sandschool would measure 41m by 21m and would have post and rail fencing around the periphery of the site. The lunging ring would measure 11m by 11m and would also be surrounded by post and rail fencing.

DESCRIPTION OF THE SITE

- 1.3 The application site is located within a countryside location and to the south of Billingshurst Road. The site currently consists of Three agricultural buildings of varying sizes measuring approximately 32m x 15m, 30m x 18m and 20m x 15m giving a total floor area of approximately 1340 square metres. The highest building has a ridge height of approximately 7.3m. The buildings were all part of Westlands Farm with the farm house being located to the north west of the site. However, the farm buildings have recently been sold off separately to the farmhouse. The yard area around the existing buildings has hard standing, the rest of the site is down to pasture.
- 1.4 There is currently a vehicle access point to the north west corner of the site. The front boundary of the site consists of a native hedgerow and there are numerous mature oak trees within the highway verge.
- 1.5 The site is fairly flat but does drop away to the south. The field boundaries consist of native hedgerows with the occasional oak tree. To the east of the site is Priors Barn a grade II residential listed building and its associated curtilage. The original Westlands Farmhouse is located to the north west of the site and Bennetts Farm a Grade II listed building is located on the northern side of the B2133 (Billingshurst Road).

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 The National Planning Policy Framework 2012

Paragraph 18 states “The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country’s inherent strengths and to meeting the twin challenges of global competition and of a low carbon future.”

Paragraph 19 states “The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.”

Paragraph 28 states “Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- Support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;

- Promote the development and diversification of agricultural and other land-based rural businesses;
- Support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.”

Chapter 12 (Conserving and Enhancing the Historic Environment)

Paragraph 132 states “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting”.

Paragraph 133 states “Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.”

RELEVANT COUNCIL POLICY

- 2.3 The following policies of the Local Development Framework Core Strategy (adopted February 2007) are relevant in the assessment of this application:
CP1 – Landscape and Townscape Character and CP15 – Rural Strategy.
- 2.4 The following policies of the Local Development Framework, General Development Control Policies Document (December 2007) are relevant in the assessment of this application:
DC1 – Countryside Protection and Enhancement, DC2 – Landscape Character, DC9 – Development principles, DC13 – Listed Buildings, DC26 – Replacement Buildings for Commercial Uses in the Countryside, DC29 – Equestrian Development and DC40 – Transport & Access.

PLANNING HISTORY

AS/5/66	Extension of existing dutch barn Comment: Outline (From old Planning History)	PER
AS/26/95	Prior notification to erect barn Site: Westlands Farmhouse Billingshurst Road Ashington	REF
AS/30/95	Prior notification to erect an agricultural building Site: Westlands Farm Billingshurst Road Ashington	REF
AS/22/96	Prior notification - erection of agricultural barn Site: Westlands Farmhouse Billingshurst Road Ashington	REF
AS/28/96	Erection of a barn Site: Westlands Farm Billingshurst Road Ashington	PER

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

- 3.1 Strategic & Community Planning has stated “This proposal seeks the demolition of existing buildings on the Westlands Farm site to accommodate the development of an equine hospital and associated facilities.

Policy CP15 of the Core Strategy, 2007 sets out the Councils overarching Rural Strategy. It is generally supportive of rural economic development, provided it is in keeping with the quality and character of the local area and contributes to the wider rural economy. Policy CP15 also states that development should be contained wherever possible in buildings which are appropriate for conversion or within the existing boundaries of the estate.

Policy DC29 of the General Development Control Policies DPD outlines the Councils position on equestrian development. The proposal appears to be in compliance with this policy, provided you as Case Officer are satisfied that the existing buildings could not be used for the proposed use. The proposal should also be in keeping with its location and surroundings and not result in an intensification of the countryside.

To conclude, the application appears to be acceptable from a policy perspective, however the need to protect the rural character of the Districts countryside is noted. You as the Case Officer should be satisfied that the application meets the requirements of the policies noted above, together with the criteria set in Policy’s DC1, DC9, DC23, DC26, DC39 and DC40.”

- 3.2 The Design & Conservation Officer has objected to the proposal as cumulatively, the size and scale of the barns, the car park and the main stable block proposed would cause harm to the heritage asset (Priors Barn) by negatively affecting its setting.

The application affects the setting of two listed buildings, Bennett’s and Priors’ Barn and thus should be determined in accordance with the above policies.

The agent has included a letter dated the 3rd June with regards to the requirements of para. 128 of the NPPF which states the applicant should “ *identify and assess the particular significance of a heritage asset that may be affected by a proposal, including development affecting its setting*”.

Significance is considered to be the sum of the cultural and natural heritage values of a place, as defined by its evidential value (the potential of a place to yield evidence about past human activity), historical value (the ways in which past people, events and aspects of life can be connected through a place to the present), aesthetic value (the ways in which people draw sensory and intellectual stimulation from a place) and communal value (the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory.) (English Heritage; Conservation Principles, policies and guidance 2008). The letter of the 3rd June assesses some of the context of the listed buildings and includes a copy of the list descriptions of both Priors’ Barn and Bennett’s, but does not fully address the requirements of para. 128 of the NPPF.

Setting is defined as “the surroundings in which [the asset] is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral”. (English Heritage “The Setting of Heritage Assets” 2011). This guidance concentrates on a five step assessment process and has been carried out for these observations.

Bennett's Farm

Bennett's Farm is a grade II listed former farmhouse described as 19th century it is list description, although as with many locally found 19th century building may contain an older timber frame. The house was the farmhouse for the immediately adjacent set of barns, converted during the 1990s. Together these have group value as being a typical traditional farmstead courtyard with farmhouse. They are separated from the application site by a mature hedgerows and the B2133, although can be glimpsed from the road. Historically the buildings do not appear to be connected to the application site (i.e. there are no ownership links or ancillary estate type buildings) and this with the separated nature of the site and limited opportunities of views to and from the site from the general vicinity of Bennett's' Farmhouse would mean that the setting of the assets would be altered by the development, but are unlikely to be harmed. Thus no objection to the application would be raised as in relation to the setting of Bennett's Farm, the application would be compliant with DC13.

Priors Barn

Priors Barn is a two storey three bay timber frame building, with some minor extensions to the rear. It is grade II listed and is typical of low Weald timber framed buildings. It sits within a domestic garden, off a short country lane leading from the B2133. It is immediately adjacent to Westlands Farm and can be viewed from numerous parts of the site. From the garden to the front, side and rear of Priors Barn, the majority of the application site can also be viewed, including the existing large agricultural barns. The outlook to the south and west of Priors Barn is largely of uninterrupted views of fields and hedgerows, with the large agricultural buildings on the site in view for part of the western outlook.

The countryside setting and views over hedgerows and fields contribute positively to the significance of the heritage assets and the views of listed building from the site are also through agricultural buildings, through a green paddock. The site is currently tranquil and although some machinery noise may have been appreciated from previous agricultural uses, currently the area is in quiet semi-dereliction.

The proposed development would include a substantial main barn building which would be closer to Priors Barn than the existing agricultural barns by almost ten metres and in one building, rather than afford the benefit of break up of the currently existing three main barns. The proposed horse unloading quai would be adjacent to the garden of Priors Barn, and would be visible in close range views. Also adjacent to the garden of the listed building a 37 space car park is proposed. A new entrance through an existing hedge would erode the character of the countryside at this point. There is proposed some landscape screening of the garden of Priors Barn, however the amount of development, especially in relation to the car park would urbanise the area. These elements of the development would be appreciably closer and more prominently viewed from the listed building, causing harm by negatively affecting the setting.

The currently uninterrupted views and tranquillity of the setting of Priors Barn would also be harmed by the development of the main stables to the south of the site. These would be large buildings in an area where currently no built development exists. The utilitarian appearance of the buildings in countryside setting, including their bulk, scale and siting would negatively impact on the listed building by causing harm to its setting. Concern is also raised as to the amount of lighting proposed.

In conclusion, cumulatively, the size and scale of the barns, the car park and the main stable block would proposed would cause harm to the heritage asset by negatively affecting its setting. This would not meet the requirements of a,b,c,d of DC13, and would

not sustain and enhance the setting of the heritage asset and be in conflict with chapter 12 of the NPPF.”

3.3 The Landscape officer has raised an on balance objection to this development proposal due to the cumulative adverse impact of the proposal on landscape character grounds, namely the impact of:

- The new access from Billingshurst Road resulting in the loss of a section of hedgerow (that in any case could be considered worthy of protection under the hedgerow regulations, due to the number of species found within a 30m stretch)
- The urbanising impact of a fairly large 37m space carpark
- The scale and bulk of the main building and new buildings extending beyond the existing farm building footprint and associated adverse impact/erosion of the rural character and setting of Priors Barn
- Sand school and trotting lanes on land of distinctive and attractive character of land at the southern edge of the farm which in itself has very attractive views southwards to the downs
- There will also be adverse visual amenity impact on the residents of Priors Barn
- Furthermore I note the lack of any existing and proposed levels to demonstrate how the the main building will be set down/cut into the site as shown on the amended illustrative street scene plan. Indeed I am doubtful this is a true representation as this does not seem to be born out by the elevations
- The bunding shown on one of the plans (it does not appear to have superseded) is most inappropriate to the landscape character of the area
- With regard to the planting as currently proposed it will take at least 15 years before it begins to afford any kind of effective screening
- No details have been provided of the associated reed bed treatment plant
- I would just finally advise that I would be willing to explore alternative solutions with the applicant that may be could reduce the adverse impact identified

3.4 Public Health & Licensing have no objection subject to conditions.

3.5 Public Health & Licensing’s comments on the lighting proposed: “The installation report would appear to support the assertions made by the consultant in the Obtrusive Light Report.

This Department has had confirmation from the Agent that all external light installations will be on movement sensors over night to provide illumination as and when needed, e.g. emergency admissions. Due to the rural location where motion sensor lighting could be triggered unnecessarily, this department would suggest therefore that the hours of operation of the external illumination are restricted to 08:00 to 18:00 (surgery hours), and only activated as needed outside of these hours to protect the amenity of neighbouring properties. (i.e. deactivate the motion sensors between 18:00 and 8:00, and switch on periodically for emergency admissions).

The applicant is further advised that compliance with planning conditions does not necessarily prevent action from being taken by the Local Authority or members of the public to secure the abatement, restriction or prohibition of statutory nuisances actionable under the Environmental Protection Act 1990 or any other statutory provisions.

The Environmental Health Commercial Team supports the application provided the above conditions, as well as those contained in previous responses, are adhered to.”

3.6 The Arboricultural Officer has no objection to the proposal and comments that:

- The new proposal sites the access some 25m or so to the east, between two smaller trees, numbered T10 and T11. The ground levels in this area are roughly equitable each side of the existing hedgerow; I found a variance of less than 300mm. The gap between the trees is 12.7m, allowing plenty of space for the 5m driveway proposed.
- All that is accordingly required is suitable provision for the protection of the lateral surface roots of each of these two trees, and to do this a standard above-ground construction will be required. Please note, this precludes the installation of underground services to the site in this area.
- I am happy in this case for the matter to be dealt with by condition, and accordingly recommend the use of standard condition L11 'Works under canopies of retained trees', the specific wording suitably amended.

OUTSIDE AGENCIES

3.7 The Highway Authority has stated that "In summary, based on the additional information provided, no highway objection would be raised. The Highway Authority has previously provided comments on this proposal. On the 10th August 2012 traffic flow information for the existing and the proposed use on Westlands Farm was sought. A Stage One Road Safety Audit was also sought. Further information was produced and the Highway Authority made further comments on the 6th March 2013. The additional information did include traffic flow information and a Stage One Road Safety Audit. However, the Highway Authority questioned whether the traffic flow data for both the existing and proposed uses were representative. Issues were also raised in respects of the Designers Response in connection with the submitted Road Safety Audit.

The Applicant has now provided further information. The following additional comments would be offered.

The main concern with this proposal relates to the retention and continued use of the existing access to Westlands Farm. This access has very limited visibility although improvements are proposed. Even with improvements visibility would still be substandard viewed against current design standards given the speed limit of the B2133 in this location. Whilst recognised that a new access is to be constructed, the Highway Authority's concern is that the current application would result in a more intensive use of this existing access with potential detriment to highway safety.

Estimates of traffic movements for the proposed use have been provided. These are based upon surveys of the existing hospital located near Arundel. The Applicant has also detailed how the existing and proposed accesses serving the proposed use would operate. The existing access point is being retained to provide access for servicing purposes primarily for large vehicles, for vets and as necessary for segregation purposes. The surveys submitted from the existing site indicate a low number of servicing movements by large vehicles (presumably courier movements would be made by small vans and could use the proposed access), totalling no more than 1 movement per day. For vets again, there seems no reason why the majority of these cannot use the proposed access. It is accepted that operationally the existing access would need to be used. Notwithstanding the concerns regarding the information for previous uses on the Westlands Farm site, it is accepted that this proposal would result in relatively few movements through the existing access. All other movements will use the proposed vehicular access, which is recognised as having significantly better visibility compared with the existing access.

The use of the accesses would be potentially difficult to control via condition. Measures could still be implemented to manage vehicular access to the site. This is pertinent given

the comments of the Safety Auditor in relation to the continued use of the existing access. It would not be unreasonable, for example for signage to be included at the two access points or for information for visitors and deliveries to be contained on the website (detailed access information is already available for the existing site). Given that the existing access is to be used on a low key basis, for the purposes of site security it may well be that this would be gated for the majority of the time. As stated within the supporting statements, for operational purposes it would seem to be in the Applicants interests to attempt to introduce some form of control on the use of the accesses.

References are made to the provision of a gate way feature. Gate way features can influence vehicle speeds and are typically sited on the entrance to the built up area. However the proposed gate way would be sited some distance away from the built up area of Ashington. The gate way as shown would therefore have limited purpose. The Highway Authority are aware of the accident cluster on the B2133 and investigations are being undertaken as to the feasibility of an accident injury prevention (AIP) scheme. It is recommended that a contribution is sought towards a possible AIP scheme as opposed to a specific gate way feature.

In conclusion, the existing access serving Westlands Farm is recognised as being very substandard. The Applicant is proposing a new access point and this would be used by the majority of vehicles visiting the proposed hospital. Whilst it would be desirable for the proposed hospital to be served via the new access point only, the current proposal would result in a relatively few vehicle movements though the existing access. Given former uses that have operated on the site, it is not considered that this proposal would give rise to any significant intensification.”

- 3.8 Southern Water has commented that “There are no public sewers in the area to serve the development. The applicant is advised to examine alternative means of foul and surface water disposal.”
- 3.9 Natural England has commented that the description and location of the development suggest that an assessment for biodiversity interests needs to be considered.
- 3.10 WSCC Ecologist has commented that “Whilst there is no ecological objection to the principle of development in this location there is some concern regarding the impact of retained trees. The proposed access will run over the root plates of two trees and there does not seem to be any arboricultural assessment in accordance with BS5837:2012 and Q15 of the application form. There are a number of other impacts on tree roots within the Root Protection Area. Consequently, I would ask that prior to the determination of this application HDC’s Tree Officer reviews these proposals.”
- 3.11 The Environment Agency has no comments.

PUBLIC CONSULTATIONS

- 3.12 Ashington Parish Council support the application. There are a number of issues that the Parish Council would like addressed:
 - 1. Lighting – there appears to be a large amount of lighting, some of which appears to be obstructing the path of vehicles. There are no details of operational hours for the 58 proposed external lights. The Council is concerned about light pollution in this rural location.
 - 2. Highways – the Council is still concerned about highways safety, particularly with use of the existing access by staff and service vehicles. WSCC should advise on this aspect.
 - 3. Given that the roof height is higher because the main building is

now not proposed to be dug into the ground it is suggested that the colour of the roof be in sympathy with the environment otherwise it will be highly visible.

4. No details of proposed drainage have been supplied.

3.13 4 letters of support have been received on the grounds of:

- The existing facilities are cramped;
- The veterinary requires purpose built facilities;
- Getting to Ashington would be much easier than travelling to Arundel as you wouldn't get stuck on the A27 at Arundel;
- They offer an extremely high level of professional and caring service to equines and their owners alike.
- The veterinary facility will not have any effect on the number of accidents on this road. It makes a huge difference to have your horse/pony treated quickly and professionally and I am sure that every effort will be made by the Partners of The Arundel Equine Hospital to take into account and carefully consider the views of their immediate neighbours in this new location;
- Increase economic benefits;
- Increased road signage will help slow traffic down;

3.14 1 letter of comment has been received stating:

- To date the applicant has taken our interests into account notably in the siting of the units to avoid spoiling our privacy;

3.15 5 letters of objection have been received on the following grounds:

- Highway Safety;
- The existing and the new second access onto the B2133 is dangerous;
- Insufficient Visibility Splays;
- Increase in Traffic;
- Loss of Privacy to Priors Barn;
- The scale of the project would be out of keeping with the immediate neighbourhood;
- Increase in noise and smells;
- The proposed landscaping bund to screen the car park is welcomed;
- Large Car park;
- Drainage;
- Impact on Trees;
- Concern at the number of outside lights proposed (58);
- Impact on Listed buildings;
- The amended plans show the building on a higher ground level thus increasing the overall height by 1m;
- The amended plans show the removal of 2 mature oak trees to increase visibility splays;
- Impact on countryside;

3.16 No other representations have been received to public notification on the application at the time of writing this report. Any further comments received will be reported verbally at the committee meeting.

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

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

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

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

6. PLANNING ASSESSMENTS

- 6.1 The main issues in determination of this application are considered to be the principle of the development, the effect of the development on the amenity of nearby occupiers, highway safety, trees, the adjacent listed buildings and the visual amenities and character of the rural area.
- 6.2 The applicant currently operates from premises at Ford in West Sussex as The Arundel Equine Hospital with the practice benefiting from accreditation by the Royal College of Veterinary Surgeons. The business was established in the 1950's, the three directors are currently supported by an additional twelve veterinary surgeons. Only two are permanently based at the hospital with the other thirteen visiting clients' horses at their stables. There is a nursing and clinic team of eleven, five laboratory technicians, a reception team of five and six administrative staff.
- 6.3 The hospital continues to develop and improve its services and currently includes full in patient facilities with 24 hour veterinary supervision and nursing care, digital radiography, high resolution ultrasonography, video endoscopy, scintigraphy, operating theatre and an onsite laboratory. The applicant has stated that as the services have expanded, it has become clear that the existing facilities are now less than ideal because they occupy former agricultural buildings that are not ideally suited to the needs of the equine equipment, patients or the staff.
- 6.4 The applicant has been searching for several years for alternative premises more suited to the needs of the business and more centrally located to its catchment area. The catchment area stretches from Chichester to Peacehaven up to Midhurst and Crawley. The applicant states that the majority of clients are located to the north of the A27 and therefore the business is troubled by travel difficulties associated with congestion on the A27. Animal welfare issues are also emerging as it is impossible to make a prompt emergency admission during the day due to congestion around Arundel. There is a need to turn some horses out into paddocks for rest or for controlled exercise in the sandschool or trot up lanes following surgery there is also a need for a quiet tranquil environment in order for the horses to make the best recovery. Therefore, the search has been limited to rural areas. The applicant has attempted to locate the business where existing buildings could be converted to serve the needs of this specialised business but none have been found and it was concluded that purpose built premises would be required.
- 6.5 There are a number of large agricultural buildings currently on the site which have more recently been used for equestrian purposes and the previous owner's trawler business. The new replacement buildings would provide a new state of the art equine hospital accredited by the Royal College of Veterinary Surgeons (RCVS). The services on offer would include dentistry, diagnostic services, hospitalization facilities, internal medicine, laboratory services, lameness evaluation, stud medicine, surgical and associated facilities. The RCVS regulates the standards required to be maintained in respect of the facilities on offer for equine patients and staff before businesses are accredited. The applicant states

that this has influenced the layout of the buildings and the facilities proposed. There is also a requirement for facilities to have an educational role for university students and they must be able to stay at the premises to experience emergency admissions that may involve night work.

- 6.6 The Highway Authority originally raised an objection to the proposal due to highway safety concerns. However the applicant submitted a Transport Planning Statement, traffic flow information, Stage One Safety Audit and a revised plan moving the position of the new access further to the east which allows for increased visibility to the west. The Highway Authority are satisfied with the information submitted and now have no objection to the proposal. The applicant has also removed the bund on the eastern boundary in response to the concerns raised by the adjoining neighbour although landscaping in this area would still be proposed. The artificial insemination building has been deleted at the request of officers as this building was directly behind Priors Barn and affected their outlook.
- 6.7 Public Health and Licensing have no objections to the proposal provided the lighting scheme for the car park is restricted to 08:00 to 18:00 (surgery hours), and only activated as needed outside of these hours to protect the amenity of neighbouring properties. (i.e. deactivate the motion sensors between 18:00 and 8:00, and switch on periodically for emergency admissions).
- 6.8 The Arboricultural Officer has raised no objections to the proposal as the amended plans sites the access some 25m to the east, between two smaller trees, numbered T10 and T11. The ground levels in this area are roughly equitable each side of the existing hedgerow. The gap between the trees is 12.7m, allowing plenty of space for the 5m driveway proposed.
- 6.9 The Landscape Officer has raised concerns at the proposal due to the loss of a section of hedgerow at the new access, the urbanising impact of a fairly large 37 space car park, the scale and bulk of the main building and new buildings extending beyond the existing farm building footprint and associated adverse impact/erosion of the rural character and setting of Priors Barn. The application also lacks existing and proposed levels to demonstrate how the main building will be set down/cut into the site. However, it is considered that these concerns could be overcome through a re-design of the scheme and a more comprehensive landscape proposal to integrate the buildings into the landscape.
- 6.10 The Conservation Officer has objected to the proposal as the main barn building would be closer to Priors Barn (a grade II listed building) than the existing agricultural barns by approximately ten metres and in one building, rather than afford the benefit of break up of the currently existing three main barns. The proposed horse unloading quai would be adjacent to the garden of Priors Barn, and would be visible in close range views. Also adjacent to the garden of the listed building is a 37 space car park which is considered to urbanise the area. These elements of the development would be appreciably closer and more prominently viewed from the listed building, causing harm by negatively affecting the setting. The horse unloading quai would also be sited within close proximity to Priors Barn and this has the potential to cause harm to the amenities of the occupiers of the dwelling.
- 6.11 The Conservation Officer also considers that the main stables to the south of the site would harm the setting of Priors Barn. The stable building is a large building in an area where currently no built development exists. The utilitarian appearance of the buildings in this countryside setting, including their bulk, scale and siting would negatively impact on the listed building by causing harm to its setting contrary to Policy DC13 of the General Development Control Policies 2007 and Chapter 12 of the NPPF.
- 6.12 It is acknowledged that the applicant has spent a long period of time trying to find an appropriate site for the relocation of this equine hospital and throughout the course of the

application, has removed the AI building from within the outlook of Priors Barn and has amended the proposal in order to address the Highway Authority's comments regarding the provision of the new access. It is considered that the principle of this development on this site could be supported as the NPPF and Policy CP15 seeks to support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings. However, the concerns of the Landscape Officer and the Listed Building Officer need to be addressed in order for the Local Planning Authority to support such an application.

