



Development Control (North) Committee
TUESDAY 2ND DECEMBER 2014 AT 6.00pm**
COUNCIL CHAMBER, PARK NORTH, NORTH STREET, HORSHAM

** Please note start time

Councillors: Liz Kitchen (Chairman)
Roy Cornell (Vice-Chairman)
John Bailey
Andrew Baldwin
Peter Burgess
John Chidlow
Christine Costin
Helena Croft
Leonard Crosbie
Malcolm Curnock
Laurence Deakins
Duncan England
Frances Haigh
David Holmes
Ian Howard
David Jenkins
Christian Mitchell
Josh Murphy
Godfrey Newman
Jim Rae
Stuart Ritchie
David Sheldon
David Skipp
Simon Torn
Claire Vickers
Tricia Youtan

You are summoned to the meeting to transact the following business

Tom Crowley
Chief Executive

AGENDA

1. Apologies for absence
2. To approve as correct the minutes of the meeting of the Committee held on 4th November 2014 (attached)
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 reports of the following officers and to take such action thereon as may be necessary:

Development Manager
(a) Appeals

(b) Applications for determination by the Committee:

Item No.	Ward	Reference Number	Site
A1	<i>Holbrook East</i>	DC/14/1624	Novartis Pharmaceuticals UK Limited, Parsonage Road, Horsham
A2	<i>Itchingfield, Sinfold and Warnham</i>	DC/14/1358	Marlands Estate, Plumtree Cross Lane, Barns Green
A3	<i>Rusper and Colgate</i>	DC/14/2180	Springfield Farm Bungalow, Springfield Lane, Colgate
A4	<i>Rusper and Colgate</i>	DC/14/1527	1A Gardeners Green, Rusper, Horsham
A5	<i>Denne</i>	DC/14/0868	Causeway Lodge, 10 Causeway, Horsham

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 (NORTH) COMMITTEE
4th November 2014

Present: Councillors: Liz Kitchen (Chairman), Roy Cornell(Vice-Chairman), John Bailey, Andrew Baldwin, Peter Burgess, John Chidlow, Leonard Crosbie, Malcolm Curnock, Duncan England, Frances Haigh, David Holmes, Christian Mitchell, Josh Murphy, Godfrey Newman, Jim Rae, David Sheldon, Claire Vickers, Tricia Youtan

Apologies: Councillors: Christine Costin, Helena Croft, Laurence Deakins, Ian Howard, David Jenkins, Stuart Ritchie, David Skipp, Simon Torn

DCN/51 **MINUTES**

The minutes of the meeting of the Committee held on 7th October were approved as a correct record and signed by the Chairman.

DCN/52 **INTERESTS OF MEMBERS**

<u>Member</u>	<u>Item</u>	<u>Nature of Interest</u>
Councillor Godfrey Newman	DC/14/1457	Personal – he lives on the application site

DCN/53 **ANNOUNCEMENTS**

There were no announcements.

DCN/54 **APPEALS**

Notice concerning the following appeals had been received:

Appeals Lodged

Written Representations/Household Appeals Service

<u>Ref No</u>	<u>Site</u>	<u>Officer Recommendation</u>	<u>Committee Resolution</u>
DC/14/1384	Springfield Farm Bungalow, Springfield Lane, Colgate	Refused	N/A
DC/14/1385	Stumbleholme Cottage, Rusper Road, Ifield	Refused	N/A
DC/14/0670	94 Brighton Road, Horsham	Refused	N/A

DCN/54 Appeals (Cont.)

Public Inquiry

<u>Ref No</u>	<u>Site</u>	<u>Officer Recommendation</u>	<u>Committee Resolution</u>	<u>Decision</u>
DC/13/2408	Old Guildford Road (land north of), Broadbridge Heath	Permit	Refuse	In progress

DCN/55 **PLANNING APPLICATION: DC/14/1457 – ERECTION OF 115 DWELLINGS (PHASE 2B) WITH ASSOCIATED ACCESS, HIGHWAY, PARKING AND LANDSCAPING WORKS PURSUANT TO OUTLINE PLANNING PERMISSION DC/09/2138 (AS AMENDED BY DC/11/2004) (APPROVAL OF RESERVED MATTERS)**

SITE: LAND EAST OF A24 WORTHING ROAD, HORSHAM

APPLICANT: MRS OLIVIA FORSYTH

(Councillor Godfrey Newman declared a personal interest in this application as he lived on the application site.)

Members were reminded that in August 2010 outline planning permission DC/09/2138 had been granted for the development of up to 1044 dwellings on 48.2 hectares of land to the East of the A24. The scheme would be delivered as eight phases over a 12 – 13 year timescale and would include a community centre and expanded school facilities. Planning permission DC/11/2004 had varied condition 32 of the outline permission and therefore formed the most up to date outline planning permission on this site. Since the granting of outline consent a number of reserved matters applications for residential phases had been granted.

The Development Manager reported that this reserved matters application sought permission for Phase 2B of the development for 115 residential units, including access arrangements, parking and landscaping, including that of the main entrance square.

The units would comprise 68 apartments in three apartment blocks along the southern edge of the phase and 47 units provided as a mix of semi-detached and terraced houses and flats over garages (FOGs) to the north of these blocks. The blocks would be four storeys high with pitched and hipped roofs. The westernmost block (Block A) and the central block (Block B) would have largely red brick exteriors with sections of rendering. The eastern block (Block C) would use red brick with some timber clad elevations. The blocks would include some balconies and Juliet balconies. The remaining dwellings would be two storeys high, and include red brick with some tile hanging. There would be a total of 186 car parking spaces.

The units would comprise: 28 1-bedroom apartments; two 1-bedreem FOGs; 40 2-bedroom apartments; 2 2-bedroom FOGs; 25 2-bedroom houses; and 18 3-bedroom houses.

DCN/55 Planning Application: DC/14/1457 (Cont.)

The application included an area of retained woodland to the north western corner, and part of the main arrival square to the south eastern corner, close to Phase 3B and the approved extra care facility (to the south).

The strategic allocated site was located approximately 1.5 kilometres from Horsham Town Centre and was bordered by the A24 on its western boundary, the Bognor/London mainline railway to the south, Tanbridge House School to the north and Hills Farm Lane, Henderson Way and Windrum Close to the east. This phase of the development, known as Phase 2B, was towards the western part of the northern section of the wider development site. It was to the immediate north of the main access road and the approved extra care facility.

The National Planning Policy Framework 2012 sections 4, 6, 7 and 10; National Planning Policy Guidance 2014; Local Development Framework Core Strategy Policies CP1, CP2, CP3, CP4, CP7 and CP12; Local Development Framework General Development Control Policies DC1, DC2, DC7, DC8, DC9, DC18 and DC40; Local Development Framework SPD Land West of Horsham Masterplan, Local Development Framework SPD Land West of Horsham Design Principles and Character Areas and Local Development Framework SPD Planning Obligations; and the Horsham District Planning Framework Preferred Strategy were relevant to the determination of this application.

Relevant recent planning history included:

DC/09/2138	Development primarily of up to 1044 dwellings including provision of employment floor space, fire station, community centre and expanded school facilities. Construction of a principal vehicular access from A24 (southbound) together with secondary bus/cycle/pedestrian accesses from Hills Farm Lane, internal highway network, diversion of existing public footpaths and a replacement footbridge over A24. Formation of associated landscape works including playing fields, allotments, recreation facilities and construction of acoustic bund/fence alongside A24 (Outline)	Granted
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DCN/55 Planning Application: DC/14/1457 (Cont.)

DC/10/0006	Erection of 196 dwellings, comprising phase 1 of the comprehensive development of Land East of A24, West Horsham, for primarily residential purposes. Creation of a new vehicular/pedestrian/cycle access from Hills Farm Lane, together with the internal highway network, footpaths and drainage works. Formation of the related landscaping, open space and recreation facilities, including additional facilities for Tanbridge House School	Granted
DC/11/2004	Variation of Condition 32 of DC/09/2138 (Outline permission for development of up to 1044 dwellings) to be revised as follows: "The provision of a northbound bus stop adjacent to the Hills Farm Lane (north) access, raised kerbing and shelter; provision of a south bound bus stop and raised kerbing together with a scheme for the provision of an additional bus stop and/or shelter to be submitted and approved in writing by the Local Planning Authority"	Granted
DC/11/2243	Erection of 35 dwellings (27 x 3-bed and 8 x 4-bed) Phase 1A of outline permission DC/09/2138 (1044 dwellings) on land West of Windrum Close, Horsham (Approval of Reserved Matters)	Granted
DC/12/1259	Approval of reserved matters for 46 dwellings (Phase 2) pursuant to planning permission DC/11/2004 as originally approved under DC/09/2138	Granted
DC/12/1737	Provision of detention basin 5 with associated earth/landscape works (Approval of Reserved Matters)	Granted
DC/12/2022	Infrastructure application to include access ramp from A24, piazza junction, commercial access road, north/south spine road, levelling groundworks, surface water detention basin 2, BMX track and associated landscape works (Approval of Reserved Matters)	Granted

DCN/55 Planning Application: DC/14/1457 (Cont.)