- 6.13 As the application stands, it is considered that the proposal would have a cumulative landscape and visual impact on the character of this rural area and would harm the setting and residential amenities of Priors Barn a Grade II Listed Building contrary to policies CP1 of the Core Strategy 2007 and policies DC1, DC2, DC9 and DC13 of the General Development Control Policies 2007.

7. RECOMMENDATIONS

7.1 It is recommended that planning permission be refused on the following grounds:

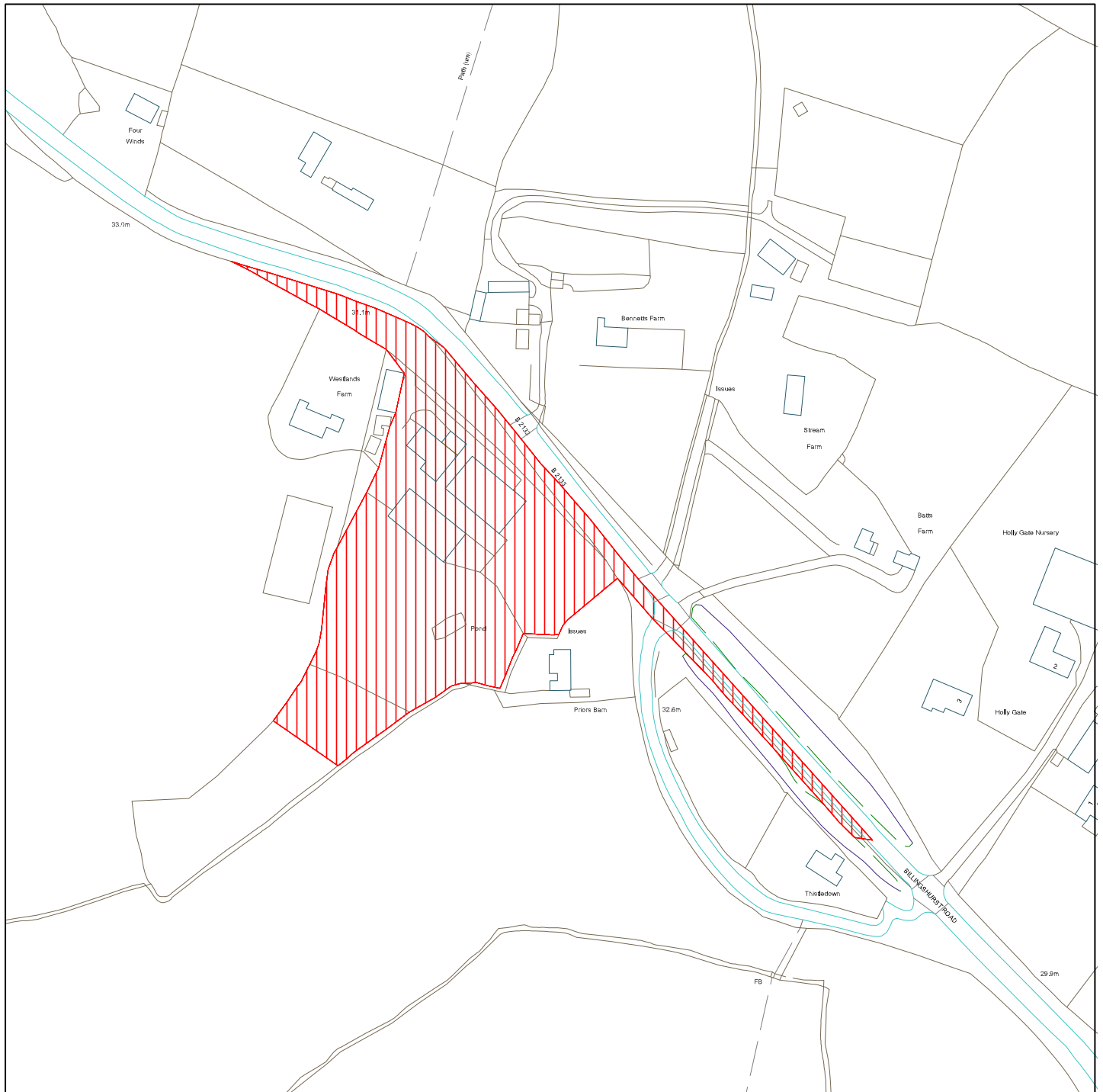
- 1) The proposal by reason of the size and scale of the barns and stable block, the location of the horse loading quai and the size and location of the car park and access would cumulatively cause harm to the heritage asset (Priors Barn, a Grade II Listed Building) by negatively affecting its setting and residential amenities contrary to Policies DC9 and DC13 of the General Development Control Policies 2007 and Chapter 12 of the NPPF.
- 2) The proposal due to its size, design and siting would have an adverse impact on the character and visual amenities of this rural landscape contrary to policies CP1, CP3 & CP15 of the Core Strategy and policies DC1, DC2 and DC9 of the General Development Control Policies Document of the Horsham District Local Development Framework.

Background Papers: DC/12/1276

Case Officer: Kathryn Sadler

DC/12/1276

Westlands Farm



Scale : 1:2500

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Organisation	Horsham District Council
Department	
Comments	O/S EXTRACT
Date	07 August 2013
SLA Number	100023865



Horsham
District
Council

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee South
BY: Head of Planning and Environmental Services
DATE: 20 August 2013
DEVELOPMENT: Construction of five bay stable block with tackroom and WC, storage barn and sand school
SITE: Fryern Park Farm Fryern Park Fryern Road Storrington
WARD: Chantry
APPLICATION: DC/13/1006
APPLICANT: Mr Joe Goswell

REASON FOR INCLUSION ON THE AGENDA: Category of Development

RECOMMENDATION: To Refuse Planning Permission and authorise enforcement action to remove unauthorised structures and containers

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks permission for the erection of a stable block, barn and sand school.
- 1.2 The proposed stable block would measure 16.9 metres in width by 11.6 metres in depth with a maximum height of 4.5 metres and would be an 'L' shaped structure. The proposed building would be constructed in brick with a tiled roof and timber windows and doors. The proposed stable block would be located to the west of the application site and consist of 5 stables, WC and tack room.
- 1.3 To the north of the proposed stable block would be a barn measuring 15 metres in width by 8 metres in depth with an overall ridge height of 5.5 metres. The proposed barn would have a gable on the front with timber double doors and would be constructed of timber weatherboarding with a tiled roof. The barn would be used for the storage of hay/ feed, machinery and straw/ bedding.
- 1.4 To the east of the proposed stable block and barn would be a sand school measuring 20 metres by 40 metres with 1.5 metres post and rail fencing. The supporting planning statement states that the proposed development would be for private use only.

DESCRIPTION OF THE SITE

- 1.5 The application site is located outside of the built up area boundary and as a result countryside policies apply. The site is located to the western side of Fryern Road and is accessed via a track which runs along the southern boundary of the site and serves a number of properties. The existing access track is a public footpath.
- 1.6 The western end of the site is partly laid to hard standing with a two metre close boarded fencing surrounding it. Inside this area are a number of shipping containers and sheds along with a burnt out stable. The rest of the site is predominantly laid to grass with hedging and trees along the southern boundary and open fields to the north. There are a couple of residential properties to the south of the site and Fryern Road marks the eastern boundary.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 Relevant Government Policies are contained within the National Planning Policy Framework published in March 2012.
- 2.3 Relevant parts include Section 11 (Conserving and enhancing the natural environment)

RELEVANT COUNCIL POLICY

- 2.4 Horsham District Council Local Development Framework Core Strategy (2007): CP1 (Landscape and Townscape Character), CP2 (Environmental Quality), CP3 (Improving the Quality of New Development), and CP19 (Managing Travel Demand and Widening Choice of Transport) are considered relevant to this application.
- 2.5 Horsham District Council Local Development Framework General Development Control Policies (2007): DC1 (Countryside Protection and Enhancement), DC2 (Landscape Character), DC9 (Development Principles), DC29 (Equestrian Development), DC40 (Transport and Access)

PLANNING HISTORY

DC/12/1660 Proposed manure store PER

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

- 3.1 Environmental Health: No objection in principle, but have made the following comments:
 - a. A satisfactory means of foul drainage/treatment plant must be provided and agreed in writing with the Planning Authority before installation. The new drainage provision may need permission from the Environment Agency for any discharge and from Building Control as a new drainage system.
 - b. Hours of work for installation structures and curtilage to be restricted to 8:00 -18:00h Monday to Friday, 8:00 -13:00h on Saturdays; no working on Sundays or public holidays.
 - c. No deliveries to the site to be received or dispatched outside the above hours.

- d. No burning of stable waste or other materials on site
- e. Stable waste should be stored or composted in an area distant from adjacent properties, if any will be permitted to be stored on site.
- f. Details of any external lighting of the site shall be submitted to, and approved in writing by, the Planning Authority prior to the commencement of the development.

PUBLIC CONSULTATIONS

- 3.2 Storrington and Sullington Parish Council: No Objection, the site is large enough and could easily accommodate the proposals. That said, members express their concern that the site would be unsafe, which could result in further applications for living accommodation which the Parish Council would be unable to support.
- 3.3 Neighbour Comments: 11 letters of objection from 11 address raising the following comments:
 - Poor access and likely to lead to increased traffic
 - Not enough grazing to support the number of horses
 - The area currently looks like a building site with metal containers and building materials
 - Overdevelopment of the site
 - No justification for stables
 - Suspect the building is for commercial rather than personal use
 - Size of development, disproportionate to size of land
 - Proposed development would be out of keeping with character of area

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 key considerations in the determination of this application are the impact of the proposal on its countryside location and whether the proposal is suitable in this countryside location.
- 6.2 The National Planning Policy Framework has a golden thread running through it which seeks to ensure a presumption in favour of sustainable development The National Planning Policy Framework seeks to ensure that the planning system performs an economic, social and environmental role. Paragraph 61 emphasises the importance of ensuring that “decisions should address the connections between people and places and the integration of new development into the natural built and historic environment”. The Framework requires applications to be determined in accordance with the development plan. It is considered that the policies contained within the Horsham District Local Development Framework are still relevant in this case.

- 6.3 Policy DC29 of the General Development Control Policies refers to applications for Equestrian Development and states that the re-use of existing buildings should be considered prior to applications for new buildings. The policy also requires that the proposal is appropriate in scale and level of activity and in keeping with its location and surroundings and does not result in sporadic development leading to an intensification of buildings in the countryside.
- 6.4 The proposal seeks to erect two permanent buildings on a fairly modest sized site. The site does not appear currently to be in equestrian use and the existing shipping containers and hardstanding area do not appear to benefit from planning permission.
- 6.5 The supporting information supplied with the application suggests that the development proposed seeks to regularise the situation with the removal of the alleged unauthorised development. It is however noted that the existing development on the site does not relate to the equestrian use proposed, the site currently appears to be used for the storage of building materials. In addition to this they suggest the proposed development would represent the replacement of a former stable block. Whilst it was noted on site that there were stables on the site previously, no plans have been submitted to allow an accurate comparison between what was on the site and what is there now.
- 6.6 Whilst it is appreciated that stable blocks are generally located in the countryside, it is considered that the extent of built form proposed is over and above what would be expected on a site of this size. In addition to this it is considered that the addition of a stable block, barn and sand school in this location would result in sporadic development in the countryside.
- 6.7 It is noted that the applicant makes reference to permission granted for a stable block on land at Fryern Park to the south of the application site. Officers have noted that permission was granted on this site, however this was for replacement stables and the site is located in a valley in a less prominent location than the application currently under consideration. The current application must therefore be determined on its own merits.
- 6.8 The second area of concern relates to the impact of the proposed development on its countryside location. Having looked at the aerial photographs for the site, it appears that the hard standing and associated close boarded fencing have been erected relatively recently on what was once open agricultural land.
- 6.9 Policy DC1 of the General Development Control Policies seeks to ensure that “development permitted must be of a scale appropriate to its countryside location and must not lead, either individually or cumulatively, to a significant increase in the overall level of activity in the countryside”. It is considered that the scale of the proposed buildings and sand school coupled with the likely need to access the site via private vehicle would result in a significant increase in the overall level of activity which would be inappropriate to this undeveloped land and would have an adverse impact on the character of the area.
- 6.10 In terms of the visual impact of the proposed development, the structures will be visible from the footpath which runs along the southern boundary of the site and they would also be visible from Fryern Road. The proposed development would represent a significant increase and spread of the built form on to what is currently predominantly undeveloped countryside and it is therefore considered that the proposal would have an adverse impact on the rural location in which it sits.
- 6.11 Overall, it is considered that the proposed stable block, barn and sand school by virtue of its scale, bulk and mass would represent sporadic development in the countryside, which would have a significant impact on the rural character of the area. As a result it is considered that the proposal fails to meet the aims of planning policy and it is

recommended that planning permission is refused and enforcement action is authorised to remove the existing unauthorised structures and hard standing.

7. RECOMMENDATIONS

7.1 To refuse planning permission and authorise enforcement action to remove unauthorised structures and containers

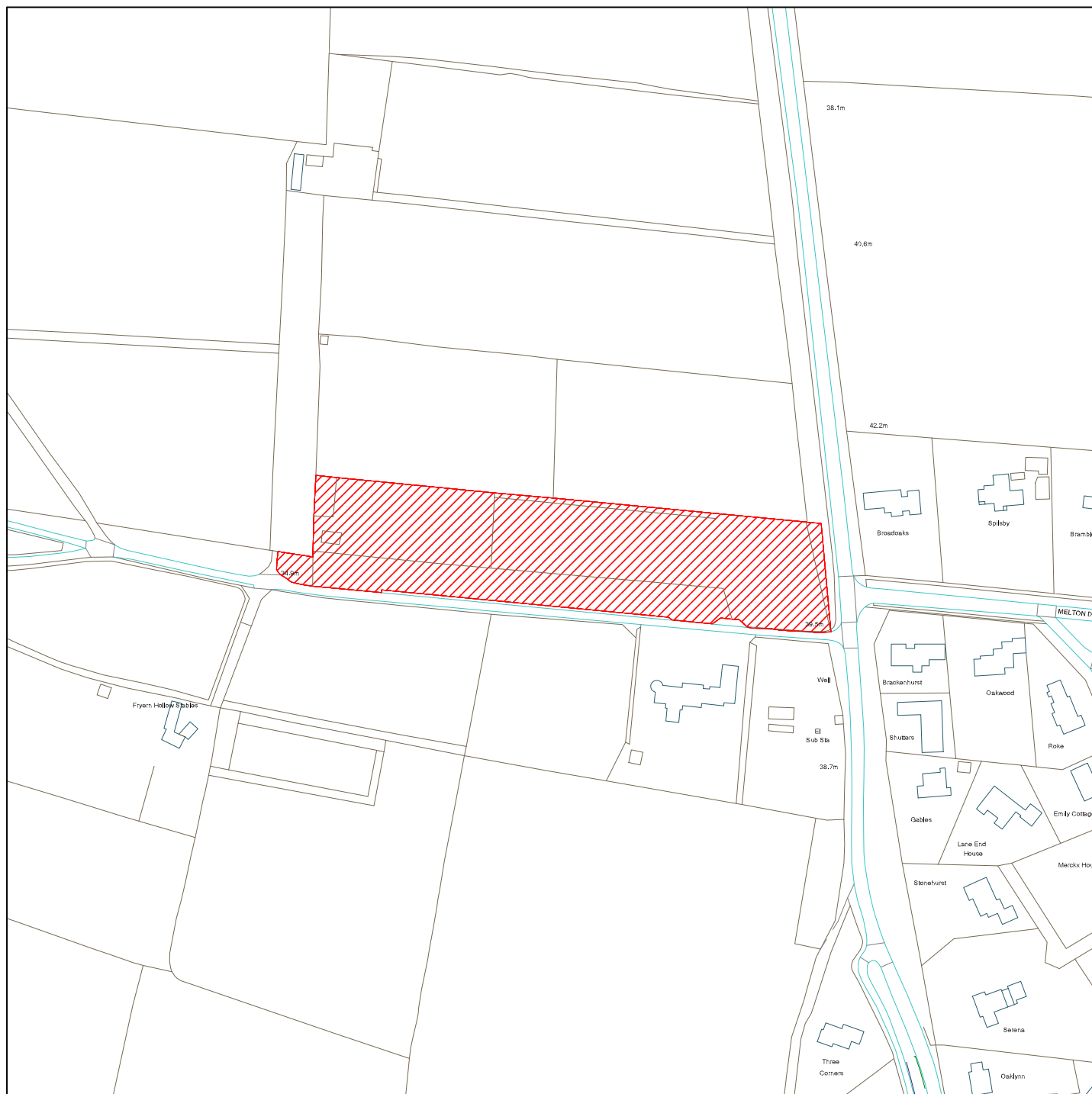
1. The proposed development by virtue of its scale, bulk, mass and design would have an adverse impact on the rural character and visual amenities of the countryside location in which it would sit. Furthermore it is considered that the proposed development would represent sporadic development in the countryside. As a result it is considered that the proposal is contrary to the National Planning Policy Framework, Policies CP1, CP2 and CP3 of the Horsham District Local Development Framework Core Strategy (2007) and Policies DC1, DC2, DC9 and DC29 of the Horsham District Local Development Framework General Development Control Policies (2007).

Background Papers: DC/13/1006

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DC/13/1006

Fryern Park Farm



Scale : 1:2500

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Organisation	Horsham District Council
Department	
Comments	O/S EXTRACT
Date	07 August 2013
SLA Number	100023865



Horsham
District
Council

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee South
BY: Head of Planning and Environmental Services
DATE: 20th August 2013
DEVELOPMENT: Stationing of one residential mobile home for occupation by gypsy family
SITE: Land North of Oldfield Cottage Fryern Road Storrington West Sussex
WARD: Chantry
APPLICATION: DC/12/2345
APPLICANT: Mr J Light

REASON FOR INCLUSION ON THE AGENDA: Number of letters received differing in view to the officers recommendation

RECOMMENDATION: That the application is approved subject to conditions.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 This application seeks permission for the stationing of one residential mobile home on land to the north of Oldfield Cottage for occupation by a gypsy family. The proposed mobile home would be accessed via the existing access onto Fryern Road. The proposed mobile home would be 12 metres wide and 6.5 metres long.

DESCRIPTION OF THE SITE

- 1.2 The application site is situated outside of the defined built up area boundary as defined in the Horsham District Local Development Framework Proposals Map (2007). The site is located on the western side of Fryern Road, to the north of the property known as Oldfield Cottage.
- 1.3 On the boundary to Fryern Road is a panel fence with a hedgerow immediately abutting the road. There is a gated access at the southern end of this boundary. To the northern boundary of the site is a panel fence with a post and rail fence separating the site for the proposed mobile home from the adjoining paddock. Within the site is an existing brick built hay barn and a stable block which has been damaged by fire.

- 1.4 The immediate character of the area is characterised by individual houses, with the intervening spaces being divided into paddocks with associated stable and equestrian paraphernalia.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 National planning policy aims are embodied in the National Planning Policy Framework 2012. Paragraph 14 tells us that at its heart is a 'presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking'.

Paragraphs 17 and 109 advocate the recognition of the intrinsic character and beauty of the countryside and the need to protect and enhance valued landscapes.

The Government also published 'Planning Policy for Traveller Sites' in March 2012 alongside the NPPF. Policy H advises on the determination of planning applications for traveller sites. Of particular relevance to this application are:

- Paragraph 21 which states that applications should be assessed and determined in accordance with the presumption in favour of sustainable development.
- Paragraph 23 which states that 'Local planning authorities should strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan'.
- Paragraph 24 which states that weight should be given to the effective use of previously developed land and sites being well planned or soft landscaped in such a way as 'to positively enhance the environment'.

Paragraph 25 states that if a local planning authority cannot demonstrate an up-to-date supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission.

However, Policy I: Implementation, paragraph 28, makes it clear that this only applied to applications for temporary planning permission for traveller sites made 12 months after this policy came into force

RELEVANT COUNCIL POLICY

- 2.3 Relevant policies within the Core Strategy 2007 include CP1, CP2, CP3, CP5, CP13, CP15, CP16 and CP19.
- 2.4 Relevant policies within the General Development Control Policies 2007 include DC1, DC2, DC9, DC32 & DC40.
- 2.5 Emerging local policy can be considered a material consideration in determining the application. The Council has recently consulted (July – August 2012) on a *Gypsy, Traveller and Travelling Showpeople Sites Preferred Options* document.

PLANNING HISTORY

SR/88/00	Vehicular access Site: Land At Fryern Road Storrington	PER
SR/63/97	Prior notification to erect an agricultural building Site: Land At Fryern Road Storrington	REF
SR/16/98	Erection of an agricultural building Site: Land At Fryern Road Storrington	REF
DC/09/0012	Retention of 2 stables and tack room and associated hardstanding	PER
DC/09/1146	Retention of vehicular access	REF
DC/09/2282	Retention of vehicular access	PER
DC/10/1366	Erection of storage barn	PER
DC/10/2015	Erection of storage barn (Amendment to previously approved DC/10/1366)	PER

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

3.1 The comments of the Councils **Landscape Architect** are awaited and will be reported verbally to the committee.

3.2 **Strategic and Community Planning Team** have come to the following conclusion relating to the application; *“From a strategic perspective, ideally all sites would come forward through a plan led approach, and would accord with current adopted development plan policy and recent government guidance. Although new policies, including site allocations are emerging, the Council is currently reliant on Policy DC32 as the most up-to-date development plan policy. In addition, you are required to look at the proposal in light of all relevant NPPF policies, and the policies in the Planning policy for traveller sites document. In this case then the key issue from a strategic perspective is the sustainability of the development. This requires you to make a judgement from your knowledge of the site, the proximity to schools and other services and the local community. The outcomes of these findings will then need to be balanced alongside considerations of need and take into account previous decisions made by the Council.*

In conclusion, therefore, although there is a need for gypsy and traveller sites within the District, there is potentially a landscape character and sustainability objection to this specific site, which taking into account expert evidence and your knowledge of the area, could warrant refusal of this application.”

OUTSIDE AGENCIES

3.3 **County Surveyor** has raised no highway concerns relating to the application although they note that a condition should be placed on any approval securing the modification to the existing access.

PUBLIC CONSULTATIONS

3.4 **Storrington and Sullington Parish Council** have strongly objected to the application stating that the application is outside the built up area and there is no established need for an agricultural dwelling and members feel that it would set a dangerous precedent. The land also forms part of an important buffer.

- 3.5 Three letters have been received in support of the application.
- 3.6 21 letters have been received objecting to the application on the following grounds;
- Site provides a green gap between Storrington and West Chiltonton
 - Further development may follow
 - Proposal would set a precedent
 - Proposal would be out of keeping
 - Proposal would harm the character of the area
 - No need for an agricultural dwelling
 - Applications for traveller accommodation should be considered in the wider context of traveller needs
 - Security grounds
 - Access is a potential hazard
 - The road is fast with heavy traffic and visibility is poor.
 - No services on the site
 - No footpath along Fryern Road

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 It is considered that the main issues in the determination of the application are the need for the proposed mobile home, the effect of the proposal upon the character of the landscape and street scene, and the amenities of neighbouring properties and whether there are any material considerations which over-ride such considerations.
- 6.2 The main aim of the National Planning Policy Framework is to achieve sustainable development. The document sets out three dimensions to sustainable development: economic, social and environmental. It seeks to create a high quality built environment with accessible local services that reflect the community's needs and support its health, social and cultural well being and contributes to protecting and enhancing our natural, built and historic environment. The document makes a presumption in favour of sustainable development which should be seen as a golden thread running through both plan making and decision taking.
- 6.3 In March, the government published its 'Planning Policy for Traveller Sites' to be read alongside the NPPF. Policy H of the guidance relates to the determination of planning applications for traveller sites. At paragraph 21, it states that applications should be assessed and determined in accordance with the presumption in favour of sustainable development. In this respect, the site is outside of the built-up area and the nearest settlement is Storrington, defined in the Local Development Framework as a Category 1 settlement which in terms of Core Policy CP5 is defined as being a town or village with a good range of services and facilities. The built up area boundary of Storrington is approximately 373 metres away from the site.

- 6.4 In June 2012, the Council commissioned WS Planning and Architecture to produce a Gypsy and Travelling Show people/Traveller and Travelling Show people accommodation needs assessment to help “inform the direction of travel” for developing policy. The report was presented to the Council in December 2012 and was then considered by Members at the Council’s Strategic Planning Advisory Group (SPAG) in January 2013.
- 6.5 The report assesses current pitch provision and the potential future needs for the period up to 2027, in accordance with the advice set out in the Government’s “Planning Policy for Travellers Sites”. This requires a 5 year supply of specific, deliverable sites to be identified and updated annually. It also requires a supply of specific, developable sites or broad locations for growth for the following 5 years and, where possible, a further 5 year period beyond that.
- 6.6 This Government advice was followed and in December 2012, it was ascertained that 75 pitches were, at that time, provided within the District. Over the next 5 years (between 2012 and 2017), there is a need for a further 39 pitches to be provided to meet existing and future needs, up to 2017. How and where these pitches are to be provided is currently being evaluated and progressed through the development of the proposed planning framework for the District.
- 6.7 In the following five year period, between 2017 and 2022, it has been estimated that a further 18 pitches will be required and then an additional 21 pitches between 2022 and 2027.
- 6.8 In total, therefore, an additional 78 pitches will be needed over the full 15 year period, thereby increasing current provision from 75 up to a total of 153 pitches within the Horsham District as a whole .It is accepted therefore that there is an unfulfilled need for pitches in the District, however, there is still a necessity to assess the application against current policies.
- 6.9 In the most recent gypsy appeal decision at Kingfisher Farm (December 2011), the Inspector concluded that “The harm to the character of the area would not be great. On the other hand, the general need for sites in Horsham is significant and this is unlikely to be addressed in the near future. There is currently a lack of available alternatives and because progress in making planned provision for sites has been slow this is likely to remain the case for some time to come. Taken together these factors and the benefits arising from meeting a proportion of the unmet need for gypsy sites at Kingfisher farm outweigh the harm that would arise.”
- 6.10 Policy DC32 of the General Development Control Policies 2007 states that:
- “Proposals for sites for caravans for Gypsies and Travellers will be granted planning permission provided that:
- a) the Council is satisfied that a need for site provision exists locally and is clearly demonstrated and that the proposal represents an adequate way of meeting the established need;
 - b) the identified local need cannot be met at any alternative suitable existing sites within or outside existing settlements.
- If the need cannot be met at any alternative suitable sites as set out above, the following criteria will apply:
- 1) the site must be reasonably located for schools, shops and other local services and community facilities;

- 2) a satisfactory means of access can be provided and the existing highway network is adequate to serve the site; and
- 3) the proposed site accommodates adequate space for parking and turning of vehicles and provides easy access for service and emergency vehicles.”

6.11 In respect to the first criterion, the site is outside of the built-up area and as such is classified as being in a countryside location. The nearest settlement is Storrington, defined in the Local Development Framework as a Category 1 settlement and therefore having a good range of services and facilities. Guidance within the Planning Policy for Traveller Sites document paragraph 21, states that applications should be assessed and determined in accordance with the presumption in favour of sustainable development. As such, given the countryside location of this site at some distance away from these services it could be considered that the proposal is contrary to the Government guidance and to Policy DC32. However, the Council took the view in 2010 in relation to the Greenfield Farm site, Valewood Lane (DC/10/0721), that, although the main mode of transport would be vehicular, the site could be justified as sustainable in the wider sense. It was acknowledged at the time that this would set the tone for consideration of sites in the future under this policy. Similarly, the Inspector when considering the Kingfisher Farm appeal reached the same conclusion in respect of sustainability. The site is located some 373 metres from the built up area of Storrington and 1125 metres from the nearest supermarket and services. Therefore, it is considered that the site is reasonably located for schools, shops and other local services and community facilities in accordance with the requirements of Policy DC32. It is therefore your officer's view taking into consideration the current situation and other appeal decisions in the District that the proposal due to its proximity to a Category 1 settlement, could be justified in terms of access to schools and services in this instance.

6.12 It is clear that a need for site provision exists and it is considered that the proposal could represent an adequate way of meeting an established need. With regards to the landscape impact of the proposal, the applicant is agreeable to planting additional native tree and hedge planting along the northern, eastern and southern boundaries in order to help screen the mobile home. The site is located in an area already characterised by the subdivision of the landscape through the provision of paddocks and associated stabling, and indeed on the site is a stable and hay barn. It is considered therefore that with the benefit of additional screening the proposal would not appear unduly prominent in its landscape setting, in so much as the open nature of the immediate area has already been compromised to some extent.

6.13 With regard to the impact on neighbouring occupiers amenities, there are two residential properties within fairly close proximity. 'Oldfield Cottage' to the south of the site, and "West Wantley Lodge" are approximately 70 metres away which is a substantial distance which would prevent any adverse impact on the amenities of the occupiers. The applicant is also willing to supplement the existing landscaping in order to screen the development.

6.14 The Highway Authority has raised no objections to the scheme and therefore a refusal on highway grounds could not be justified. It is also considered that there is room on site for the parking and turning of vehicles with easy access for service and emergency vehicles.

6.15 In conclusion it is considered that there is an unfulfilled need for gypsy pitches in the District and that the proposed mobile home would not appear unduly prominent in this location. It is therefore considered that the provision of a single gypsy pitch in this location would go some way in helping to meet the need for 39 additional pitches within the district.

7. RECOMMENDATIONS

7.1 It is recommended that the application be granted, subject to the following conditions:

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
- 2) The mobile home shall only be occupied by Mr Joe Lightly, and Mrs Lightly and their dependants only.
Reason: To enable the Local Planning Authority to control the use of the site and in accordance with Policy DC32 of the Horsham District Local Development Framework: General Development Control Policies 2007.
- 3) This permission does not authorise use of the land as a caravan site by any persons other than Gypsies and Travellers, as defined in Annex 1 of Planning Policy for Traveller Sites (Department for Communities and Local Government 2012).
Reason: To enable the Local Planning Authority to control the use of the site and in accordance with Policy DC32 of the Horsham District Local Development Framework: General Development Control Policies 2007.
- 4) When the land ceases to be occupied by the Lightly Family, the use hereby permitted shall cease and any mobile homes, caravans, vehicles, trailers, structures, materials and equipment (including all areas of hardstanding and sanitary equipment) brought onto the land in connection with the use, save as otherwise permitted, shall be permanently removed. Within two months of that time, the land shall be restored to pasture land.
Reason: Permission would not normally be granted for such development in this location under Policy DC1 of the Horsham District Local Development Framework: General Development Control Policies 2007.
- 5) There shall be no more than 1 pitch on the site with no more than one caravan (as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968) stationed on the pitch at any time.
Reason: To avoid an overcrowded appearance and to secure satisfactory standards of space and amenity in accordance with Policy DC1 of the Horsham District Local Development Framework: General Development Control Policies 2007.
- 6) No industrial, commercial or business activity shall be carried on from the site, including the storage of materials.
Reason: In the interests of amenity and in accordance with Policy DC9 of the Horsham District Local Development Framework: General Development Control Policies 2007.
- 7) No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.
Reason: In the interests of amenity and in accordance with Policy DC9 of the Horsham District Local Development Framework: General Development Control Policies 2007.
- 8) Details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The works shall be carried out in accordance with the approved details.
Reason: In the interests of amenity and in accordance with Policy DC9 of the Horsham District Local Development Framework: General Development Control Policies 2007.

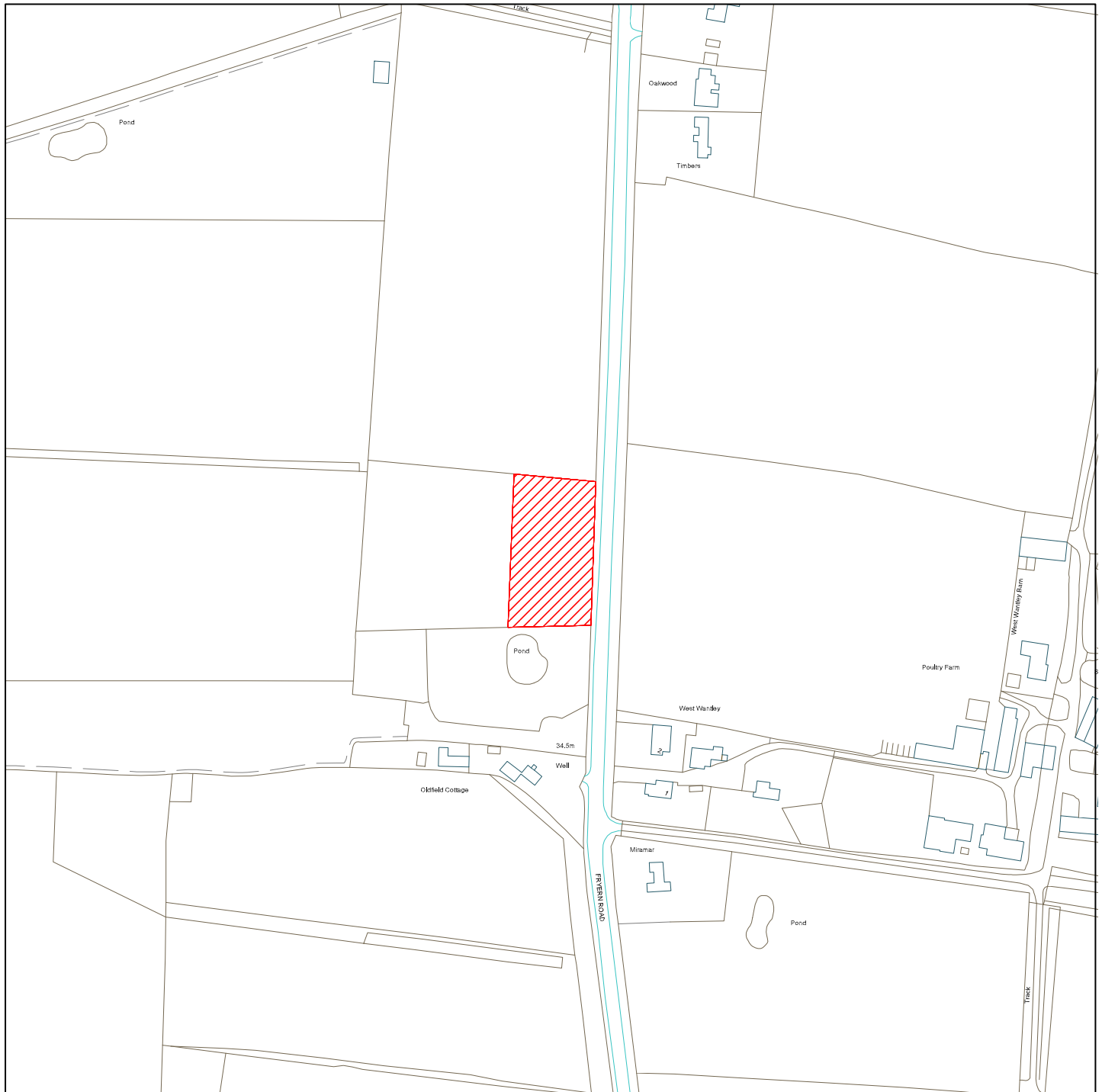
- 9) No development shall take place until details of storage provision for refuse and recycling have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the occupation of the pitches.
Reason: To ensure the adequate provision of refuse and recycling facilities in accordance with Policy CP2 of the Horsham District Local Development Framework: Core Strategy 2007.
- 10) No development shall be commenced unless and until a schedule of materials and samples of such materials and finishes and colours to be used for external walls and roofs of the proposed mobile home have been submitted to and approved by the Local Planning Authority in writing and all materials used shall conform to those approved.
Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).
- 11) No development shall take place until details of screen walls, gates and/or fences have been submitted to and approved in writing by the Local Planning Authority and the mobile home shall not be occupied until such screen walls, gates and/or fences associated with it have been erected. Thereafter the screen walls and/or fences shall be retained as approved and maintained in accordance with the approved details.
Reason: In the interests of amenity in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).
- 12) No works or development shall take place until full details of all hard and soft landscaping works have been approved in writing by the Local Planning Authority. All such works shall be carried out in accordance with the approved details. Any plants which within a period of 5 years from the time of planting die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.
Reason: To ensure a satisfactory development and in the interests of amenity in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

8. REASONS FOR RECOMMENDATIONS

- ICTN1 The proposal would not be obtrusive in the landscape or harmful to the visual quality of the area.

DC/12/2345

Land North of Oldfield Cottage



Scale : 1:2500

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Organisation	Horsham District Council
Department	
Comments	O/S EXTRACT
Date	07 August 2013
SLA Number	100023865



Horsham
District
Council

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee South
BY: Head of Planning and Environmental Services
DATE: 20 August 2013
DEVELOPMENT: Conversion and extension of existing garage to form granny annex
SITE: Venters Storrington Road Thakeham Pulborough
WARD: Chanctonbury
APPLICATION: DC/13/0901
APPLICANT: Mr Peter Smith

REASON FOR INCLUSION ON THE AGENDA: Parish Council request to speak

RECOMMENDATION: To Grant Planning Permission

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks permission for the extension and refurbishment of the existing garage to create an annexe.
- 1.2 The existing garage measures 9.3 metres in width by 6 metres in depth and has an overall ridge height of 6 metres. The garage has three bays with garage doors on the north elevation. There are two dormers on the north elevation. The existing building has been constructed on a brick plinth with weather boarding for the sides and a tiled roof.
- 1.3 The proposal seeks to extend the existing garage so that it is 14 metres in width by 9 metres in depth with an overall ridge height of 6 metres. The existing garage doors would be replaced by glazing, and an additional window and dormer would be placed on the north elevation. The proposed extension to the south elevation would be a single storey lean to extension with glazing on the rear elevation and additional dormer windows added in the roof space. The extension would be constructed in materials to match the existing garage. Internally the space would have a living space, bedroom and wet room. At first floor level there would be an additional bedroom and bathroom.

DESCRIPTION OF THE SITE

- 1.4 The application site is located outside of the built up area boundary to the western side of Storrington Road. The application site is a large detached dwelling house brick built dwelling house with a tiled roof located close to the northern boundary for the site. The existing garage is located to the west of the main dwelling house with a gap of approximately 5metres. The main garden area for the property is located to the south of the dwelling house. There are two vehicular accesses to the property one to the north and one to the east.
- 1.5 There is a neighbouring property to the north west of the application site (Snapes Cottage), which is Grade II listed and a new housing development of approximately 8 dwellings currently being constructed to the south and east. Properties on the opposite side of the road generally follow a linear pattern of development.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 Relevant national policy is contained within the National Planning Policy Framework published in March 2012.
- 2.3 Relevant sections include The Core Planning Principles and Section 7 (Requiring good design)

RELEVANT COUNCIL POLICY

- 2.3 Horsham District Local Development Framework Core Strategy (2007): CP1 (Landscape and Townscape Character) and CP3 (Improving the quality of New Development)
- 2.4 Horsham District Local Development Framework General Development Control Policies Document (2007): DC1 (Countryside Protection and Enhancement), DC2 (Landscape Character), DC9 (Development Principles), DC28 (House Extensions, Replacement Dwellings and Ancillary Accommodation)

PLANNING HISTORY

T/41/03	Two-storey & first-floor extensions & detached 3 bay garage Site: Venters Storrington Road Thakeham	PERMITTED
T/8/04	Garage dormers forming 1st floor storeroom	PERMITTED
DC/06/1086	Rear dormer to garage and staircase to existing first floor garage accommodation	PERMITTED

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

- 3.1 **Arboricultural Officer:** No Objection, despite the conflict with the BS, this proposal is acceptable in the circumstances and can be considered to meet the provisions of policy DC9 of the General Development Control Policies (2007). Full consultation response available online

PUBLIC CONSULTATIONS

3.2 **Thakeham Parish Council:** STRONG OBJECTION This proposal represents an overdevelopment of the site being a change from garage to separate dwelling; it is not in a built-up area and therefore only development related to agriculture should be permitted. If recommended for approval by the Planning Officer the Parish Council wishes to speak in Committee.

3.3 **Neighbour Comments:**

1 letter of objection received from the neighbouring property to the north west of the application site (Snapes Cottage), they raise concerns regarding:

- Adverse impact on neighbouring property 'Snapes Cottage' which is Grade II Listed
- Consider that the additional need for space could be met elsewhere
- Would in effect create an additional separate dwelling
- Increased noise, light pollution, and additional traffic movements
- Would involve the removal of existing natural features
- Only restricted access along private drive
- Request a legal agreement was provided to ensure the ancillary accommodation could not be sold off separately

22 letters of support received from 20 addresses from both within and outside of the district, making the following comments:

- Conversion is to meet the medical needs of the young child
- Would allow a degree of independent accommodation close to the main house
- The space needs to be adapted to meet the needs of a disabled child
- Room is needed for full time carers
- Would not have an impact on neighbouring properties

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 seeks permission for the extension and conversion of the existing garage to create an annexe for a disabled child to live in.

6.2 The National Planning Policy Framework has a golden thread running through it which seeks to ensure a presumption in favour of sustainable development The National Planning Policy Framework seeks to ensure that the planning system performs an economic, social and environmental role. The Framework requires applications to be determined in accordance with the development plan. It is considered that the policies contained within the Horsham District Local Development Framework are still relevant in this case.

6.3 The first area to consider is the principle of the proposed development. Policy DC28 of the General Development Control Policies covers ancillary accommodation and states that *"applications for ancillary accommodation will be permitted when they accord with all other appropriate policies and the need for additional space cannot be met from an existing*

dwelling or buildings suitable of conversion on the site. The use of ancillary accommodation as a separate dwelling will not be permitted”.