DC/12/2298	Construction of an extra care facility (C2 Use class) to include 105 apartments (43 x 1-bed, 62 x 2-bed) and communal facilities to include fully serviced restaurant, living/activity room, therapy/hairdressing suite, staff facilities with associated access, car parking and landscape works	Granted
DC/12/2389	Erection of 42 dwellings Phase 3A (comprising 12 x 2-bed, 11 x 3-bed, 13 x 4-bed and 6 x 5-bed dwellings/flats) including landscaping works - approval of reserved matters pursuant to outline planning permission DC/09/2138 (as amended by DC/11/2004 - Development of up to 1044 dwellings)	Granted
DC/13/1976	Erection of 69 residential units (Phase 3B) with associated access, parking and landscape works pursuant to outline planning permission DC/09/2138 (as amended by DC/11/2004) (Approval of Reserved Matters)	Granted

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee. The Neighbourhood Council had withdrawn its objection following the submission of amended plans which addressed concerns regarding the need for a boundary between the apartments and the slip road, and amendments to landscaping.

One letter of objection had been received from Hills Farm Conservation Group. There had been no further letters of representation.

Members considered the key issues presented by the application, including its compliance with the principal legal agreement and outline parameter plans and the character and design of the proposal.

The design of the buildings would be similar to those previously permitted and follow the mill design concept. Whilst it was noted that the proposal accorded with the density and height parameters set out in the outline plan, some Members were concerned that there had not been sufficient opportunity for Members to scrutinise the design and layout of the buildings.

The height of the buildings was discussed and Members were advised that there would be adequate screening, in particular along the frontage of the blocks. Members noted that Condition 2 would ensure that screening was retained and maintained.

Access to the site would be via the new junction with the A24. The traffic generated by the site would be in line with the Transport Assessment

DCN/55 Planning Application: DC/14/1457 (Cont.)

submitted with the outline permission. Members considered that parking provision was adequate, with a total of 186 parking spaces, including 13 garages, and welcomed the small proportion of garages.

Concerns regarding drainage were discussed and it was noted that Basin 2 had been enlarged to address these concerns during the determination of the application. It was also noted that the existing small pond on the site would be retained in its entirety.

Members were advised that there would be bin stores for the blocks. It was agreed that an additional condition would be added to ensure that the council's Operational Services were consulted regarding the suitability of the road layout for their vehicles.

With regards to the garages on the site, Members requested that an additional condition be added to remove Permitted Development Rights to ensure they remained as garages.

Members considered that the proposal was consistent with the principles set out within the outline planning application and the provisions within the legal agreement, and agreed that the proposal was acceptable.

RESOLVED

That planning application DC/14/1457 be granted subject to the following conditions and an additional condition to ensure (i) that Operational Services are consulted regarding vehicle access, and (ii) that Permitted Development Rights be removed from the garages.

- 01 Notwithstanding the submitted information, prior to the commencement of development a schedule of materials and samples of materials and finishes, and colours to be used for external walls, and roofs of the proposed buildings shall have been submitted to and approved, in writing, by the Local Planning Authority. A statement of detail shall be submitted setting out details of proposed windows and doors, full height glazing, sack hoists and balcony treatments. The materials and statement of details so approved shall be used in the construction of the buildings.

DCN/55 Planning Application: DC/14/1457 (Cont.)

02 Notwithstanding the submitted landscape design statement and landscape masterplan, prior to the commencement of development, full details of hard and soft landscape 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 in writing by 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 specification (National Building Specification compliant) of hard works and planting (including ground preparation, cultivation and other operations associated with plant and grass establishment)
- Existing and proposed levels, contours and cross / long sections for all earthworks
- Hard surfacing materials: layout, colour, size, texture, coursing and levels
- Walls, fencing and railings: location, type, heights and materials
- Minor artefacts and structures – location, size and colour of 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 development. Any plants which within a period of 5 years die, are removed or become seriously damaged and diseased shall be replaced in the next planting season with others of similar size and species.

03 Prior to the commencement of development details of all underground trenching requirements for services, including the positions of soakaways, service ducts, foul, grey and storm water systems and all other underground service facilities, and required ground excavations there for, shall be submitted to and approved, in writing, by the

DCN/55 Planning Application: DC/14/1457 (Cont.)

Local Planning Authority. These details shall demonstrate effective coordination with the landscape scheme submitted pursuant to condition 2, and with existing trees on the site. All such underground services shall be installed in accordance with the approved details.

- 04 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 Local Planning Authority.