- 6.4 The proposal seeks to extend and utilise an existing outbuilding on the site, to create a space which can be utilised as living accommodation for a sick child. Concerns have been raised over the size of accommodation proposed and the exact reasoning behind it. During the course of the application, the applicants have submitted additional information and floor plans showing the type and size of equipment required and additional turning space for wheelchairs. They have also suggested that the child will require carers to provide round the clock care. The first floor accommodation would provide a bedroom for the child's parents.
- 6.5 It is acknowledged that the proposed annexe is larger than what would generally be permitted under Policy DC28 of the General Development Control Policies. However based on the information the applicant has supplied and the proximity of the proposed annexe to the main house it is on balance on this occasion considered acceptable.
- 6.6 In terms of the impact on neighbouring properties, the main consideration is the property to the north west of the application site (Snapes Cottage). It is noted that there would be additional windows inserted at first floor level which may cause some overlooking. However there is approximately 30 metres between the site of the enlarged garage and the neighbouring properties with some screening between. As a result the potential impact on the amenity of the occupiers of neighbouring properties is not considered significant enough to justify refusal of the application.
- 6.7 In terms of the impact on the street scene, the existing garage is located behind the main house away from the road. Given the existing screening on the boundary, it is not considered that the proposal would have a significant impact on the street scene and as a result it is considered acceptable in this regard.
- 6.8 The letter received from the neighbouring raised concerns that the proposed annex would be accessed via, the private drive which serves Snapes Cottage. The neighbours have suggested that the drive is private and that the applicants have no legal ownership rights for this track. It is noted that there is an alternative access to Venters on the eastern boundary and therefore ownership issues regarding the track would be a private matter.
- 6.9 The proposed extension to create the annexe would extend close to the western boundary of the site, where there are a number of mature trees. The Arboricultural Officer has been consulted on the proposals and has visited the site. He has suggested that the proposal would involve taking the proposed extension to within 3.55metres of the oak tree which is well beyond the recommended standards and furthermore the tree will need to be cut back significantly to accommodate the proposed extension. Whilst there are concerns with regards to the proposed impact of the extension on the oak tree, it is not considered that the tree is worthy of a TPO and despite the ingress into the Root Protection Area, the extension would be constructed on concrete pads and whilst damage will occur, the impact is on balance considered acceptable.
- 6.10 Overall it is acknowledged that the proposed annexe would be larger than is generally considered acceptable. However the applicant has demonstrated the need for the additional space and the proposed annexe would be located in close proximity to the main dwelling house. The proposal is not considered to have a significant adverse impact on neighbouring properties or the wider street scene. As a result it is considered that on balance the proposal meets the aims of planning policy and it is recommended that planning permission is granted.

7. RECOMMENDATIONS

7.1 That planning permission is granted

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

2. The materials and finishes of all new external walls and roofs of the development hereby permitted shall match in type, colour and texture those of the existing building.

Reason: *In the interests of amenity and in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).*

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or Orders amending or revoking and re-enacting the same, the building(s) shall not be extended or altered in any way unless planning permission has been granted by the Local Planning Authority on application in that respect.

Reason: *To maintain control over the development in the interests of amenity and in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).*

4. The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of Venters as a dwelling and shall not be used as a separate unit of accommodation.

Reason: *The site is located within a rural area where the formation of additional independent units of residential accommodation would be contrary to policy DC1 of the Horsham District Local Development Framework: General Development Control Policies (2007).*

8. REASONS FOR RECOMMENDATIONS

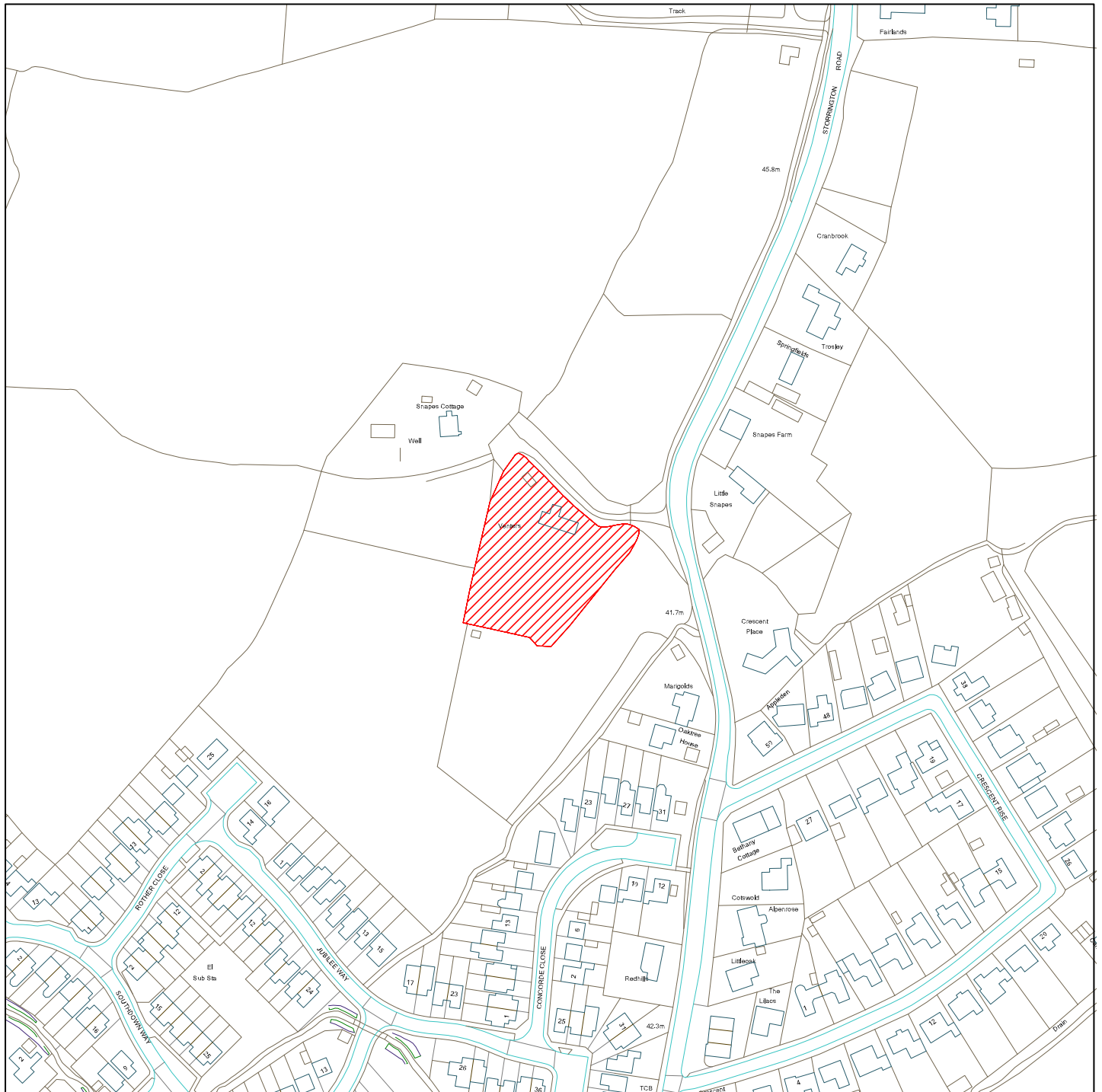
- 8.1 ICAB2: The proposal does not materially affect the amenities of neighbouring occupiers or the character and visual amenities of the locality.

Background Papers: DC/13/0901

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DC/13/0901

Venters



Scale : 1:2500

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Organisation	Horsham District Council
Department	
Comments	O/S EXTRACT
Date	07 August 2013
SLA Number	100023865



Horsham
District
Council

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee South
BY: Head of Planning and Environmental Services
DATE: 20th August 2013
DEVELOPMENT: Demolition of derelict glass housing and removal of former car park and the erection of two detached dwellings with access off Littleworth Lane
SITE: Abbots Lea Littleworth Lane Partridge Green Horsham
WARD: Cowfold, Shermanbury and West Grinstead
APPLICATION: DC/13/0984
APPLICANT: Mr and Mrs William Cotton

REASON FOR INCLUSION ON THE AGENDA: Eight letters received in opposition to the Officer recommendation

RECOMMENDATION: To Refuse Planning Permission

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 This application seeks full planning permission for the demolition of the existing glass houses on the site, the removal of the former car park and the erection of two detached dwellings with access from Littleworth Lane.
- 1.2 The proposed dwellings would be sited to the west of Abbots Lea. Plot 1 would be approximately 19.51m wide and 11.8 metres in depth at its longest point, with a height to the ridge of 8.02 metres. The building would have stock brick and hanging tile to the elevations, and a plain tile roof. Plot 2 would be a similarly styled building 19.51 metres approximately wide, 11.8 metres in depth at its longest point and a height to the ridge of 8.02 metres. It would be constructed in materials matching plot 1. Each dwelling would also have the benefit of a double garage 7 metres wide, 14 metres long and approximately 6.6 metres high.

DESCRIPTION OF THE SITE

- 1.3 The application site is situated to the rear of Abbots Lea a detached two storey property situated within the settlement of Littleworth. Littleworth has no built up area boundary and therefore in terms of the Horsham District Local Development Framework is within a

countryside location. Properties within the immediate vicinity are individual in character and follow the linear pattern of the road network.

- 1.4 The property is located on the western side of Littleworth Lane, with the property and its garage to the eastern end of the site and the former nursery outbuilding and glass houses to the west.
- 1.5 A public footpath runs along the southern boundary of the site. A post and wire fence forms the southern boundary whilst to the east a mature hedge screens the property from Littleworth Lane. There is a field gate in the south eastern corner of the site, with the main access to the property being in the north eastern corner.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 National Planning Policy Framework

RELEVANT COUNCIL POLICY

- 2.3 Policy CP1 (Landscape and Townscape Character), CP4 (Housing Provision), CP5 (Built-Up Areas and Previously Developed Land), and CP12 (Meeting Housing Needs) of the Core Strategy (2007),
- 2.4 Policy DC1 (Countryside Protection and Enhancement), and DC2 (Landscape Character), DC8 (Renewable Energy and Climate Change) & DC9 (Development Principles) of the General Development Control Policies (2007).

PLANNING HISTORY

WG/22/58	Proposed residential development (From old Planning History)	REF
WG/20/75	Lounge, kitchen/breakfast room, lobby, w.c and 2 no shower additions (From old Planning History)	PER
WG/3/66	One dwelling unit (From old Planning History)	REF
WG/50/66	Erection of 2 dwelling units (From old Planning History)	REF
WG/48/69	Proposed erection of 1 detached bungalow and garaging Comment: Appeal allowed 27/04/70 (From old Planning History)	PER
WG/59/70	Erection of 1 private dwellinghouse and garaging (From old Planning History)	PER
WG/71/71	Footpath to new dwelling and pedestrian access (From old Planning History)	PER
WG/96/72	Convert garage to billiard room and erect detached garage Comment: And b.regs	PER

(From old Planning History)

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

- 3.1 **Strategic and Community Planning Team** have objected to the application on the grounds that the erection of 2 dwellings in a countryside location as defined by policy CP5 of the Horsham District Local Plan would be contrary to the Councils current adopted planning policy concerning development in the countryside. It is recognised that the Council does not have a 5 year housing supply and as such the National Planning Policy Framework (NPPF) states that the relevant housing policies of the Horsham District Local Plan should not be considered up-to-date. However, sustainable development is a 'golden thread' which runs through the NPPF, and as such the NPPF still requires that all development be considered sustainable. It is considered that due to the countryside location of this site there is concern as to whether the proposal can be considered to be a form of sustainable development.

OUTSIDE AGENCIES

- 3.2 **West Sussex County Council Ecology** has raised no objection to the application subject to conditions.
- 3.3 **County Surveyor** has raised no objection to the application from a highway safety perspective subject to conditions.
- 3.4 **West Sussex County Councils Public Rights of Way Team** have raised no objection to the application but they have noted that if permission is granted and access to the footpath becomes unsafe during the works that the developer should make a formal application for closure of the footpath for the duration of the works.
- 3.5 **Southern Water** have noted that a public water distribution / trunk main is within the immediate vicinity of the site and therefore the exact position of the pipe should be determined on site by the applicant. Initial investigations indicate that there are no public surface water sewers in the area and that alternative means of draining surface water from the development are required.

PUBLIC CONSULTATIONS

- 3.6 **West Grinstead Parish Council** has raised no objection to the application.
- 3.7 Eight letters has been received supporting the application on the grounds that;
- The houses will blend in well
 - Will provide habitat for local wildlife
 - The proposal would represent an improvement to the site
 - Preferable to more dense development which would be out of keeping with Littleworth
 - Compatible with Government Planning recommendations
 - Improved amenities for neighbouring properties as the existing greenhouses attract vermin

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 This application seeks full planning permission for the construction of two detached properties on land formerly used as a nursery. The site is within the settlement of Littleworth which does not have a defined built up area boundary as defined in the Horsham District Local Development Framework Proposals Map 2007. Consequently the site is considered to be in a rural location, where the countryside policies of the development plan apply.
- 6.2 Policy CP1 of the Core Strategy requires that the landscape character of the District, including the settlement pattern is maintained and enhanced, by new development whilst Policy DC1 of the General Development Control Policies, states that any development outside of built-up area boundaries must be considered essential to its countryside location, must ensure the sustainable development of rural areas, must be of an appropriate scale, and should not lead to a significant increase in the overall level of activity in the countryside. It is considered that the proposed dwellings are not essential to their countryside location and consequently the proposal would be contrary to the general countryside protection policies of the Horsham District Local Development Framework.
- 6.3 At present the Council does not have a 5-year housing supply and therefore due consideration has been given to paragraph 49 of National Planning Policy Framework. This states: *“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”* The proposal has therefore been considered against the presumption in favour of sustainable development guidance given in paragraph 14 of the NPPF.
- 6.4 In terms of recent appeal decisions the Inspectors for RMC Engineering Works, Washington (application ref: DC/10/1457) stated that rather than regarding the Council's housing policies as out of date in their entirety due to the lack of housing supply, it would be more appropriate to identify those elements of the policies to which less weight is to be given. The Inspector suggested that it might be appropriate to apply policies CP5 and DC1 more flexibly in the case of housing proposals on the edge or close to built-up area boundaries, whilst continuing to exercise a general policy of restraint in more remote rural areas.
- 6.5 The site is within a rural location and the nearest settlement boundary as defined in Policy CP5 of The Core Strategy (2007) is Partridge Green which is a Category 2 Settlement. Category 2 settlements are defined as being villages with a more limited level of services, where development should be limited to only small scale development or minor extensions that address specific local needs, and where new development would not reinforce unsustainable development patterns. It is considered that whilst the Inspector did indicate that there should be some flexibility with regards to housing proposals, on the edge of or close to built up area boundaries the application site is some 520 metres from Partridge Green, and is visually not connected to it. It is also considered due to the lack of pavements that the limited services within Partridge Green would not be easily accessible by foot for any future occupiers, and that the proposed new development would be likely to reinforce unsustainable development patterns. It is also considered that even if the site was

considered to be close to the built up area boundary, policy CP5 still requires that the development should address specific local needs. No evidence has been submitted by the applicant addressing local need and therefore it is considered that the Councils policy of restraint on new housing in the countryside should be maintained in this instance.

- 6.6 In addition to the concerns stated above it is considered that the proposed dwellings by reason of their scale and design would appear out of keeping with the character of the area. The properties within the immediate vicinity are considered to be individual in style and constructed in a linear form following the pattern of the road network. It is considered that the provision of two dwellings almost identical in appearance to the rear of the original dwelling would not be locally distinctive in character, and would not respect the character of the surrounding area as required in Policy DC9 of the Development Control Policies.
- 6.7 It is considered that the application site would not fall within the definition of “previously developed land” (as set out in Annex 2 of the NPPF) as the definition of such land excludes land that is or has been occupied by agricultural or forestry buildings (the site as a former nursery would fall within the definition of agriculture). The site would therefore be classified as green field. Whilst it is noted that there are derelict structures on the site it is not considered that the appearance of the site as it stands is so harmful to the overall appearance of the area as to justify a decision otherwise than in accordance with the policies of the development plan. It is therefore considered that the application should be refused.

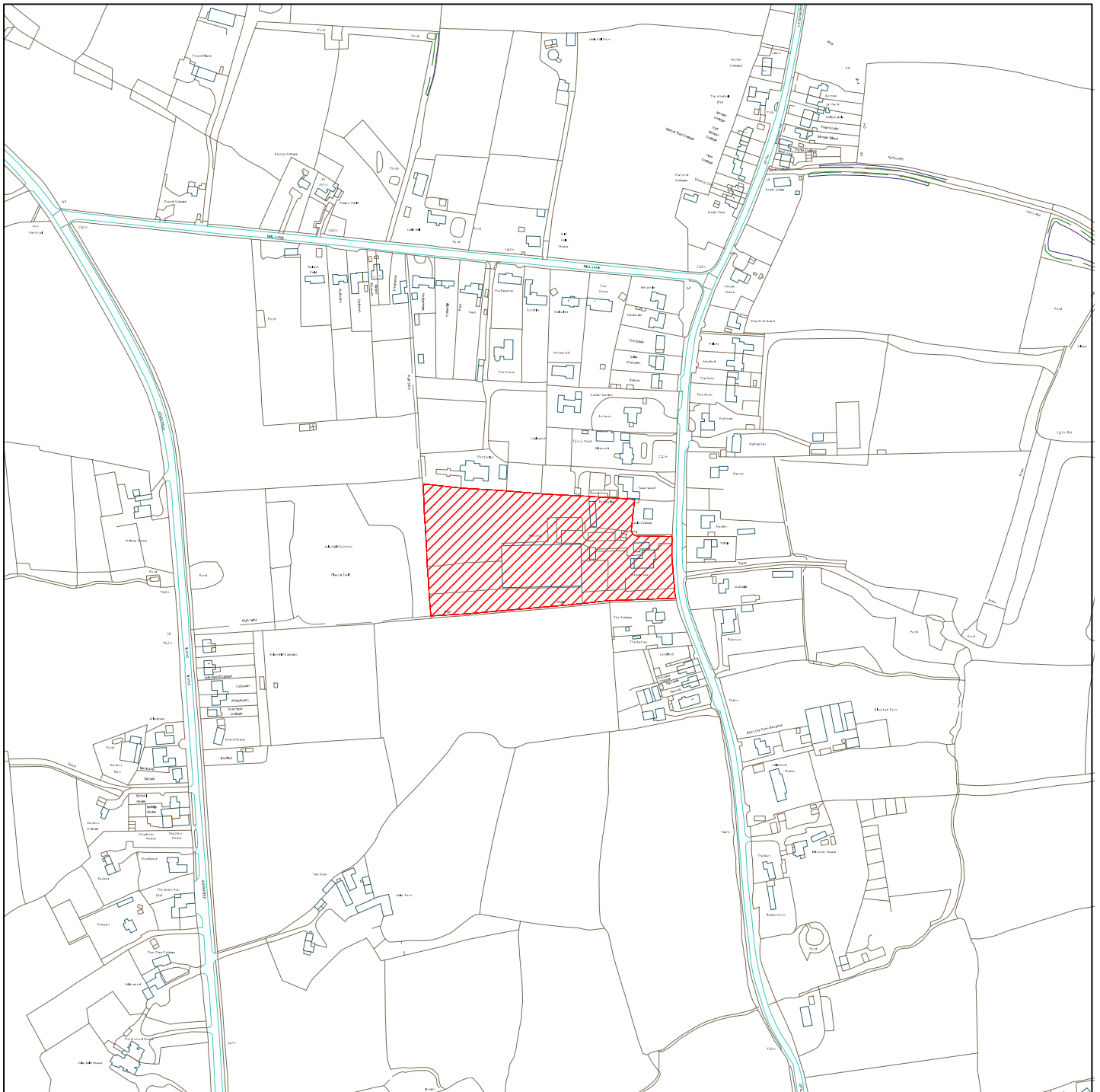
7. RECOMMENDATIONS

- 7.1 It is recommended that the application be refused for the following reasons;
1. The site lies in a rural area outside the limits of any existing town or village and the proposed development being unrelated to the needs of agriculture, forestry or the extraction of minerals or the disposal of waste would therefore conflict with paragraph 55 of the National Planning Policy Framework, and policy CP1, CP5 and CP15 of the Horsham District Local Development Framework Core Strategy (2007) and policy DC1 and DC2 of the Horsham District Local Development Framework General Development Control Policies which seek to protect the countryside for its own sake.
 2. The proposed dwellings by reason of their size, siting and design would be out of keeping with the character of the area and would represent a form of development which would be detrimental to the rural appearance of the area. The proposal therefore conflicts with paragraph 64 of the National Planning Policy Framework, policy CP1 and CP3 of the Horsham District Local Development Framework Core Strategy (2007) and policy DC2, and DC9, of the Horsham District Local Development Framework General Development Control Policies
 3. The proposed development makes no provision for contributions towards improvements to transport infrastructure and community facilities and is thereby contrary to policy CP13 and CP19 of the Core Strategy and DC40 of the General Development Control Policies as it has not been demonstrated how infrastructure needs for the development would be met.

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DC/13/0984

Abbots Lea



Scale : 1:5000

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Organisation	Horsham District Council
Department	
Comments	O/S EXTRACT
Date	07 August 2013
SLA Number	100023865



Horsham
District
Council

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee South
BY: Head of Planning and Environmental Services
DATE: 20th August 2013
DEVELOPMENT: Construction of 3 dwellings (3 x 3-bed) and associated landscape works on land to the west of Trevellan, 23 Kithurst Park
SITE: Trevellan Kithurst Park Storrington Pulborough
WARD: Chantry
APPLICATION: DC/13/0906
APPLICANT: Rosecroft Estates

REASON FOR INCLUSION ON THE AGENDA: Officer Referral

RECOMMENDATION: That planning permission is refused

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 This application seeks full planning permission for the construction of 3 dwellings with associated landscaping works on land to the west of Trevellan, 23 Kithurst Park, Storrington. The application site is currently located within the curtilage of Trevellan. The application seeks to divide the existing curtilage creating 3 additional house plots. The site area itself measures approximately 95m by 42.5m. The size of plot 1 would be approximately 31 metres wide, and 39.5 metres deep to the driveway, plot 2 would be approximately 34.5 metres wide and 31 metres in depth. Plot 3 would be approximately 30 metres wide and 30.5 metres deep.
- 1.2 The proposed dwelling on plot 1 would be a three bedroom single storey property. The property would be constructed in an "L" shape 16.2 metres in depth at its longest point and 16.7 m wide at its widest point. The building would be some 4.7 metres high to the ridge. Property 2 would be a chalet style property with rooms within the roof space. The proposed dwelling would have three bedrooms. The property would be some 13 metres wide and 13.3 metres deep at its longest point. The building would have a height of 6 metres to the ridge. Property three would also be a chalet style property with three bedrooms. The proposed dwelling would be approximately 16.9 metres wide and 12 metres deep with a ridge height of 6.7 metres. The proposed dwellings would be constructed with plain handmade clay roof tiles, stock brick with natural sand stone

features and plain clay tile hanging. Plot three would have a two bay car port to the west of the dwelling.

- 1.3 A new vehicular access to the site is proposed. This access would be achieved via Kithurst Park. The applicant proposes a new dropped kerb off the roundabout with a new tarmac driveway leading to the houses. The existing dwelling on site would have to be demolished to allow space for the new access. A dwelling to replace Trevellen was approved under application DC/11/1388. The replacement dwelling would share the proposed access with the application dwellings. The access would be 4.5m in width for the first 20m and would have a metres width of beech hedging either side of the access.

DESCRIPTION OF THE SITE

- 1.4 The site is located within the built up area of Storrington and is located on the southern side of Kithurst Park. Kithurst Park is characterised by detached mainly single or one and a half storey bungalows on large mature plots. The site currently consists of a large detached 2 storey house with attached double length garage to the side and has a rear garden in excess of approximately 100m by 37m. The southern boundary of the site adjoins the South Downs National Park with open views to the Downs, whilst to the south west is a small group of cottages extending outside the built up area into open farm land. The site is fairly open although new planting has been undertaken to the southern boundary. A public footpath runs along the northern edge of Trevellan's existing garden and to the south of Oaklea. There are three bungalows to the north of the site that look southwards.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 Relevant Government Policies are contained within the National Planning Policy Framework published in March 2012.
- 2.3 Relevant parts include section 1 (Building a strong and competitive economy), Section 6 (Delivering a wide choice of high quality homes), Section 7 (Requiring good design) and Section 11 (Conserving and enhancing the natural environment)

RELEVANT COUNCIL POLICY

- 2.4 The following policies of the Local Development Framework Core Strategy (adopted February 2007) are relevant in the assessment of this application:
CP1 – Landscape and Townscape Character, CP3 – Improving the quality of new development, CP5 – Built up areas and previously developed land, CP12 – Meeting Housing Needs & CP13 – Infrastructure Requirements.
- 2.5 The following policies of the Local Development Framework, General Development Control Policies Document (December 2007) are relevant in the assessment of this application:
DC4 – Areas of Outstanding Natural Beauty, DC9 – Development principles and DC40 – Transport & Access.
- 2.6 The South Downs Management Plan 2008 – 2013 and South Downs Planning Guidelines 2008 are relevant material considerations in the determination of this application since the South Downs National Park's creation in April 2010. The guidance contained within the

documents reflects government guidance which seeks to give maximum protection to the most valuable landscapes.

PLANNING HISTORY

DC/11/1387	Construction of 4 No. dwellings and associated landscaping works on land to the west of Trevellan, 23 Kithurst Park.	REFUSED Appeal dismissed 21/08/2012
DC/11/1388	Demolition of existing dwelling at 23 Kithurst Park and construction of a replacement dwelling and associated landscaping works	REFUSED
DC/11/2124	Demolition of existing dwelling at 23 Kithurst Park and construction of a replacement dwelling and associated landscaping works	PERMITTED

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

- 3.1 The Comments of the Councils **Arboricultural Officer** are awaited and will be reported verbally to the committee.
- 3.2 **Landscape Architect** has strongly objected to the application and has given the view that the application proposal does not overcome the issues identified by the Inspector in respect of harm to the character and appearance of the area. He considers the proposals will have an adverse visual and landscape character impact on the nearby area of the South Downs National Park and also will be out of keeping with the local townscape character of the area. He also notes there is still insufficient space for planting and the planting will take a very long time to provide any effective mitigation.

OUTSIDE AGENCIES

- 3.3 **West Sussex County Council Highways** have noted that the views and conditions previously made on the earlier application remain applicable to the current application (consultation report for previous application attached at appendix 1). The County Council would also require a contribution towards local infrastructure if the application was to be approved.
- 3.4 **West Sussex County Council Public Rights of Way Team** have noted that the footpath close to the site would need to remain open at all times and safe to use for all lawful users, unless the developer contacts WSCC and arranges a legal closure order.
- 3.5 **West Sussex County Council Ecology** has raised no objection to the application subject to conditions but have suggested that the Councils Arboricultural Officer is consulted as the access and dwellings may impact on the Root Protection Areas of trees on the site.
- 3.6 **Natural England** have raised no objection to the application subject to conditions.
- 3.7 **Southern Water** have noted that a formal connection would be required to the public sewerage system, and that there are no public surface water sewers in the area to serve the development.
- 3.8 **The South Downs National Park Link Officer** has verbally commented on the application and noted in his view that the proposal fails to overcome the fundamental concerns raised

by the Inspector regarding the earlier appeal and that the current scheme would have a harmful impact on the character of the National Park.

PUBLIC CONSULTATIONS

3.9 **Storrington and Sullington Parish Council** have strongly objected to the application on the grounds that the proposal would have a huge impact on the South Downs National Park, the trees and hedges are not mature enough to screen the properties, the proposal would set a precedent, the proposal is garden grabbing and overdevelopment of the site, the drainage appears shallow, the reasons for refusal relating to the previous appeal remain and the application for the replacement of Trevellan contains a note to applicant advising that the access is only considered to be acceptable to serve a single dwelling.

3.10 16 letters have been received objecting to the application on the following grounds;

- Issue of air quality, pressure on local infrastructure and traffic reduction should be resolved prior to any development being considered
- Properties should be single storey so as not to overlook neighbouring properties
- Drainage problems
- Loss of mature planting
- Overdevelopment of the site
- Proposal would set a precedent
- Trees shown on plan are out of proportion
- Proposal represents garden grabbing
- Proposal would appear as a solid mass of built development along the edge of the national park.
- Lack of storage space for cycles, garden equipment and cars
- Proposed access to the site is not adequate
- Noise, traffic and disturbance to neighbouring properties
- No consideration has been given to trees bordering the site access
- Proposal does not overcome the issues raised by the Inspector at the previous appeal for 4 dwellings
- Impact of light pollution

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 National Planning Policy Framework has a golden thread running through it which seeks to ensure a presumption in favour of sustainable development The National Planning Policy Framework seeks to ensure that the planning system performs an economic, social and environmental role. The Framework requires applications to be determined in accordance with the development plan. It is considered that the policies contained within the Horsham District Local Development Framework are still relevant in this case.

- 6.2 This application seeks full planning permission for the construction of three detached, three bedroom properties on land to the west of Trevellan. The site would be accessed via Kithurst Park. The application has been submitted following an earlier refusal for 4 dwellings which was dismissed at appeal (a copy of the Inspectors Decision Notice is attached as appendix 2) in August 2012 (application DC/11/1387 refer). The Inspector dismissed the earlier appeal on a number of grounds which can be summarised in terms of the proposal causing significant harm to the character and appearance of the surrounding area including the National Park. The Inspectors comments and the appeal decision are consequently a material consideration in the determination of the present application.
- 6.3 The site is located within the built up area boundary of Storrington which is designated as a Category 1 settlement in Policy CP5 of the Horsham District Local Development Framework Core Strategy. These settlements are categorised as a reflection of their relative position in a “settlement sustainability hierarchy” by virtue of their ability potentially to accommodate different levels of additional development. Category 1 settlements are classified as towns and villages with a good range of services and facilities as well as some access to public transport – capable of sustaining some expansion, infilling and redevelopment. Therefore, in principle infilling may be acceptable within the built up areas of Category 1 settlements, subject to compliance with the detailed design, landscape and environment policies of the development plan.
- 6.4 With regards to the visual amenity and character of the development the previous Inspector noted that *“while the use of traditional materials would be beneficial in this sensitive location, the houses would be closely spaced (although this of itself would not be at odds with the spacing of the existing dwellings), of relatively uniform design, and out of keeping with the prevailing mass of development squeezed into the site and significantly harming its openness.”* Whilst it is noted that the number of proposed dwellings have been reduced by one it is still considered that the proposed dwellings would be relatively uniform in design and would appear as a pattern of development out of keeping with that in the immediate vicinity, which would still harm the openness of the site as identified by the Inspector.
- 6.5 The Inspector noted that the appearance of the site in August 2012 was currently open and that this openness serves to exacerbate the stark contrast between the proposed development and the otherwise lightly wooded nature of the edge of the settlement. The site in your officer’s view still remains open despite additional planting which has taken place within the site. The Inspector also noted that the proposed houses would be built in close proximity to the South Downs National Park whose boundary runs along the southern boundary of the site, and that they would be highly visible, not only in short range but also in longer views. This view would be emphasised by the reduced number of established trees and hedges on the site and that *“whilst this could be addressed by a landscaping plan, it would take some time to come to maturity, during which period the buildings and their associated domestic paraphernalia would appear obtrusive in this edge of development setting.”* It is considered that the situation identified by the Inspector in 2012 remains on the site, and that the proposed buildings would still appear obtrusive in this edge of settlement setting.
- 6.6 Policy DC4 of the General Development Control Policies 2007, although written before the designation of the South Downs National Park in March 2009, sets out that planning permission will not be granted for proposals in or near to the Sussex Downs AONB (replaced by the South Downs National Park) that would adversely affect the character, quality, views, distinctiveness or threaten public enjoyment of these landscapes. Where exceptionally development is necessary, landscape enhancements, mitigation or compensation measures must be provided. The Inspector noted that the site would be the first development in Storrington seen from public rights of way within the Downs, and that any development in this boundary area *“could have a significant impact on the qualities for which the South Downs National Park was designated. Such landscapes are valuable and*

national policy seeks to give them maximum protection.” The Inspector then goes further to indicate that the application site should serve as a gradual transition from the countryside which is of particular importance due its location in the National Park into the settlement of Storrington. It is considered that the current proposal of three dwellings would not respect the Inspectors view of a gradual transition due to the number and layout of the units, as well as the lack of mature traditional landscaping on the southern boundary of the site.

- 6.7 Policy CP1 of the Core Strategy 2007 and Policy DC2 of the General Development Control Policies 2007 requires that proposals for development should protect and / or conserve and / or enhance the key characteristics of the Districts landscape and townscape character. It is considered that the current application in this sensitive location does not protect or conserve the key landscape character of the locality and the proposal has not therefore overcome the Inspectors concerns relating to the earlier scheme in this regard and that; *“The congested, cramped nature of the proposal , arising from the number, scale, bulk and spacing of the dwellings, with its lack of mature landscaping would fail to conserve the soft character of this transitional zone, resulting in dominance of the built form in an area where the border zone is generally semi wooded in character.”*
- 6.8 The South Downs National Park Liaison Officer was consulted regarding the proposal and it was his view that the proposal failed to overcome the fundamental concerns raised by the Inspector regarding the earlier appeal and that the current scheme would have a harmful impact on the character of the National Park.
- 6.9 It is considered that small scale development that is carefully screened could potentially be considered acceptable on this site in accordance with the comments in the Statement of Compliance (Regulation 28 Statement) for the Site Specific Allocations of Land Document, Appendix F, and the Inspectors decision on DC/11/1387. However, this development is considered to still constitute overdevelopment of the site, and in your Officers view does not overcome the comments made by the previous Inspector regarding development of the site. It is therefore considered that the proposal would be contrary to Policies DC2, DC4 & DC9 of the General Development Control Policies 2007 and Policy CP1 of the Core Strategy 2007.

7. RECOMMENDATIONS

- 7.1 It is recommended that planning permission be refused on the following grounds:
- 1) The dwellings as proposed due to their number, scale and siting would result in overdevelopment of the site which would detract from the character of the surrounding area including the adjacent South Downs National Park contrary to Policy DC4 & DC9 of the General Development Control Policies 2007 & CP1 & CP3 of the Core Strategy 2007..
 - 2) The proposed development makes no provision for contributions towards improvements to transport infrastructure, fire and rescue services and community facilities and is thereby contrary to policy CP13 of the Horsham District Local Development Framework: Core Strategy (2007) as it has not been demonstrated how infrastructure needs for the development would be met.

Background Papers: DC/13/0906, DC/11/1387

**WEST SUSSEX COUNTY COUNCIL
INFRASTRUCTURE CONSULTATION**

DATE: 25/08/2011

FROM: Jamie Brown

**TO: Horsham District Council
FAO: Kathryn Sadler**

SUBJECT: DC/11/1387 (H/W)-Constr. 4 x dwellings with assoc l/scaping works on land West of Trevellan (no. 23), Kithurst Park.

Land West of, Trevellan (no.23), Kithurst Park, Storrington, West Sussex

CONSULTATION DATE: 13/07/2011

RECOMMENDATION:

Advice	<input checked="" type="checkbox"/>	Modification	<input type="checkbox"/>	More Information	<input type="checkbox"/>
Objection	<input type="checkbox"/>	No Objection	<input checked="" type="checkbox"/>	Refusal	<input type="checkbox"/>

S106 contributions:

Fire and Rescue: £465

TAD: £7,785

Total S106 Contributions: £8,250

I refer to your consultation in respect of the above planning application and would provide the following comments. A site visit was conducted on the 17th August 2011.

The proposal will accessed from Kithurst Park a private road not maintained by WSCC, therefore these comments are for your advice only. Each property will have its own individual access, parking and turning area. The proposed parking is within the latest WSCC car parking standards.

A new access will be required; to achieve this Trevellan will be demolished and rebuilt to one side. The demolition and rebuild of Trevellan on a different location was subject to a previous planning application. I would recommend that the access road is constructed in a bound material and that suitable drainage methods are installed to ensure that private surface does not enter Kithurst Park.

Visibility onto Amberley Road (B2139) appeared acceptable, with no obstructions observed. On the information submitted and subsequent site visit no objections would be raised to this proposal from the highway point of view subject to the following conditions:

Access

No development of the site shall commence until the vehicular access serving the proposed dwelling has been constructed in accordance with the approved drawing.

Reason – In the interests of road safety.

Cycle parking

No dwelling, hereby approved, shall be occupied until covered secure cycle parking spaces have been provided in accordance with a detailed construction plan to be submitted to and approved by the planning authority.

To provide alternative travel options to the use of the car in accordance with the WSCC minimum parking standards.

Section 106 Contributions:

Education			
Locality	0		
Population Adjustment	9.3		
	Primary	Secondary	6th Form
Child Product	0.0000	0.0000	0.0000
Total Places Required	0.0000	0.0000	0.0000
Library			
Locality	Storrington		
Population Adjustment	9.3		
£/head of additional population	£114		
Waste			
Adjusted Net. Households	4		
Fire			
No. Hydrants	0		
Population Adjustment	9.3		
£/head of additional population	£50		
TAD- Transport			
Net Population Increase	9.3		
Net Parking Spaces	8		
Net Commercial Floor Space sqm	0		
Total Access (commercial only)	0.0000		

Summary of Contributions

S106 type	Monies Due
Education - Primary	No contribution required
Education - Secondary	No contribution required
Education - 6th Form	No contribution required
Libraries	No contribution required
Waste	No contribution required
Fire & Rescue	£465
No. of Hydrants	No hydrants required
TAD	£7,785
Total Contribution	£8,250

The above contributions are required pursuant to s106 of the Town and Country planning Act 1990 to mitigate the impacts of the subject proposal with the provision of additional County Council service infrastructure, highways and public transport that would arise in relation to the proposed development.

Planning obligations requiring the above money is understood to accord with the Secretary of State's policy tests outlined by the in the *ODPM Circular 05/2005 Annex B*.

The proposal falls within the Horsham District and the contributions comply with the provisions of Horsham District Local Development Framework Supplementary Planning Document- Planning Obligations of June 2007.

All TAD (Total Access Demand) contributions have been calculated in accordance with the stipulated local threshold and the methodology adopted as Supplementary Planning Guidance (SPG) in November 2003.

The calculations have been done on the basis of an increase in 4 Net dwellings

And

The calculations have been done on the basis of an increase in an additional 8 car parking spaces.

Please see below for a Breakdown and explanation of the WSCC Contribution Calculators. Also see the attached spreadsheet for the breakdown of the calculation figures. For further explanation please see the West Sussex County Council website (<http://www.westsussex.gov.uk/s106>).

5. Deed of Planning Obligations

- a) As a deed of planning obligations would be required to ensure payment of the necessary financial contribution, the County Council would require the proposed development to reimburse its reasonable legal fees incurred in the preparation of the deed.
- b) The deed would provide for payment of the financial contribution upon commencement of the development.
- c) In order to reflect the changing costs, the deed would include arrangements for review of the financial contributions at the date the payment is made if the relevant date falls after 31st March 2011.
- d) Review of the contribution towards the provision of fire service infrastructure (fire stations) should be by reference to an appropriate index, preferably RICS BCIS All-In TPI. This figure is subject to annual review.

Recent experience suggests that where a change in contributions required in relation to a development or the necessity for indexation of financial contributions from the proposed development towards the costs of providing service infrastructure such as libraries is not specifically set out within recommendations approved by committee, applicants are unlikely to agree to such provisions being included in the deed itself. Therefore, it is important that your report and recommendations should cover a possible change in requirements and the need for appropriate indexation arrangements in relation to financial contributions.

Please ensure that applicants and their agents are advised that any alteration to the housing mix, size, nature or tenure, may generate a different population and thus require re-assessment of contributions. Such re-assessment should be sought as soon as the housing mix is known and not be left until signing of the section 106 Agreement is imminent.

It should be noted that the figures quoted in this letter are based on current information and will be adhered to for 3 months. Thereafter, if they are not consolidated in a signed S106 agreement they will be subject to revision as necessary to reflect the latest information as to cost and need.

Should you require further information in relation to the calculation of the contributions, please see below:

Breakdown of Contribution Calculation Formulas:

1. School Infrastructure Contributions

The financial contributions for school infrastructure are broken up into three categories (primary, secondary, sixth form). Depending on the existing local infrastructure only some or none of these

categories of education will be required. Where the contributions are required the calculations are based on the additional amount of children and thus school places that the development would generate (shown as **TPR- Total Places Required**). The TPR is then multiplied by the Department for Children, Schools and Families school building costs per pupil place (**cost multiplier**).

School Contributions = TPR x cost multiplier

a) TPR- Total Places Required:

TPR is determined by the number of year groups in each school category multiplied by the child product.

TPR = (No of year groups) x (child product)

Year groups are as below:

- Primary school- **7** year groups (aged 4 to 11)
- Secondary School- **5** year groups (aged 11 to 16)
- Sixth Form School Places- **2** year groups (aged 16 to 18)

Child Product is the **adjusted education population** multiplied by average amount of children, taken to be 14 children per year of age per 1000 persons (average figure taken from 2001 Census).

Child Product = Adjusted Population x 14 / 1000 for houses, x 5 / 1000 for flats

Note: The adjusted education population for the child product excludes population generated from 1 bed units, Sheltered and 55+ Age Restricted Housing and Social Rented Housing as a nil child product is assumed for these dwellings.

b) Cost multiplier- Education Services

The cost multiplier is a figure released by the Department for Education. It is a school building costs per pupil place as at 2010/2011, updated by Royal Institute of Chartered Surveyors Building Cost Information Service All-In Tender Price Index. Each Cost multiplier is as below:

- Primary Schools- **£13,115 per child**
- Secondary Schools- **£19,762 per child**
- Sixth Form Schools- **£21,432 per child**

2. Library Infrastructure

There are two methodologies used for calculating library infrastructure Contributions. These have been locally tailored on the basis of required contributions and the nature of the library in the locality, as below:

Method 1: used for Chichester, Arun, Worthing, Adur, and Mid Sussex:

Library infrastructure contributions are determined by the population adjustment resulting in a square metre demand for library services. The square metre demand is multiplied by a cost multiplier which determines the total contributions as below:

Contributions = SQ M Demand x Cost Multiplier

a) Square Metre Demand

The square metre demand for library floor space varies across the relevant districts and parishes on the basis of library infrastructure available and the settlement population in each particular locality. The **local floorspace demand (LFD)** figure varies between 30 and 35 square metres per 1000 people and is provided with each individual calculation.

Square Metre Demand = (Adjusted Population x LFD) / 1000

b) Cost Multiplier- Library Infrastructure

WSCC estimated cost of providing relatively small additions to the floorspace of existing library buildings is **£3,550** per square metre. This figure was updated by WSCC's Quantity surveyor for the 2010/2011 period.

Method 2: used for Worthing and Horsham

The adjusted population is multiplied by a locally determined cost multiplier.

Contributions = adjusted population x cost multiplier

c. Cost multiplier

The localised cost multipliers have been determined on the basis of the required amount needed for funding particular library service by the population catchment.

- Horsham- £114 per person
- Crawley- £83.3 per person

3. Fire & Rescue Service Infrastructure

The Fire and Rescue Services infrastructure contribution is determined by the population adjustment multiplied by the relevant cost multiplier for the provision of services.