- 05 Prior to the commencement of development, full details of the proposed means of construction access shall be submitted to and approved, in writing, by the Local Planning Authority. The submitted information shall include details of the methods of access, the proposed routing of vehicles and the approximate time periods for the use of each access.
- 06 All works shall be executed in full accordance with the approved Arboricultural Development Report and Tree Survey Reference & Protection Plan (tf 976/TPP/200) dated June 2014, unless otherwise agreed, in writing, by the Local Planning Authority.
- 07 No trenches or pipe runs for services, drains, or any other reason shall be excavated anywhere within the root protection area of any tree or hedge targeted for

DCN/55 Planning Application: DC/14/1457 (Cont.)

retention on or off the site without the prior written approval of the Local Planning Authority.

08 Prior to the commencement of development, details of the proposed means of foul and surface water drainage and sewerage disposal shall be submitted to and approved, in writing, by the Local Planning Authority, in consultation with the Environment Agency and Southern Water where appropriate. The submitted information shall include:

- details of how the drainage design accords with the overall drainage strategy of the Land East of the A24 development site;
- details of all sustainable drainage systems (SuDS) that are to be utilised across the site, including permeable paving;
- details of overland flow routes for events in excess of the design 1:100 year plus climate change storm event.

The approved details shall be fully implemented prior to the first occupation of the development and shall thereafter be retained and maintained as approved.

09 Prior to commencement of development details of boundary treatments shall have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be implemented in accordance with the approved details and no dwellings/flats shall be occupied until such boundary treatments associated with them have been erected. Thereafter, the boundary treatments shall be retained as approved and maintained in accordance with the approved details.

10 The development hereby permitted shall not be occupied until the parking, turning and access facilities have been provided in accordance with the plans hereby approved (or in accordance with plans submitted to and approved in writing by the Local Planning Authority) and the parking, turning and access facilities shall be retained as such thereafter and retained solely for that purpose (and solely in connection with the development).

DCN/55 Planning Application: DC/14/1457 (Cont.)

- 11 The development hereby permitted shall not be occupied unless and until the provision of facilities for the parking of cycles has been made within the site, in accordance with the plans hereby permitted, and retained as such thereafter.
- 12 The development hereby permitted shall not be occupied unless and until provision for the storage of refuse/recycling bins has been made within the site in accordance with the hereby approved plans and retained as such thereafter.
- 13 Prior to the commencement of development a (retrospective) Written Scheme of Archaeological Investigation covering Phase 2B shall be submitted to and approved, in writing, by the Local Planning Authority.
- 14 Before development commences precise details of the finished floor levels of the development in relation to a nearby datum point shall be submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details.
- 15 The development hereby permitted shall be carried out in accordance with the submitted ecological details from Derek Finnie Associates dated June 2014.
- 16 Prior to the commencement of the development a Water Reduction Strategy shall be submitted to and approved, in writing, by the Local Planning Authority (in accordance with the recommendations in the Environmental Statement (ES)) to minimise water consumption and contribute towards achievement of the relevant Code for Sustainable Homes level.
- 17 The development hereby permitted shall achieve at least Code Level 3 in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (or such national measures of sustainability for house design that replaces that scheme). No residential unit shall be occupied until a Final Code Certificate has been issued for it certifying that at least Code Level 3 has been achieved.

DCN/55 Planning Application: DC/14/1457 (Cont.)

- 18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No2) (England) Order 2008 (or any order amending or revoking and re-enacting that Order with or without modification), no garages shall be erected other than those expressly authorised by this permission.
- 19 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No2) (England) Order 2008 (or any order amending or revoking and re-enacting that Order with or without modification), no fences, gate or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.
- 20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No2) (England) Order 2008 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows, other than those expressly authorised by this permission, shall be constructed.
- 21 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (Amendment) (No2) (England) Order 2008 (or any order amending or revoking and re-enacting that Order with or without modification) no development falling within Classes A, B, C, D, E, F, G or H of Part 1 of Schedule 2 to the order shall be erected, constructed or placed within the curtilage(s) of the dwelling(s) hereby permitted so as to enlarge, improve or otherwise alter the appearance or setting of the dwelling(s) unless permission is granted by the Local Planning Authority pursuant to an application for the purpose.
- 22 O1 Hours of Working
- 23 O2 No Burning of Materials
- 24 List of approved documents and plan numbers.

DCN/56 **PLANNING APPLICATION: DC/14/1520 – THE ERECTION OF A DETACHED CHALET TYPE DWELLING WITH INTEGRAL GARAGE, ALTERATION TO THE EXISTING ACCESS ONTO WINTERPIT LANE, MANNINGS HEATH**
SITE: STONE COTTAGE, WINTERPIT LANE, MANNINGS HEATH
APPLICANT: CHURCHLANDS LTD

Item withdrawn from agenda.