Fire and Rescue Contributions = Adjusted Population x Cost Multiplier

a) Adjusted Population

This is the sum of the occupancy rates for the net dwelling increase with the exclusion of social housing increase.

b) Cost Multiplier- Fire Rescue

There are two cost multipliers for WSCC which relate to the Southern Division and the Northern Division. The cost multiplier is calculated by dividing the total cost of necessary fire and rescue infrastructure within the division by the projected population for 2016. The cost multipliers are as below:

Southern Division (Chichester, Arun, Worthing and Adur): £13 per person

Northern Division (Horsham, Crawley, Mid Sussex): £50 per person

Note: The installation costs of fire hydrants are excluded from the above and will continue to be required on developments as a direct cost to the developer as required under the Fire Services Act 2004

4. TAD- Total Access Demand

The methodology is based on total access to and from a development. An **Infrastructure Contribution** is required in respect of each occupant or employee provided with a parking space, as they would be more likely to use the road infrastructure. The **Sustainable Transport Contribution** is required in respect of each occupant or employee not provided with a parking space which would be likely to rely on sustainable transport.

TAD = Infrastructure contribution + Sustainable Transport contribution

a) Infrastructure Contribution

Contributions for Infrastructure are determined by the net increase in car parking spaces, multiplied by WSCC's estimated cost of providing transport infrastructure per vehicle-Infrastructure cost multiplier. The Infrastructure cost multiplier as at 2010/2011 is £900 per parking space.

Infrastructure contributions = Car parking spaces x Cost multiplier.

b) Sustainable Transport Contribution

This is derived from the net car parking increase subtracted from the projected increase in occupancy of the development. The sustainable transport contribution increases where the population is greater than the parking provided. The sustainable transport figure is then multiplied by County Council's estimated costs of providing sustainable transport infrastructure cost multiplier (£450).

Sustainable transport contr. = (net car parking – occupancy) x 450

Note: occupancy is determined by projected rates per dwelling and projected people per commercial floorspace as determined by WSCC.

Local Development



Appeal Decision

Site visit made 10 July 2012

by **M A Champion BSc CEng FICE FISTructE FCIHT FHKIE**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 August 2012

Appeal Ref: APP/Z3825/A/12/2172913

Land to the west of Trevellan, 23 Kithurst Park, Storrington, RH20 4JH.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Rosecroft Estates against the decision of Horsham District Council.
 - The application ref: DC/11/1387, dated 12 July 2011, was refused by notice dated 22 September 2011.
 - The development proposed is the construction of four new dwellings and associated landscape works.
-

Decision

1. The appeal is dismissed.

Main issues

2. I consider that the main issues in this appeal are: first, the effect of the proposed development on the character and appearance of the surrounding area; and secondly, whether the proposed development would make adequate provision for infrastructure and community facilities.

Reasons

3. The appeal site lies in a residential area where Policies DC4 and DC9 of the Horsham District General Development Control Policies 2007 (GDGP) and Policies CP1, CP3, CP5 and CP13 of the Core Strategy 2007 (CS) deal with Areas of Outstanding Natural Beauty (AONB), development principles, built-up areas, landscape and townscape character, improving the quality of new development, and infrastructure requirements. These are supported by a Supplementary Planning Document (SPD) *Planning Obligations*.
 4. In April 2010 the AONBs (Policy DC4) became part of the South Downs National Park (SDNP). Guidance set out in the South Downs Management Plan 2008-2013 and South Downs Planning Guidelines 2008 is therefore also relevant.
 5. Policies in the National Planning Policy Framework (NPPF) have also been considered, and I have had regard to the parties' comments where these have been made.
-

6. The site comprises the major part of the rear garden of Trevellan, a two-storey detached house with a large rear garden, the southern boundary of which abuts the South Downs National Park. To the south-west is a small group of cottages extending outside the built-up area into open farmland, while to the north and east the predominant character of the area is established by detached dwellings, mainly single or 1½ storey bungalows, on large, mature plots.
7. Planning permission has been granted for demolition of the existing house and construction of a replacement dwelling. The current proposal would construct a new access road along the northern boundary of the site leading from a new entrance in the north-east corner, and erect four two-storey detached houses in the rear garden area.
8. CS Policy CP5 identifies Storrington as a Category 1 settlement; these are capable of sustaining some expansion, infilling and redevelopment. The site lies within the built-up area boundary and there is, therefore, no objection in principle to its redevelopment.

Effect on character and appearance

9. However, although the proposed dwellings would appear to be comparable in size and overall height with the surrounding buildings in Kithurst Park, they would have smaller plots. The appellant's figures show that the average plot size proposed would be significantly smaller than the average plot size within Kithurst Park. While some smaller plot sizes exist these generally occur further into the built-up area away from the SDNP boundary.
10. While the use of traditional local materials would be beneficial in this sensitive location, the houses would be closely spaced (although this of itself would not be at odds with the spacing of some existing dwellings), of relatively uniform design, and out of keeping with the prevailing style of development in the area. The proposed houses would appear as a mass of development squeezed into the site and significantly harming its openness.
11. The Council states, but the appellant disputes, that the site was recently cleared of all trees. Whatever the extent of the clearance, the interior of the site and some of the boundary were largely devoid of trees at the time of my visit, although some trees and hedges close to the boundary remained.
12. While tree clearance could facilitate construction of the proposed dwellings, it also emphasises the current openness of the site and serves to exacerbate the stark contrast between the proposed development and the otherwise lightly wooded nature of the edge of the settlement.
13. The proposed houses would be built close to the SDNP and would be highly visible from there, not only from short range, but also in longer views from the rising ground to the south, though from the top of the ridge the impact of the development would be somewhat limited by distance. They would be particularly visible owing to the reduced number of established trees and hedges on the site. While this could be addressed by a landscaping plan, it would take some time to come to maturity, during which period the buildings and their associated domestic paraphernalia would appear obtrusive in this edge-of-development setting.

14. They would be the first development in Storrington seen from public rights of way across the Downs. Any development in this boundary area could have a significant impact on the qualities for which the SDNP was designated. Such landscapes are valuable and national policy seeks to give them maximum protection.
15. The proposal would not serve as a gradual transition from the countryside, which is of particular importance owing to its SDNP designation, but would appear as a solid mass of built development on the edge of the National Park.
16. The congested, cramped nature of the proposal, arising from the number, scale, bulk and spacing of the dwellings, with its lack of mature landscaping would fail to conserve the soft character of this transitional zone, resulting in dominance of the built form in an area where the border zone is generally semi-wooded in character.

Provision of infrastructure

17. As part of the appeal the appellant has presented a legal agreement between the land owner and the Council pursuant to s106 of the Town and Country Planning Act 1990. This sets out contributions towards open space, sport and recreation provision, fire and rescue services, and transport infrastructure, as required by CS Policy CP13 and SPD.
18. This agreement would, in my view, satisfy the tests set out in paragraph 204 of NPPF since it would be necessary to make the development acceptable in planning terms, would be directly related to the development, and would be fairly and reasonably related in scale and kind to the development. The agreement has been entered into by the Council and appears to meet the objectives of development plan policy. It thus overcomes the Council's second reason for refusal.

Conclusion

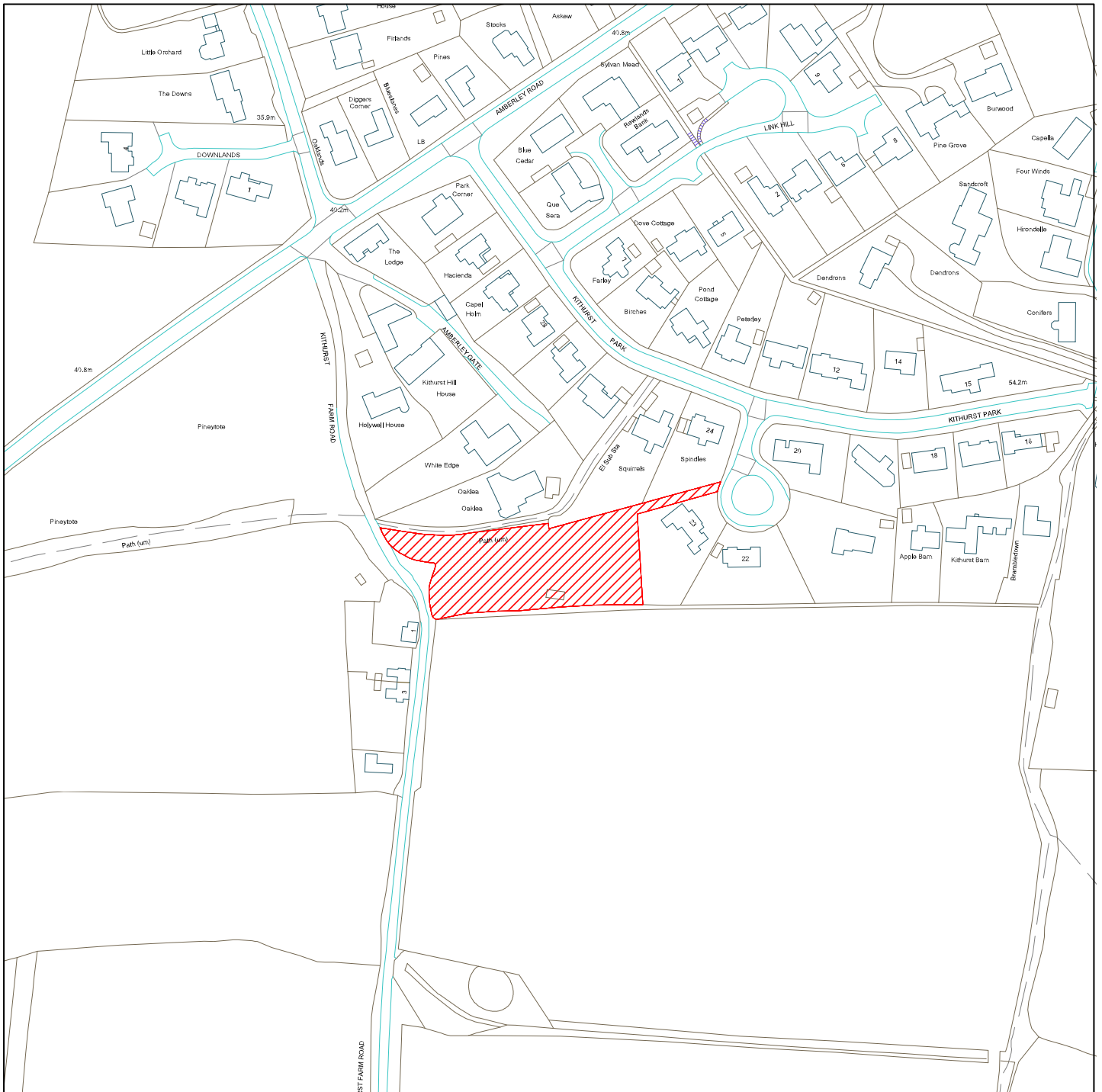
19. I conclude that the proposed development would make adequate provision for infrastructure and community facilities as set out in the submitted planning obligation, and would comply with Policy CP13 and SPD in this respect. However, it would significantly harm the character and appearance of the surrounding area including the South Downs National Park, contrary to GDCP Policies DC4 and DC9 and CS Policies CP1 and CP3.

M A Champion

INSPECTOR

DC/13/0906

Trevellan



Scale : 1:2500

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Organisation	Horsham District Council
Department	
Comments	O/S EXTRACT
Date	07 August 2013
SLA Number	100023865



Horsham
District
Council

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee South

BY: Head of Planning and Environmental Services

DATE:

DEVELOPMENT: Replacement of kennel buildings with a detached dwelling and double garage, with new vehicular access and reversion of other commercial kennel buildings to purposes ancillary to the existing dwelling

SITE: St Andrews Farm Coolham Road Brooks Green Horsham

WARD: Billingshurst and Shipley

APPLICATION: DC/13/1132

APPLICANT: Ms Annie Silver

REASON FOR INCLUSION ON THE AGENDA: Five letters of representation in support of this application have been received.

RECOMMENDATION: To REFUSE planning permission.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The proposal seeks planning permission to demolish seven existing kennel buildings within the westerly half of the application site and the erection of a detached chalet bungalow and detached double garage. The proposed dwelling would be orientated to the east, facing the proposed parking area and single storey double garage building. The 2-storey dwelling would have four bedrooms within the roof space incorporating barn hipped ends and dormer windows. The proposed dwelling would be constructed with a brick, timber and rendered façade with clay roof tiles, and would measure 17 meters by 13.5 meters and 6.6 meters in height.
- 1.2 This proposal also seeks planning permission for the formation of a new vehicular crossover onto Coolham Road and an access driveway to the south-east of the proposed dwelling. The proposed crossover would be situated to the south east corner of the site, where the access point would enter the site to the south of a row of preserved trees along the verge. The driveway would extend approximately 140 meters in length across the grassed field towards the application site where it would split, and continue straight on towards the proposed dwelling site, and in an eastward direction towards the existing buildings to the east of the site. The new access serving the property would be tarmaced

for the first 10.5 meters from the road and would then incorporate a surface of crushed Horsham stone or similar.

DESCRIPTION OF THE SITE

- 1.3 The application site is located outside the built up area and is currently accessed from Coolham Road via a shared access with the easterly neighbouring dwellings at St Andrews Farm and St Andrews Lodge. The existing kennels site can accommodate up to 60 dogs and 40 cats within the numerous single storey kennel buildings which are situated on the site.
- 1.4 The site is situated at an elevated level in comparison to the road level, and the existing shared vehicular access to the site from Coolham Road is on a steep incline and is only wide enough for one car to pass. The topography of the site and the adjacent grassed paddock falls away to the south.
- 1.5 The surrounding area is predominantly rural in terms of character and to the south of the kennels site there is a grassed paddock that has previously been used for the exercising of dogs in conjunction with the kennel business. To the east of the site is a single storey building which comprises an animal crematorium that is run as a stand alone business separate from the kennel business. To the north of the application site there is a public right of way and to the north-west there is the neighbouring dwelling at Chilvers Farm.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 At the heart of the National Planning Policy Framework 2012 is a presumption in favour of sustainable development which should be seen as the 'golden thread' running through both plan-making and decision taking. The relevant sections of the NPPF which are considered to relate to this proposal are Section 1 (Delivering Sustainable Development), Section 3 (Supporting a Prosperous Rural Economy), Section 4 (Promoting Sustainable Transport), Section 6 (Delivering a wide choice of high quality homes), Section 7 (Requiring Good Design), and Section 11 (Conserving and Enhancing the Natural Environment). The key points of relevance in relation to this proposal are considered to be:

Section 1 of the NPPF specifies that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Therefore, the Government advises that significant weight should be placed in the need to support economic growth in the planning system.

Section 3 of the NPPF specifies that planning should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable development.

Section 6 advises that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Local Authorities are advised to avoid new isolated homes in the countryside unless there are special circumstances such as the i) essential need for a rural worker, ii) the development would represent the optimal viable use of a heritage asset, iii) where the development would re-use redundant or disused buildings and lead to the enhancement of the

immediate setting, or iv) would comprise a building of exceptional quality or innovative nature of design.

RELEVANT COUNCIL POLICY

- 2.3 Horsham District Local Development Framework: Core Strategy (2007) – Policies CP1, CP2, CP3, CP4, CP13 and CP15.

Horsham District Local Development Framework: General Development Control Policies (2007) – Policies DC1, DC2, DC6, DC9, DC24 and DC40.

PLANNING HISTORY

DC/12/2024	Replacement of kennel buildings with a detached single dwelling and double garage and new vehicular access and reversion of other commercial kennel buildings to purposes ancillary to the dwelling	REF
SP/9/96	Demolition of kennel block and erection of a boarding block for cats Site: St Andrews Farm Brooks Green	PER
SP/12/89	Erection of bungalow, garage and new vehicular and pedestrian access Comment: (1269, 2453) outline (From old Planning History)	REF
SP/1/88	Demolish ex-outbuildings and erection of 24 additional boarding kennels (From old Planning History)	PER
SP/20/83	20 quarantine kennels (From old Planning History)	PER
SP/45/73	Use of existing building for breeding & boarding of cats and dogs Comment: Appeal allowed 27/02/75 (From old Planning History)	PER
SP/13/62	Proposed residential development (From old Planning History)	REF

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

- 3.1 **Council's Aboricultural Officer raises no objection to this application** - A full copy of comments can be viewed on the Council's website (www.horsham.gov.uk):

- Extensive consideration was made at this site for previous application DC/12/2024, where a number of recommendations were made for alternative access routes.
- The Aboricultural Officer is pleased to see these recommendations have been applied in this application.
- Access is now sited south of tree 1 (T1) preventing root disturbance. One large Field maple tree will require felling, which is considered acceptable due to its unexceptional growth.
- The application meets the relevant requirements and therefore no objection is registered.

OUTSIDE AGENCIES

- 3.2 **West Sussex County Council raises no objection to this application** - Comments submitted as part of the consultation for the previous application DC/12/2024 are still considered relevant, and these should be referred to when considering this application (DC/13/1132).

West Sussex County Council has requested s106 contributions totalling £3,848 (£363 libraries, £135 fire and rescue no. of fire hydrants: TBC, and £3,350 TAD).

The following comments from WSCC should be considered. A full copy of comments can be viewed on the Council's website (www.horsham.gov.uk):

- The latest traffic flows data indicates that Coolham Road is lightly trafficked with vehicle movements generally averaging one per minute in each direction.
- WSCC would be satisfied that a Manual for Streets approach can be taken when considering the highways aspects of this application.
- The existing point of access has sub-standard visibility in each direction. The proposed point of access will possess visibility splays of 2.4 x 105 meters to the south and 2.4 x 81 meters to the north. WSCC is satisfied that these splays are appropriate to safeguard highway safety.
- The proposal would have the result of removing vehicular movement from a sub-standard point of access while also decreasing the number of potential movements generated by the site overall.
- If the new access point were to be permitted, WSCC advised that the existing access point is extinguished so that the new residential movements are required to use the new point of access.
- WSCC advised that the access gradient be lowered from the proposed 1:15 to 1:20 if achievable.
- The County Council note that if occupiers at St Andrews Lodge seek to use the proposed point of access, the Highways Authority would be in support subject to a condition whereby the existing substandard access is eliminated and reinstated to verge to the satisfaction of the LPA. In this instance WSCC recommend that the access route measures 4.5 meters in width to allow for vehicles to be able to pass and re-pass off the public highway.
- WSCC considers the application difficult to resist from a highway safety perspective.

- 3.3 **Southern Water - raises no objection to this application** – Comments are noted below. (A full copy of comments can be viewed on the Council's website (www.horsham.gov.uk):

- The applicant has not stated details of means of disposal of foul drainage from the site.
- Investigations indicate that there are no public sewers in the area to serve this development. Alternative means of drainage foul and surface water from this development are therefore required.
- The applicant will need to ensure that arrangements exist for the long term maintenance of Sustainable Urban Drainage Systems (SUDS) facilities. Where a SUDS scheme is implemented, the drainage details submitted to the Local Planning Authority should:
 - Specify the responsibilities of each party for the implementation of the SUDS scheme
 - Specify a timetable for implementation
 - Provide a management and maintenance plan for the lifetime of the development.

- Southern Water's current records do not show any public sewers to be crossing the above site, however, should any sewer be found during construction works, Southern Water note that an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

PUBLIC CONSULTATIONS

3.4 Five letters of representation have been received in support of this application. The main reasons for supporting this proposal include:

- The existing kennels cause noise disturbance to neighbouring dwellings and the proposal would improve conditions for neighbouring residents.
- The proposed dwelling would be in keeping with neighbouring properties and the surrounding area.
- The current business is unviable.
- The dwelling would give the owners a place to live in their retirement.
- Conversion to other commercial use would cause more noise and traffic in the local area.

3.4 One letter of representation has been received objecting to this application. Objection was based on the following:

- The proposed driveway/entrance appears very close to the property at St Andrews Cottage – noise and privacy implications.
- The existing trees currently provide shade to oil tanks, and provide further privacy.

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 a material impact on crime and disorder.

6. PLANNING ASSESSMENTS

6.1 The issues for consideration in the determination of this planning application are:

- (1) the principal of the development and impacts of the proposal on the countryside location
- (2) the amenity of neighbouring occupiers
- (3) traffic and access
- (4) existing trees

The Principle of the Development

6.2 The application site is located outside the built up area and therefore is in a countryside location. The proposal seeks planning permission for the replacement of seven existing

kennel buildings with a four bedroom detached chalet bungalow dwelling, detached double garage building, and associated access. The reversion of other kennel buildings to uses ancillary to the existing dwelling is also proposed. Within the countryside, new residential development is considered to be unsustainable and is generally resisted in terms of national planning policy within (Section 6 of) the National Planning Policy Framework (NPPF) unless it is required for an agricultural or forestry worker would incorporate the reuse of existing buildings and the enhancement of the area or would provide a building of exceptional quality. Policy DC1 of the Horsham District Local Development Framework General Development Control Policies (2007) specifies that outside the built up area boundaries, development will not be permitted unless it is considered essential to its countryside location. Policy DC24 is the main policy by which proposals for the conversion of agricultural or rural buildings to other uses is considered. DC24 states that the conversion of rural buildings for residential development will be permitted where the building is not in an isolated position in relation to infrastructure, amenities and services, and further states that the proposed new use of the rural building can be accommodated in the existing building. It is considered that this proposal would not meet the requirements of local policy as outlined above, nor the advice set out in the NPPF, and would therefore conflict in principal with national and local planning policy.

- 6.3 The NPPF advises Local Authorities that planning should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. Policy CP15 supports sustainable economic development within rural areas and encourages development that seeks to maintain the quality and character of the area whilst sustaining its varied and productive social and economic activity. The site currently comprises a dog and cat kennels and this commercial employment use would be lost as a result of the proposal to redevelop the site as a single residential dwelling. In a supporting statement, the Agent has specified that the existing kennel business is no longer viable mainly due to the removal of the requirement for pets to undergo quarantine, replacing this with pet passports and a waiting period in the country of origin. The agent also notes that the use of the business as boarding kennels is also unviable, due to competitors such as 'dog sitting' companies, who attend the owner's homes and look after the animals when they are away. Supporting financial information has been submitted on a private and confidential basis with the planning application, and details the profits and losses of the business in the period 2008 – 2012. This information notes that there has been a decline in business in this 4-year period, resulting in a reduction in staff and a significant loss in annual turnover. It is noted in this financial information that since 2008 business has fallen, and is continuing to fall - mainly due to the previous reliance on the quarantine business that is much reduced now, as well as high overheads. It is considered that these financial statements (which were provided and signed by Clarity Chartered Accountants) clearly show that the kennel business at St Andrews Farm is struggling.
- 6.4 Given that there is an established commercial business use on the site which has been in situ since 1979, it is considered that proposals for a different commercial use on the site for example in the B use classes may be considered more suitable in terms of local planning policy rather than residential development of the site. An independent analysis of the site and its potential to support alternative commercial uses was undertaken and submitted with the planning application. This analysis identified possible B1 uses for the site to include workshops for vehicle repairs, metalwork and carpentry type uses, lock-up stores suitable for documents, classic cars, builder's lock-up stores for small tools and materials. It was noted in the analysis that these types of buildings and uses would have high management costs as occupiers would not enter into any long term agreements (3 months at most). It was concluded in the analysis that although alternative B1 uses on this site would be possible, they would likely cause periods of voids and high turnover due to the poor position and location. From taking into account the analysis into alternative commercial possibilities on this site, it is considered that there are a variety of alternative B1 uses the

owner could explore which would be suitable for a rural site of this size and type, and which would maintain sustainable economic growth and employment in the countryside.

- 6.5 The agent has noted in the application supporting statement the estimated traffic generation into and out of the site for various uses. It is noted that during the peak of the kennel business traffic flows were higher than they are today, generating approximately 78 movements into and out of the site per day. The agent notes that an alternative B1 use would generate a similar number of movements (according to TRICS data). It is predicted by the agent that the use of the site as a dwelling would generate around 12-16 movements per day, and use as an agricultural unit (pigs for example) would generate around 100+ movements per day.
- 6.6 The supporting statement describes the following 4 options for the future of the site.
- The first option looks at endeavouring to create a viable kennel business based on boarding kennels. This is considered by the agent to be unviable due to the current demand for spaces at the kennels (recently only 10 dogs and 7 cats resided at St Andrews), and the local competition (there are 7 kennels/catteries within 5 miles of Horsham Town Centre). The agent notes that attempts to sell the premises as boarding kennels have been unsuccessful. The statement notes that organisations such as the RSPCA, Cats Protection League, Dogs Trust and others have been approached to make use of the premises – but without success, and state this is due to the remote location. It is noted that the property has been marketed by King and Chasemore, Horsham without success, but no detailed information has been submitted describing when, and for how long the property was marketed for.
 - The second option looks to pursue alternative commercial or residential use for the existing kennel buildings. The agent recognises the suitability of these buildings to be converted to alternative B1 uses without much alteration, but notes that the most likely form of B1 use would be of an industrial type (workshops, car mechanics, welders, metal workers, engineers etc). It is stated that this would result in more commercial traffic in the area, but that the amenity of neighbouring properties would improve (less noise from dogs). Having looked at the independent analysis of possible alternative commercial uses on this site it is acknowledged that industrial type uses could be viable options, but it is disputed that these would be the only options as use as lock-up stores has also been suggested.
 - The third option looks to return the site back to agricultural use. As the buildings were once used for pigs the agent notes that this would be a realistic use that would not require planning permission. The agent notes however in the statement that this would create a large number of traffic movements into and out of the site (data taken from comparison case-study with another pig farm), which would occur 7 days a week, and would be unsuitable due to the current unsafe access to the main road.
 - The forth option is to redevelop the site as per the current planning application. The agent notes that the size of the proposed dwelling is necessary as per the valuation prepared and attached with the application. It is noted that the size of the house would be necessary to compensate for the loss in value that would arise from the closure of the kennel business. The valuation prepared presents 2 options – option A and option B. Option A values the kennel business, and potential for alternative commercial use (including light industry). Option B values a new chalet style dwelling (as proposed) replacing the kennel buildings. The valuations result in a higher value for option B (the dwelling). The agent notes that the forth option would result in the lowest of the traffic movement predictions for each option at only 12 – 16 movements per day. Although it is acknowledged that the forth option is the applicants preferred option, and potentially

the most desirable in terms of financial gain, it is an option that is against both local and national policy.

Impact on Amenity

- 6.7 The agent is of the view that the kennels currently create a significant amount of noise disturbance to the surrounding neighbouring occupiers and that an alternative employment use of the site would perpetuate unsustainable levels of traffic movement at the existing substandard access point. The closest neighbouring dwellings to the kennel buildings are situated approximately 40 meters to the north-west (Chilvers Farm House), 20 meters to the east (St Andrews Farm) and 65 meters to the south-east (St Andrews Lodge). It is noted that the closest dwelling comprising St Andrews Farm situated to the east would have previously been used in conjunction with the former farm use of the site prior to the kennel business occupying the site. The existing dwelling at St Andrews Farm has however subsequently been separated from the kennel business. The Council's Public Health Officer was consulted on the previous application (DC/12/20204) and advised that there is an ongoing noise complaint from one neighbouring occupier which dates back to 1999 but this has never been proven by the Council's Public Health department to be a statutory noise nuisance.
- 6.8 It is claimed in the application's supporting statement that the demolition of the unattractive kennel buildings and the erection of the chalet style bungalow would visually improve the appearance of this rural site. The existing buildings are however single storey and are not considered to be particularly prominent from any public vantage points outside of the application site. It is also considered that visual improvements on the site could be made through alternative commercial use on the site. If an alternative B1 industrial/employment use on the site were to be the way forward, it is likely that conditions would be imposed (such as restricted hours of operation, use limitations, use of floodlights etc) in the interest of the amenity of nearby properties, and in order to alleviate concerns over noise levels and visual disturbances.
- 6.9 On the basis of the information submitted, it is considered that the argument that the proposal would result in an improvement in visual amenity and a reduction in neighbouring noise disturbance are without foundation and would not outweigh the fundamental planning policy concerns relating to a loss of a commercial business and the erection of a new dwelling in the countryside.

Traffic and Access

- 6.10 The proposal also seeks planning permission for a new vehicular crossover situated to the south of a row of preserved oak trees along the verge of Coolham Road, and an access driveway which would extend approximately 140 meters in length across the grassed field towards the application site where it would split, and continue straight on towards the proposed dwelling site, and in an eastward direction towards the existing buildings to the east of the site. The new access serving the property would be tarmaced for the first 10.5 meters from the road and would then incorporate a surface of crushed Horsham stone or similar. The existing access onto the site is shared with occupants of St Andres Lodge, and is located to the east of the kennel site on a steep gradient.
- 6.11 It is acknowledged that the existing access into St Andrews Farm is poor, and is considered that the proposed new access would provide a safer point of entry and exit between the site and the main road. However, the proposed access track/driveway would extend approximately 3.5 meters in width and 140 meters in length (before splitting in two directions) across an existing grassed paddock to the south-east of the kennel site. It is considered that this will create a significant amount of partly tarmaced and partly Horsham

stone track which would appear as an urban feature within this open field and would visually detract from the countryside setting.

Existing Trees

- 6.12 The position of the proposed access would be situated to the south of a line of 6 Oak trees – all recently protected by TPOs. In a letter of objection received, it was noted that the loss of a tree in this location would result in a loss of shade and privacy to the occupier of St Andrews Cottage to the south of the site. Despite the fact a mature Maple tree and associated foliage on the verge will require felling as part of this proposal; it is considered that the proposed point of access between the main road and the site is acceptable as the tree is not of significant growth as confirmed by the Council's Arboricultural Officer. It is considered that this proposal (in terms of existing trees) accords with the requirements of BS 5837 'Trees in relation to design, demolition and construction - Recommendations' (2012) as well as policy DC9 of the Horsham District Local Development Framework General Development Control Policies (2007).

Conclusion

- 6.13 The considerations put forward in this application that the proposed demolition of seven kennel buildings and erection of a detached chalet bungalow would result in an improvement in visual amenity, a reduction in neighbouring noise disturbance and alleviation of traffic/access safety concerns caused by the existing kennel business have been taken into account in the assessment of this application. However, this proposal is found to be unacceptable for the reasons as set out in this report, and summarised below:
- It is considered that the proposal presented in this application for the replacement of a rural business with residential development would conflict in principle with national and local planning policy which seeks to safeguard the character of the rural environment.
 - It is not disputed that the kennel business has declined at St Andrews Farm, but the proposal in this application would result in the loss of a rural commercial employment site which would fundamentally conflict with Section 3 of the NPPF guidance which seeks to promote economic growth in rural areas. Policy CP15 of the Horsham District Local Development Framework Core Strategy (2007) seeks to support sustainable economic development within rural areas and encourages development that seeks to maintain the quality and character of the area whilst sustaining its varied and productive social and economic activity. It is considered that an alternative B1 uses for this site is a realistic option, and would be a more suitable alternative to the current proposal for a new dwelling.
 - Whilst it is acknowledged that the proposal to create a new dwelling on this site may provide some improvement to the noise created by the existing kennel business, it is also noted that despite the existing use being established since 1979, it has never been proven to be a statutory noise nuisance by the Council's Public Health department. It is considered that with the implementation of conditions, any noise impact that an alternative B1 use on this site may have, would be satisfactorily mitigated.
 - In terms of visual amenity, it is not considered that the existing buildings are particularly prominent from any public vantage points outside of the application site, and is considered that any visual improvements on the site could be made through alternative commercial use on the site. The proposed access and hard standing across the existing paddock is considered to result in detrimental visual impact as it would appear as an extensively hard engineered and alien feature within the open field which would visually detract from the countryside setting.

In light of the above, it is considered that this proposal presented in this application would have an adverse impact on the visual and economic locality of the rural area and would conflict in principle with national planning guidance and local planning policies.

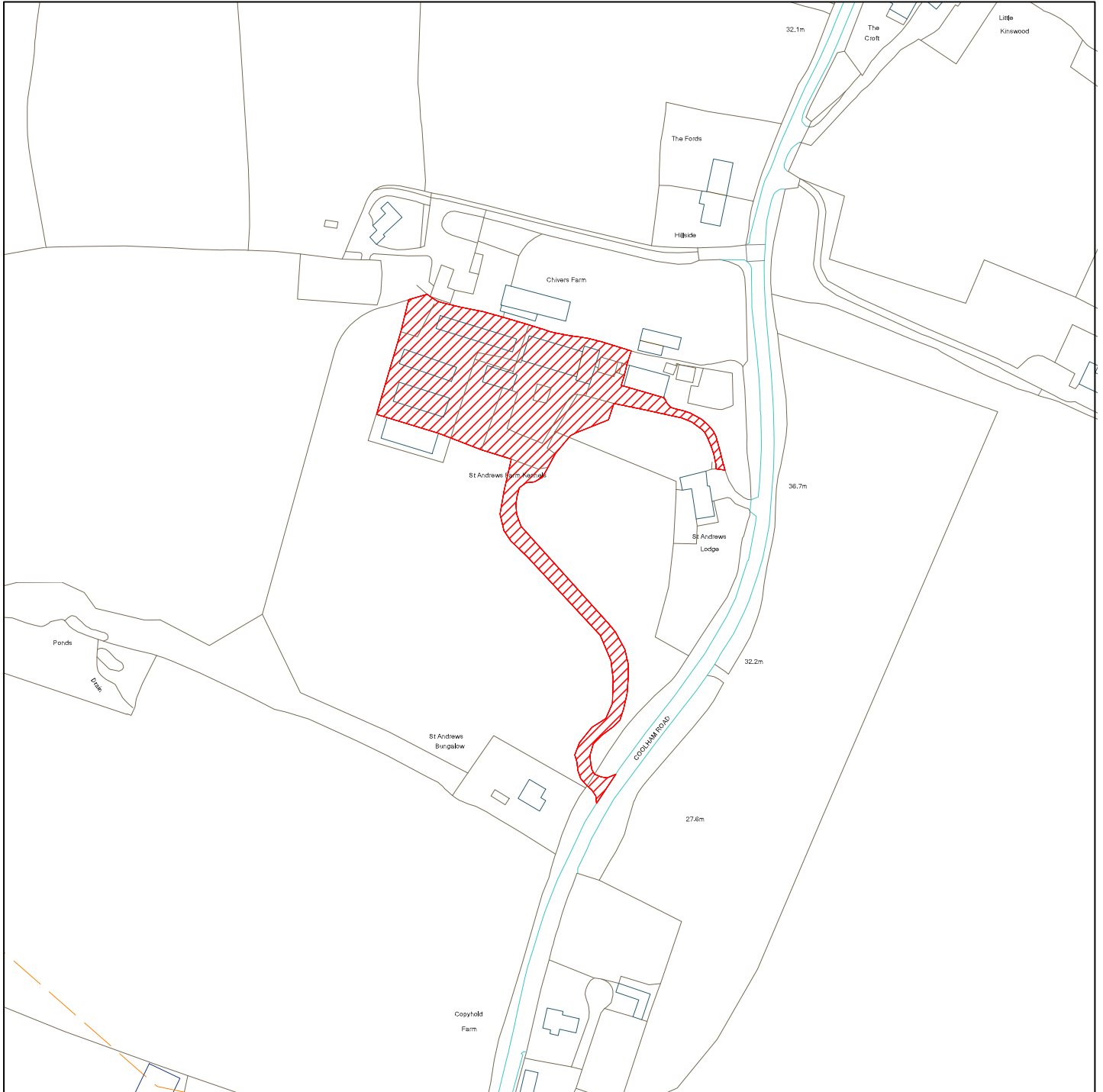
7. RECOMMENDATIONS

7.1 It is recommended that permission be REFUSED subject to the following reasons:

1. The site is outside the limits of any existing town or village and the development of a detached dwelling, garage and access track, if permitted, would consolidate an undesirable element of sporadic development in a rural area which would result in visual intrusion into the countryside to the detriment of the rural character of the area. Therefore the proposal is contrary to guidance within the National Planning Policy Framework 2012 (which advises Local Authorities to avoid new isolated homes in the countryside), as well as Policy DC1 and DC24 of the Horsham District Local Development Framework General Development Control Policies (2007), and Policies CP1 and CP15 of the Horsham District Local Development Framework Core Strategy (2007).
2. The proposed development would result in the loss of a commercial employment site within a rural location, where it has been shown that alternative commercial uses would be suitable. This conflicts with guidance within the National Planning Policy Framework 2012 (which seeks to promote economic growth in rural areas), and policy CP15 of the Horsham District Local Development Framework Core Strategy (2007).
3. The proposed development makes no provision for contributions towards improvements to transport and community facilities infrastructure and is thereby contrary to Policy CP13 of the Horsham District Local Development Framework Core Strategy (2007) as it is not been demonstrated how infrastructure needs for the development would be met.

DC/13/1132

St Andrews Farm



Scale : 1:2500

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Organisation	Horsham District Council
Department	
Comments	O/S EXTRACT
Date	07 August 2013
SLA Number	100023865



DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee South

BY: Head of Planning & Environmental Services

DATE: 20th August 2013

DEVELOPMENT: Variation of legal agreement S106/0623

SITE: Old Barn Nurseries, Dial Post

WARD: Cowfold, Shermanbury and West Grinstead

APPLICATION: WG/17/93

APPLICANT: Wyevale Acquisitions Borrower Limited

REASON FOR INCLUSION ON AGENDA: Request to vary a Section 106 agreement previously agreed at Committee.

RECOMMENDATION: To vary legal agreement No. 623

1. THE PURPOSE OF THIS REPORT

To seek approval of this Committee to vary the Section 106 agreement as requested.

DESCRIPTION OF THE SITE

- 1.1 Old Barn Nurseries is located in a countryside location to the east of the A24 and to the west of Grinders Lane. The Old Barn Nurseries site comprises 6.3 hectares of land in mixed use for the purposes of the garden centre and horticultural business use.
- 1.2 The site is split into two, with the main garden centre, coffee shop and restaurant to the west of the site and the growing area to the east of the site which is closed to the general public.

PLANNING HISTORY / BACKGROUND

- 1.3 Old Barn Nurseries was developed following the grant of planning permission WG/2/90 for the construction of a barn and the erection of 2,000 square metres of glass houses. This permission was subject to a planning agreement controlling the goods that could be sold from the land. These goods included hardy and non-hardy plants, water garden and marginal plants, fresh fruit and vegetables, cut dried and artificial flowers and foliage, small equipment and products associated with indoor/outdoor garden plants such as garden tools and light refreshments and confectionary to nursery retail customers only.

- 1.4 Following the creation of the business, it was established that goods were being sold that were not listed within the agreement. Application WS/17/93 was subsequently submitted to address these issues. The opportunity was taken in 1993 to secure another planning agreement ensuring that the land at the northern end of the site was only to be used for agricultural or horticultural purposes or as a plant production area. It was also agreed that Christmas decorations could be sold from the site provided this was restricted to a specific area within the greenhouses.
- 1.5 Planning application WS/21/97 was subsequently approved on the site for a 134 square metre extension to the open plant sales area to the south of the greenhouses, a conservatory to the bungalow and use of the land at the northern end of the site as an overspill car park. An amendment to the planning agreement was also sought in 1997 to allow for the sale of garden furniture, barbecues, pet foods, fencing, light garden landscape materials such as paving, strimmers and hedge cutters and garden clothing was also sought. Section 106 no.623 was therefore drawn up to include these goods and restrict the sale of products in the specific coloured areas of the site as shown on the map incorporated within the legal agreement which is attached at Appendix 1.
- 1.6 Section 106 no.623 states that “the owner and the applicants hereby covenant:

Not to sell or display for sale any goods other than those goods listed in the Schedule to this agreement numbered 1 – 5 and those referred to in Condition 2 attached to the 1993 Planning Permission and no sale or display for sale of goods shall take place except as authorised in this agreement and the said condition 2”.

Schedule 1 – (Goods which may be sold from the Yellow Land)

- Hardy garden plants (eg. trees, shrubs and roses)
- Non-hardy plants, (eg. bedding plants, house plants)
- Water garden and marginal plants
- Fresh fruit and vegetables
- Cut, dried, artificial flowers and foliage
- Small equipment and products associated with indoor/outdoor garden plants (eg. Garden tools, fertilisers, chemicals, propagators, seed trays, pots etc)
- Light refreshments and confectionary to nursery retail customers only
- Christmas decorations
- Garden furniture
- Barbecues
- Pet foods (excluding live pets)
- Garden clothing (eg. wellington boots, Barbour jackets)
- Domestic garden machinery (eg. mowers, strimmers and hedge cutters)

Schedule 2 – (Goods which may be sold from the Blue Land)

- Light garden landscaping materials to include paving, boulders and rockery stones
- Fencing posts and panels
- Plants shrubs and ornamental trees
- Clay and ceramic pots, tubs and garden ornaments

Schedule 3 – (Goods which may be sold from the Green Land)

- Hardy garden plants (eg. trees, shrubs and roses)
- Clay and ceramic pots, tubs and ornaments
- Plant supports

Schedule 4 – (Goods which may be sold from the Pink Land)

- Plants and seeds
- Ceramic and plastic pots

Schedule 5 – (Goods which may be sold from the Brown Land)

- Plants
- Ceramic and plastic pots
- Plant supports

Schedule 6 – (Goods which cannot be sold from the Land)

- Garden sheds
- Greenhouses
- Building materials (excluding materials specifically referred to in Schedule 2 above)
- Swimming pools and similar large items

- 1.7 There are a number of other planning applications which restricted the use of the barn and bungalow and permitted the erection of various buildings on site.
- 1.8 Application DC/10/1486 for the demolition of an existing building and the erection of a conservatory extension to the existing coffee shop were permitted in 2010. It appears that this permission conflicts with S106 no.623 as the land within the agreement restricts goods sold from this area to light garden landscaping materials, fencing posts and panels, plants, shrubs, ornamental trees, pots and garden ornaments.

2. **INTRODUCTION**

RELEVANT POLICY

- 2.1 Town and Country Planning Act 1990

RELEVANT GOVERNMENT POLICY

- 2.2 The National Planning Policy Framework

Paragraph 14 states “At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking.”

“For decision taking this means:

Approving development proposals that accord with the development plan without delay;
and

Where the development plan is absent, silent or relevant policies are out of date, granting permission unless:

Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
Specific policies in this Framework indicate development should be restricted.”

Paragraph 17 states that planning should “proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.”

Paragraph 19 states “The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.”

Paragraph 24 states “When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.”

Paragraph 28 states “Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- Support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;
- Promote the development and diversification of agricultural and other land-based rural businesses;
- Support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.”

RELEVANT COUNCIL POLICY

2.3 The following policies of the Local Development Framework Core Strategy (adopted February 2007) are relevant in the assessment of this application:
CP1 – Landscape and Townscape Character & CP15 – Rural Strategy.

2.4 The following policies of the Local Development Framework, General Development Control Policies Document (December 2007) are relevant in the assessment of this application:
DC1 – Countryside Protection & Enhancement, DC2 – Landscape Character, DC9 – Development Principles, DC25 - Rural Economic Development and the Expansion of Existing Rural Commercial Sites/Intensification of Uses & DC38 Farm Shops and Garden Centres in Rural Areas.

3.0 THE PROPOSAL

3.1 This proposal seeks to vary the original Planning Obligation which was completed on the 23rd April 2004 (Reference S106 623).