DCN/57 **PLANNING APPLICATION: DC/14/1523 – SURGERY TO 1 X OAK TREE**
SITE: LAND WEST OF 8 MILLAIS COURT, HORSHAM
APPLICANT: HORSHAM DISTRICT COUNCIL

The Development Manager reported that this application sought permission for surgery to an oak tree on land that was owned and managed by Horsham District Council. The tree was protected under Tree Protection Order (TPO) 496.

The application site was located to the east of a footpath leading from the eastern end of Comptons Brow Lane through to Manor Fields, on the southern side of a small stream.

The 'Tree Preservation Orders and trees in conservation areas' planning guidance was relevant to the determination of this application.

Relevant recent planning history included:

DC/06/2052	Surgery to 1 x oak tree	Granted
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The Parish Council had raised no objection to the application. There had been no letters of representations received.

Members considered the proposal and noted that the tree had high amenity value. Whilst in good health, a large limb had recently fallen into the adjacent garden of 8 Millais Court. The tree had reached maturity and now spread extensively into this garden. The proposal would reduce the crown of the tree by up to 30%.

Members noted that this extent of surgery would not cause the tree harm and would benefit the occupants of 8 Millais Court.

Members agreed that the proposal would not have an adverse impact on the amenities of the area and was therefore acceptable.

DCN/57 Planning Application: DC/14/1523 (Cont.)

RESOLVED

That planning application DC/14/1523 be granted subject to the following conditions:

- 01 TR2 Time limit
- 02 TR3 Treeworks limit:
 - undertake tree surgery works exactly as specified with schedule of proposed works submitted with application.
- 03 TR4 Surgery standards

REASON

The proposal adheres to the principles of good practice set out in Tree Preservation Orders and Trees in Conservation Areas.

The meeting closed at 7.35pm having commenced at 6.30pm.

CHAIRMAN

**DEVELOPMENT CONTROL (NORTH) COMMITTEE – 2ND DECEMBER 2014
REPORT BY THE DEVELOPMENT MANAGER
APPEALS**

Appeals Lodged

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

Written Representations/Householder Appeals Service

Ref No.	Site	Appeal	Officer Recommendation	Committee Resolution
DC/14/0587	Part of Land Known as Blindmams Wood Woodland Lane Colgate	In Progress	Permit	Refuse
DC/14/1010	7 Hernbrook Drive, Horsham	In Progress	Refuse	N/A
DC/14/1208	The Old Bakehouse, Wickhurst Lane Broadbridge Heath	In Progress	Refuse	N/A
DC/14/0488	111 New Street, Horsham	In Progress	Refuse	N/A
DC/14/1348	Water Farm, Bashurst Hill, Itchingfield,	In Progress	Refuse	N/A

Appeal Decisions

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

Ref No.	Site	Appeal	Officer Recommendation	Committee Resolution
DC/14/1086	40 Charrington Way, Broadbridge Heath, Horsham	Dismissed	Refuse	N/A
DC/14/0856	130 Trafalgar Road, Horsham	Dismissed	Refuse	N/A
DC/13/2191	Land East of Swains Cottage, Tismans Common, Rudgwick	Refuse	Allow	N/A



Horsham
District
Council

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management (North) Committee

BY: Development Manager

DATE: 2nd December 2014

DEVELOPMENT: Demolition of existing social club and redevelopment of site so as to accommodate 160 dwellings together with new access arrangements and landscaping works

SITE: Novartis Pharmaceuticals UK Limited Parsonage Road Horsham West Sussex

WARD: Holbrook East

APPLICATION: DC/14/1624

APPLICANT: Mrs Fiona Davidson

REASON FOR INCLUSION ON THE AGENDA: Category of development

RECOMMENDATIONS: **A:** Subject to the withdrawal of the objection from Sport England, that planning permission be delegated for approval to the Development Manager subject to securing a S106 legal agreement and appropriate conditions.

Or in the event that Sport England maintain their objection:

B: That subject to the referral of the application to the Secretary of State under the Town and Country Planning (Consultation) (England) Direction 2009 (as amended by the Planning Practice Guidance), planning permission be delegated for approval to the Development Manager subject to securing a S106 legal agreement and appropriate conditions.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks full planning permission for the demolition of the existing social club and the erection of 160 No. dwellings on the site, together with a new access and landscaping works. A new vehicular access from Parsonage Road is proposed to serve the development along with two new informal pedestrian crossings of Parsonage Road and the retention of the existing signalised pedestrian crossing. The proposed vehicular access

would lead into the site and then separate to run either side of the large retained Oak tree and create branches towards the north east, north west and south east.