3.2 The applicant first requested the variation in June 2011 and submitted a varied legal agreement for consideration. It stated that:

The land shall only be used for the sale of goods in the categories specified below and (unless otherwise proved in writing by the Council) shall not be used at any time for any other purpose falling within Class A1 of the Town & Country Planning (Use Classes) Order 1987”

Goods and services normally sold at a Garden Centre, which for the avoidance of doubt shall include:

- Goods and services related to gardens and gardening
- Horticultural products, trees, plants, shrubs, house plants and flowers of any type including fresh and dried flowers
- Garden equipment, tools and accessories
- Machinery for garden use and servicing of it
- Barbecues and their accessories
- Conservatories
- Outdoor and conservatory furniture, furnishings and accessories
- Fresh and local farmhouse produced foods including meats, dairy products, vegetables and beverages
- Sheds, garden buildings, greenhouses, summerhouses, gazeboes, pergolas, garden offices
- Swimming pools and associated equipment, materials and fittings for pools, ponds and lakes and for the servicing of pool surrounds
- Fencing, trellis and landscaping materials
- Aquatics, water garden equipment and their accessories
- Garden ornaments and statuary, baskets and their containers for the growing and display of indoor and outdoor plants and flowers
- Books, magazines, periodicals videos and CD and DVDs relating to gardening, leisure, hobby, travel, sports and coffee table books and other literature other than fiction
- Pets, pet accessories, pet care and advice
- Indoor and outdoor hobbies, toys, games, crafts and garden play equipment
- Baskets, wickerwork and country crafts
- Christmas trees (live and artificial) decorations, gifts
- China, glass and gifts
- Soft furnishings associated with garden and conservatory furniture
- Outdoor clothing and footwear, including wellington boots, garden aprons and smocks, gardening boots and clogs, gardening gloves, gardening hats, gardening rain proofs and gardening overalls.
- Outdoor and country pursuits and equipment, (eg. camping, fishing, equestrian, hiking, climbing etc)
- Restaurant, coffee shop and children's play area
- Arts and crafts Products
- Other items incidental to the operations of the garden centre as a garden centre and ancillary to its character as a garden centre
- Such other products, goods or services as the Council shall have first approved in writing

3.3 This request was taken to committee in September 2011 where it was recommended that the request to vary the legal agreement be denied as it was considered that the revised schedule of goods and the proposed lifting of the restriction on the location of sold goods within the nursery site would lead to considerable expansion of the retail side of the business which would be detrimental to countryside amenity and the viability of nearby village centres.

3.4 The applicant subsequently appealed the decision through the written representation procedure, however the Inspectorate decided that the appeal should be determined by way of an Informal Hearing. Therefore, a further statement of case had to be written and during this process it was discovered that the proposed legal agreement would be in breach of several existing planning consents and conditions on the site if it was agreed. Therefore, it

was considered that the best way forward due to the complexity of the sites planning history was to negotiate with the applicant a legal agreement that could be agreed by both parties. The applicant agreed to hold the appeal in abeyance in order to come to an agreement with officers over the goods to be sold and the wording of the legal agreement. Therefore, officers have spent the last 10 months in negotiations with the applicant in order to come to a satisfactory resolution. The Planning Inspectorate has agreed to hold the appeal in abeyance until after 20th August (the committee date). The request to vary the legal agreement is considered acceptable by officers but needs to be agreed by Committee before the Local Planning Authority can agree to the variation of the legal agreement. If the request to vary is agreed then the appeal will be formally withdrawn otherwise the appeal will continue.

3.5 Within the appeal statement concern was raised by the Local Planning Authority to the following items listed in the legal agreement:

- Swimming Pools & Associated Equipment, Materials & Fittings for Pools;
- Garden Offices;
- Meats, Dairy Products & Beverages;
- Books, Magazines, Periodicals, Videos, CDs, DVDs relating to leisure, hobby, travel, Sports, coffee table books and other literature other than fiction;
- Pets;
- Indoor & Outdoor hobbies, Toys, Games & Crafts;
- Outdoor & Country Pursuits Equipment eg. Camping, Fishing, Equestrian, Hiking & Climbing;
- Arts & Crafts Products;

3.6 As a result the following items have been deleted from the proposed legal agreement:

- Swimming Pools & Associated Equipment, Materials & Fittings for Pools;
- Garden Offices;
- Pets;
- Indoor & Outdoor hobbies
- Outdoor & Country Pursuits Equipment eg. Fishing, Equestrian & Climbing;
- Restaurant and Coffee Shop (These have been left outside the red edge on the plan as they are subject to separate applications and conditions.)

3.7 The applicant has been willing to delete the above items from the legal agreement and limit other items (below) by restricting the floor area in which they can be displayed. The floor areas range from 0.08% - 1% of the total sales area and therefore these items represent a very small proportion of the total area of the site / goods to be sold.

The items below have been restricted by floor area as follows:

- Meats, Dairy Products & Beverages limited to a maximum floor area of 100 sqm (0.8% of total sales area);
- Books, Magazines, Periodicals, Videos, CDs, DVDs relating to leisure, hobby, travel, Sports, coffee table books and other literature other than fiction limited to a maximum floor area of 120 sqm (1% of the total sales area);
- Indoor Toys & Games limited to a maximum floor area of 10sqm (0.08% of the total sales area) and outdoor toys and games limited to a maximum floor area of 16 sqm (0.14% of the total sales area);
- Arts & Crafts Products (China, Glass, Gifts & Arts & Crafts are limited to a maximum floor area of 120 sqm (1% of the total sales area);

Therefore, the total floor areas would only represent 2.94% of the total sales area of the premises.

- 3.8 The applicant has also submitted a Retail Statement which assesses the proposal against policy, market trends and existing provision. It also provides an impact assessment and sequential analysis. Applications have to be assessed on their individual merits, however regard needs to be given to the restrictions placed on other garden centres within the district.
- 3.9 Squires Garden Centre in Washington was granted consent under application DC/08/0917 for the retention of 4 timber buildings for retail purposes which included a hot tub outlet, fresh produce retail outlet, arts and crafts studio and a garden furniture outlet. Condition 1 on this consent restricted the development to be used for retail sales which are ancillary to the garden centre and for no other purpose. Pulborough Garden Centre was granted consent under DC/11/1849 for a garden centre sales building and Condition 6 stated that "The Range of goods should be in association with the established use of the site as a garden centre." Squires Garden Centre, Hillier's Garden Centre in Horsham and Pulborough Garden Centre are not restricted by any legal agreements. Therefore, it is apparent that existing garden centres within the district are lawfully permitted to sell the type of goods requested under this legal agreement. The Local Planning Authority needs to be consistent across the district. It is considered that the legal agreement proposed at Old Barn Nurseries would provide more control than any of the restrictions currently on Squires Garden Centre, Hillier's or Pulborough Garden Centre.
- 3.10 In order to address the issue of the proposed legal agreement being in breach of several existing planning consents and conditions on the site, it has been agreed to omit the restaurant, café and the car park from the sales area within the legal agreement as these areas are controlled via separate planning permissions and conditions.
- 3.11 The applicant has undertaken a sequential analysis survey looking at site options or alternative sites. However, this survey has not identified any preferable sites. This application site is a long established garden centre business that proposes an extension to the range of goods (as shown in the legal agreement) to be sold. It is considered that these goods are normally sold at garden centres and would be ancillary to the primary use of the site.
- 3.12 Members are advised that the National Planning Policy Framework supports rural economic growth stating that "The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system." Paragraph 28 also states "Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development."
- 3.13 Therefore, it is considered that the extension to the range of goods to be sold is consistent with other garden centres within the district and would not lead to considerable expansion of the retail side of the business as this has been controlled by the restricted floor areas within the legal agreement and the overall sales space of the Garden Centre remains the same.

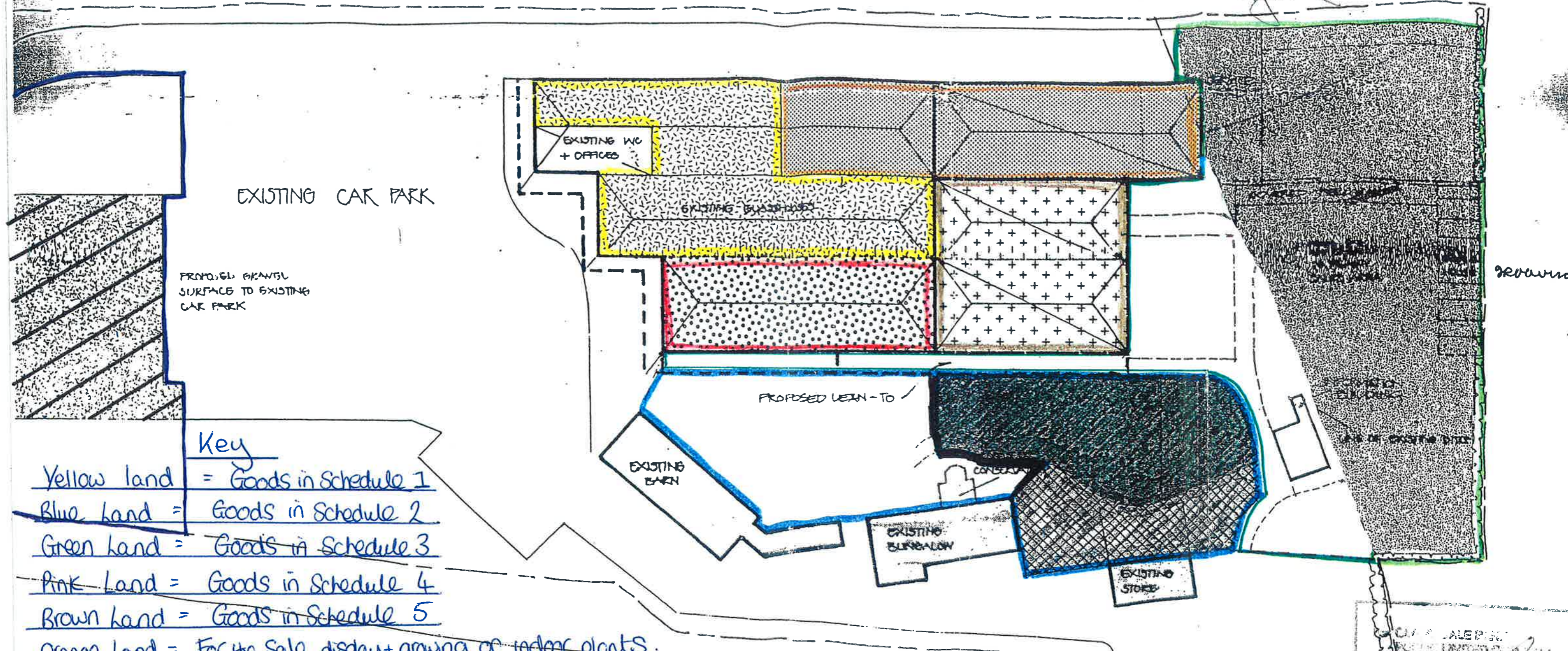
4. RECOMMENDATIONS

- 4.1 That the request to vary the Section 106 agreement is agreed.

Background Papers: Section 106 no. 623, WG/17/93 & WG/21/97.

Contact Officer: Kathryn Sadler

S.J. Spear



Key

- Yellow land = Goods in Schedule 1
 - Blue land = Goods in Schedule 2
 - Green land = Goods in Schedule 3
 - Pink Land = Goods in Schedule 4
 - Brown land = Goods in Schedule 5
 - Orange land = For the sale, display + growing of indoor plants.
 - Purple land = For agricultural +/or horticultural purposes or as a plant production area
- provided that the 30m wide strip hatched black may be used for overspill parking.

Rosemary Hufton

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Authorised Signatory

PLAN 2
 WG/17/93
 amended 7/9/00
 amended 29/1/04



Horsham
District
Council

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee South
BY: Head of Planning and Environmental Services
DATE: 20th August 2013
DEVELOPMENT: Proposed general purpose agricultural building for stock housing and storage
SITE: Brighthams Farm Bines Road Partridge Green West Sussex
WARD: Cowfold, Shermanbury and West Grinstead
APPLICATION: DC/13/1021
APPLICANT: Mr Michael Nash

REASON FOR INCLUSION ON THE AGENDA: Major application

RECOMMENDATION: That the application is approved subject to conditions.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 This application seeks full planning permission for the construction of a general purpose agricultural building for stock housing and storage. The proposed building would be approximately 60.96 metres long and approximately 19.8 metres wide. The height to the ridge would be approximately 8.14 metres. The building would be constructed with treated timber to the walls and a natural grey cement fibre roof.

DESCRIPTION OF THE SITE

- 1.2 The application site is situated in a rural location to the south of Partridge Green. The site is accessed via a single lane track from the B2135. The farm is centred around a parking area with Brighthams Farmhouse, a Grade 2 Listed Building to the west of the proposed agricultural building. Also to the west is the granary and cart shed which are also listed, and some former agricultural buildings (one of which gained permission in 2007 for conversion to B1 office uses which appears to have lapsed).
- 1.3 To the south of the site is a group of more modern farm buildings, whilst further to the south are the cattle buildings and slurry pit. To the east of the site is a converted barn which has permission for use as holiday lets. The proposed building would be adjacent to an existing agricultural building used for storage of machinery and feed storage. To the rear of the site

is a hedgerow and the area proposed for the building is currently grassed and used for the storage of some farm equipment.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 Relevant Government Policies are contained within the National Planning Policy Framework published in March 2012.
- 2.3 Relevant parts include section 1 (Building a strong and competitive economy), Section 3 (Supporting a prosperous rural economy) and Section 11 (Conserving and enhancing the natural environment)

RELEVANT COUNCIL POLICY

- 2.3 Horsham District Local Development Framework Core Strategy (2007) CP1 (Landscape and Townscape Character), CP3 (Improving the Quality of New Development), and CP15 (Rural Strategy)
- 2.4 Horsham District Local Development Framework General Development Control Policies (2007) DC1 (Countryside Protection and Enhancement), DC2 (Landscape Character), and DC9 (Development Principles)

PLANNING HISTORY

DC/07/0714	Change of use and extension to building to offices B1 use	Approved
WG/94/02	Retention of Cattle Building	Approved
WG/22/02	Certificate of lawful use relating to the processing and distribution of milk and dairy products within former agricultural buildings	Approved

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

- 3.1 None undertaken

OUTSIDE AGENCIES

- 3.2 None undertaken

PUBLIC CONSULTATIONS

- 3.3 West Grinsted Parish Council has raised no objection to the application.

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 National Planning Policy Framework (NPPF) sets out the governments planning policy and at the heart of the NPPF is a presumption in favour of sustainable development. Sustainable development is seen within the document as having three roles, namely an economic, social and environmental role which should be a golden thread running through both plan making and decision taking. Section 3 of the NPPF relates to the Supporting of a prosperous rural economy and notes that planning policies should support economic growth in rural areas by taking a positive approach to sustainable new development, including the supporting of the development and diversification of agricultural and other land based businesses.
- 6.2 The site lies outside any defined built up area and is therefore subject to the countryside protection policies of the Local Development Framework. Policy DC1 of the General Development Control Policies states that in the countryside development will normally be restricted to that which is essential to the needs of agriculture, forestry, the extraction of minerals, the disposal of waste or quiet informal recreational use. It is considered that the proposed development does not conflict with the general aims of the countryside policies provided that it is not harmful to the rural character of the area and complies with other development control criteria.
- 6.3 This application seeks full permission for the construction of a general agricultural building. The Design and Access Statement submitted with the application states the building is required for general purpose agricultural storage and stock housing. At present on the farming unit is a dairy herd of 270 Pedigree Holstein Friesians producing milk throughout the year. 100 young stock are reared on the farm every year either to support the herd or to sell. Currently the calves are reared on outlying rented farm properties as there is at present no building space within the unit at Brighthams Farm. The hay storage building, machinery store and feed pad area used by the business are also located at a rented property. The applicant has rented the additional land and buildings for some 35 years however, in the last 6 years the rented farm has changed ownership four times and the current owners cannot guarantee the use of the buildings or land in the future.
- 6.4 The application building is therefore required to replace the buildings currently used on the rented farm. The proposed building would enable the activities of the farm to be centralised in one place on land owned by the applicant. It is considered that the proposed building although large could support the agricultural needs of the unit, and would due to its size enable all the activities currently undertaken in a number of buildings on the rented farm to be provided in one purpose built building.
- 6.5 The proposed building would be sited abutting the rear of an existing agricultural building currently used as a feed and machinery store, and therefore there would be limited views of the proposed building from the north. With regards to views to the site from the south it is

considered that the proposed barn would be viewed against the existing buildings and therefore would not appear out of keeping in this location. The proposed building would be some 44 metres from the nearest residential property which is Brighthams Farmhouse. It is therefore your officer's view due to the existing activities already undertaken on the site that the proposed building would not result in additional harm to the residential amenities of the occupier, to such an extent that a refusal of planning permission could be sustained at appeal.

- 6.6 It is therefore considered from the information provided that there is a need for the proposed building, which is required for the essential operation of the existing farm unit and would support the needs of a rural, agricultural business. It is considered that the proposed building although large would be viewed in context with the existing buildings and would reflect the agricultural character of the immediate area, and that therefore the application should be approved.

7. RECOMMENDATIONS

- 7.1 It is recommended that the application is approved subject to the following conditions;

1. A2 – Full Permission
2. O2 – Burning of Materials
3. Before development commence precise details for the disposal of animal waste, slurry, manure or any other waste arising from the use of the building hereby approved shall be submitted to and approved by the Local Planning Authority. The waste shall thereafter be disposed of in accordance with the agreed details unless otherwise agreed in writing with the Local Planning Authority.
Reason; In the interests of amenity in accordance with policy DC9 of the General Development Control Policies.
4. B3 – Agricultural Occupancy and Use
5. B2 – Demolition Required “a condition agreed in writing with the Local Planning Authority” “3 months”
6. M1 – Approval of Materials
7. L1 – Hard and Soft Landscaping

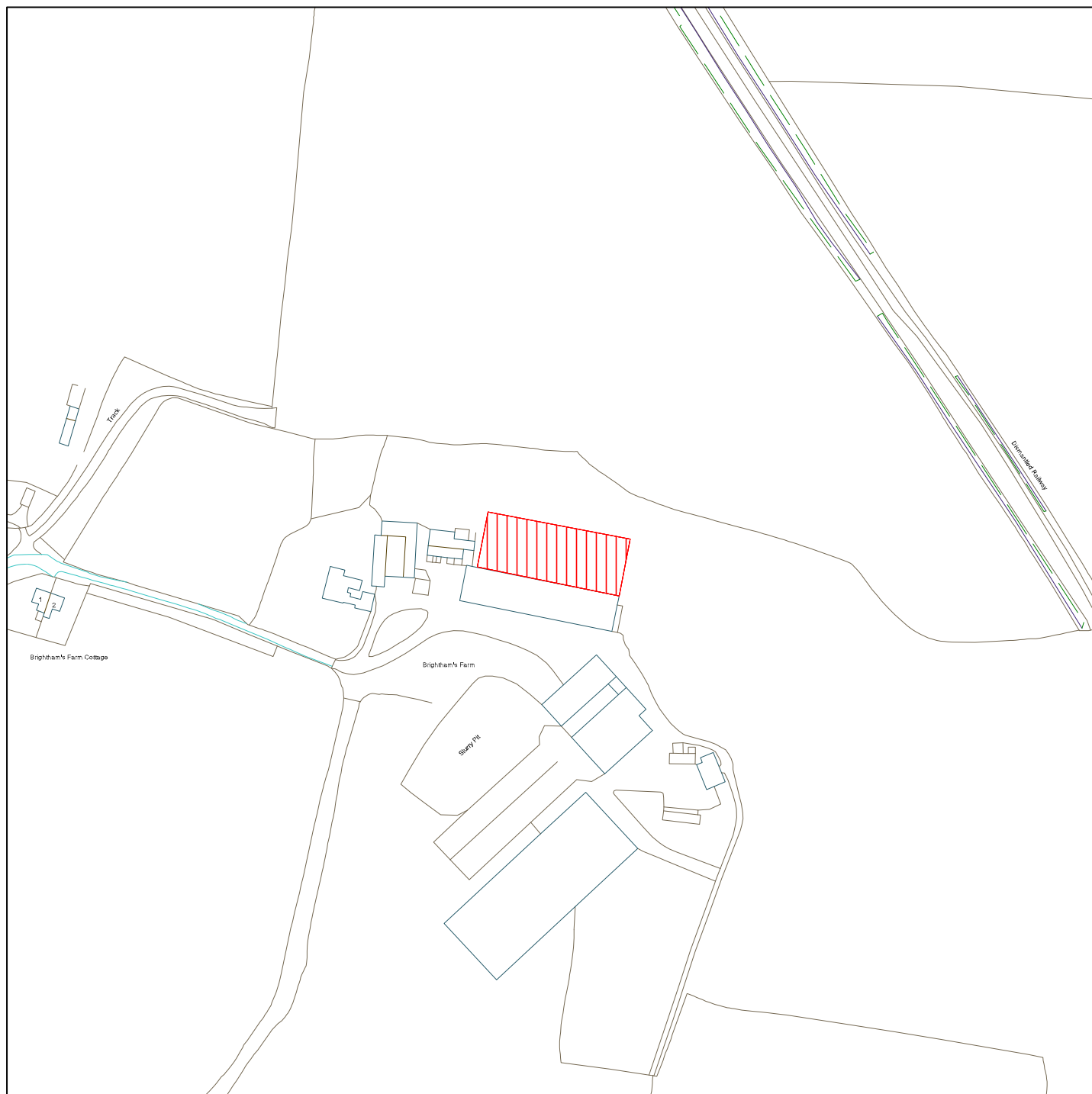
8. REASONS FOR RECOMMENDATIONS

- 8.1 IDP2 – Based on individual circumstances of this case relating to the essential agricultural requirement for the proposal, it is considered appropriate development in this location.

Background Papers: DC/13/1021

DC/13/1021

Brighthams Farm



Scale : 1:2500

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Organisation	Horsham District Council
Department	
Comments	O/S EXTRACT
Date	12 August 2013
SLA Number	100023865