- 1.2 The proposed dwellings would comprise a mix of both apartments and houses with 31 No. 1 bed flats, 50 No. 2 bed flats, 2 No. 2 bed houses, 32 No. 3 bed houses, 39 No. 4 bed houses and 6 No. 5 bed houses. It is proposed that 64 No. of the 160 No. dwellings would be provided as affordable units. The proposed dwellings would form terraces fronting onto Parsonage Road, 2 No. blocks of apartments (1 No. to the eastern side and 1 No. to the north western corner), and a mix of terraces, semi-detached and detached dwellings within the site. The properties proposed would be a mix of two, two and a half, three, three and a half and four storeys in height under largely pitched roofs, with the apartments having some use of parapet walls. The properties would display balconies, bay windows, porches and dormer windows to provide visual interest across the development and it is indicated that the buildings would utilise London stock bricks, render and slate with iron railings.
- 1.3 In summary, the proposed development would provide the following:
- 36 No. garage spaces
 - 193 No. allocated car parking spaces
 - 58 No. unallocated/visitor car parking spaces

Market housing

- 4 No. 1 bed flats
- 18 No. 2 bed flats
- 29 No. 3 bed houses
- 39 No. 4 bed houses
- 6 No. 5 bed houses

Affordable housing

- 27 No. 1 bed flats
- 32 No. 2 bed flats
- 2 No. 2 bed houses
- 3 No. 3 bed houses

DESCRIPTION OF THE SITE

- 1.4 The application site lies to the north of Parsonage Road within the built-up area of Horsham, a category 1 settlement as defined in the Horsham District Local Development Framework. The site lies to the south of the existing residential properties of Thatchers Close and to the south east of properties in Allcard Close and fronting Wimblehurst Road. The properties of The Crossings, Parsonage Road and the Horsham to London railway line lie to the south east of the site. The total site extends to approximately 3.3 hectares.
- 1.5 The site at present is formed by a substantial area of hardstanding, which formed a large staff car parking area, and the social club facilities for Novartis Pharmaceuticals UK Limited (Novartis) (situated to the southern side of Parsonage Road). The area of hardstanding lies across the southern and central parts of the site. There is an existing single storey social club towards the centre of the site. This building is of brick construction with a part pitched and part flat roof and appears to comprise function rooms, a bar area and a kitchen. To the northern part of the site there is an open grassed area, which has formerly been laid out with a football pitch, and there are 2 No. enclosed unlit tennis courts along the eastern boundary.

- 1.6 The site lies at a slightly higher level than Parsonage Road, and although largely level the eastern end of the existing car park and the tennis courts are marginally higher than the other parts of the site. The site is enclosed by means of a 1.5m high wire fence and line of vegetation to the eastern (railway) side and by a higher wire fence and substantial laurel hedgerow around The Crossings. The frontage of the site along Parsonage Road has a line of mature trees, including conifers, and a laurel hedgerow. The boundaries to both the north eastern and north western sides are formed by existing mature vegetation in the form of hedgerows, trees and lower level shrubs. There is a large Oak tree to the centre of the site protected by a Tree Preservation Order and a number of the trees to the western corner, fronting onto Parsonage Road, are also protected.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 National Planning Policy Framework (2012) (NPPF)

- Section 4: Promoting sustainable transport
- Section 6: Delivering a wide choice of high quality homes
- Section 7: Requiring good design
- Section 8: Promoting healthy communities
- Section 10: Meeting the challenge of climate change, flooding and coastal change
- Section 11: Conserving and enhancing the natural environment

- 2.3 Planning Policy Guidance (2014)
Technical Guidance to the NPPF (2012)

RELEVANT COUNCIL POLICY

- 2.4 Local Development Framework: Core Strategy (2007) (CS) policies:

- CP1: Landscape and Townscape Character
- CP2: Environmental Quality
- CP3: Improving the Quality of New Development
- CP5: Built-Up Areas and Previously Developed Land
- CP11: Employment Sites and Premises
- CP12: Meeting Housing Needs
- CP13: Infrastructure Requirements
- CP14: Protection and Enhancement of Community Facilities and Services
- CP19: Managing Travel Demand and Widening Choice of Transport

- 2.5 Local Development Framework: General Development Control Policies (2007) (GDGP) policies:

- DC2: Landscape Character
- DC5: Biodiversity and Geology
- DC6: Woodland and Trees
- DC7: Flooding
- DC8: Renewable Energy and Climate Change
- DC9: Development Principles

- DC18: Smaller Homes/Housing Mix
- DC19: Employment Site/Land Protection
- DC21: Protection of Existing Open Space, Sport and Recreation Facilities
- DC22: New Open Space, Sports and Recreation
- DC40: Transport and Access

2.6 Local Development Framework: Supplementary Planning Documents:

- Planning Obligations (2007)

2.7 The emerging Horsham District Planning Framework (HDPF) was approved by Council on 30th April 2014 as the Council's policy for planning the future of the District for the period 2011-2031. Following a six week period of representations, the plan was submitted to the Government on 8th August 2014 for independent examination under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012. A Planning Inspector has commenced the examination of the HDPF. The outcome of the Examination is expected in early 2015 and Adoption of the HDPF by the Council is currently programmed in the Local Development Framework to be April 2015. The emerging plan is therefore a material consideration however it may overall, only be afforded limited weight in the assessment of this planning application.

PLANNING HISTORY

HR/109/58	Proposed residential development	Refused
HR/180/70	Use of land for staff recreation and sports including raising the level of land	Permitted
HU/134/85	Extension to car park	Permitted
HU/175/85	Erection of sports and social club building	Permitted
DC/12/2341	Prior notification for the demolition of buildings across the Novartis site	Permitted
DC/12/2342	Alterations to access, car park, new staff amenity space and associated landscaping	Permitted

3. OUTCOME OF CONSULTATIONS

3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

INTERNAL CONSULTATIONS

Arboricultural Officer (summarised): No objection subject to conditions

- I have carried out a full survey of the tree stock on this site and have been involved in discussions to achieve the retention of the maximum number of quality trees, whilst achieving the Council's stated site density;
- The premier tree on the site is the exceptional Oak to the centre which is subject to a Tree Preservation Order. Despite its age, this tree remains in good overall condition and has been rightly integrated into the scheme as a landmark specimen tree around which the development is centred;
- The submitted Arboricultural Implications Report (AIR) provides full details for the protection of this tree during the construction process, however post development

- motorists should be prevented from parking on the grassed area under this tree;
- The AIR indicates that 67% of trees are to be removed from site, this is a high number but, despite its tree cover the site represents a 'brownfield site' within an urban area and to achieve the required density of development a relatively high level of tree loss is unavoidable;
- Around 65% of the trees to be removed are either category 'C' or 'U' as defined under BS 5837 'Trees in relation to design, demolition and construction – Recommendations' (2012). Only 2 No. category 'A' trees and 52 category 'B' trees are to be removed, this represents 35% of the total tree loss. The level and form of tree retention on the site, given the development requirements, is in line with best practice and is acceptable;
- Some facilitative pruning of trees is required, these are found to be acceptable;
- The AIR states that hard surfaces within Root Protection Areas will be set entirely above existing soil level and no excavation will be required. This is satisfactory;
- I am satisfied that the future relationship between retained trees and proposed dwellings, given the density of the site, has been considered and potential impacts minimised, with large perimeter trees to fall under the ownership of a management company.

Environmental Health (summarised): No objection in principle subject to conditions

- Although there is no objection in principle to this application, there are concerns with regard to noise exposure of future occupiers and the presence of ground contamination;
- The submitted noise survey demonstrates that dwellings facing Parsonage Road and the proposed dwellings adjoining the railway line will be subject to high levels of transportation noise, with residents occupying rooms to these façades not being able to have their windows open and maintain acceptable internal noise levels;
- Accordingly, it is recommended that windows to bedrooms should not be located to these façades and that other habitable rooms should be protected. This can be ensured through an appropriate condition;
- The submitted information indicates that the risk of ground contamination is low, however, there is always the potential for unsuspected contamination to be present and as such conditions are recommended.

Landscape Architect (summarised): Objection

- The site is comprised of a former car park, sports pitch, social club building and other areas of open grassland, all enclosed by extensive, thick boundary vegetation;
- This on-site vegetation imparts a very well treed and semi-wooded character to the local townscape, provides effective visual screening for adjoining residents of the car park, as well as making a valuable contribution to the wider green infrastructure of the town;
- Whilst efforts have been made to retain some individual and small groups of existing trees on the residential boundaries and a very large, important oak tree in the centre of the site will be kept, the loss of existing hedgerow vegetation and trees along approximately two thirds of the length of the main Parsonage Road is considered excessive. The resulting adverse landscape impact, in combination with the erosion of the integrity of other existing boundary vegetation will be damaging to the character of the area and its green infrastructure;
- There is an over reliance on retention of trees in residential rear gardens and planting new native species hedgerows within these gardens which could be easily at risk of removal. This undermines the credibility of the overall landscape proposal;
- The provision of the small greens has allowed the retention of some large sized, high quality trees but as the trees take up most of these spaces they are of

- questionable recreational benefit;
- Car parking will be overly visually dominating, notably on the main access road into the site and surrounding a number of the green spaces provided within the public realm;
- Many of the proposed tree and shrub planting areas are very pinched will not be conducive to an effective long term landscape treatment and greening of the site;
- Review of and amendments to the design and layout of the scheme should be sought to address the main landscape concerns. In the absence of these issues being adequately dealt with it may be necessary to consider refusal of the application.

Leisure Services (summarised): Comment

- There is a significant deficit of open space, sport and recreation provision in North Horsham and the development will put further pressure on existing facilities;
- The quantity of open space provided for the development of 160 No. houses falls below the recommended quantity standard;
- The submitted Open Space Assessment submitted provides a fair representation of nearby play provision, but does not take account of the quality of provision. This Assessment also uses FIT accessibility standards rather than local standards;
- Existing play areas would need to be accessed by crossing a busy road and the study identifies that a LAP should be provided within the development;
- The planting proposed within the development is appropriate, but no details of how the green spaces within the site could be used for informal amenity have been provided;
- The loss of existing sports facilities needs to be compensated for, by way of re-provision or improvement of nearby facilities;
- Contributions must be sought to mitigate against the deficiency of youth facilities, allotments, natural green space, amenity green space, parks or recreation grounds by this development;
- The parking spaces around the green to the north of the Oak tree should be removed and this area separated from traffic to provide an area of play.

Strategic Housing Manager (summarised): Support

- The proposal includes 64 units for affordable housing provision, this represents 40% of the total number of units and therefore appears to accord with policy CP12;
- The development would provide a mix of 1, 2, 3 and 4 bedroom units across both the affordable and market dwellings and therefore appears to comply with policy DC18;
- Housing Officers support the mix and tenure split;
- The emphasis on smaller units was requested by Housing Officers to reflect the profile of the Housing Register and the trend towards smaller households;
- The applicant is in discussions with several of the Council's preferred housing association partners, but Housing Officers would urge an agreement to be reached with a provider as soon as possible in order to secure funding arrangements;
- The affordable housing is situated in two locations. Normally the Council would seek clusters of around 12 units and the views of the affordable housing partners should be established to ensure this layout is acceptable in terms of ongoing management.

Strategic Planning (summarised): No objection

- At the heart of the NPPF there is the presumption in favour of sustainable development and this is a golden thread which runs throughout the NPPF;
- It is considered that the more sustainable locations for development within Horsham District are the built-up areas and on previously developed land within designated towns and villages which have a good range of services and facilities

- as well as access to public transport;
- The site lies within the built-up area of Horsham, a Category 1 settlement. The site is also fairly close to the centre of town and associated services and employment;
- It is considered that the site is sustainably located and the principle of residential development on the site is acceptable in accordance with policy CP5 and the NPPF;
- The proposed development would provide 40% of dwellings as affordable homes and therefore complies with the principle of policy CP12, in addition, the mix of dwelling sizes appears to comply with the principle of policy DC18;
- It is noted that the site is identified in the Council's Sport, Open Space and Recreation Study 2014 as providing 2 x 7-a-side grass football pitches, 2 x tennis courts and indoor facilities, which would be lost as a result of the development;
- Although policy DC21 seeks to protect such facilities, it is understood that these facilities are not publicly available and have not been for many years and are not therefore in use by the community;
- It is understood that these facilities were only for use by employees of the adjacent Novartis site, which is now vacant, and that they were only ever used on an ad hoc basis with no permanent fixtures such as goal posts or floodlighting;
- Given the lack of community use of these facilities, there is no policy objection to the principle of the loss of these facilities.

Technical Services (Drainage) (summarised): No objection subject to condition

- The submitted Flood Risk Assessment (FRA) describes how flood risk from all sources of flooding to the proposed development site will be managed, including taking account of climate change;
- No overall objections to the drainage strategy proposed, however drainage conditions should be applied to ensure the submission of detailed design information at the appropriate stage.

OUTSIDE AGENCIES

Environment Agency (summarised): No comments

- Having screened the planning application with regard to the low risk of the development type and location of the proposal, no comments are made.

Health & Safety Executive (summarised): No objection

- The standing advice tool PADHI+ (Planning Advice for Developments near Hazardous Installations) should be used;
- PADHI+ result = Do not advise against;

Officer Note: Since consulting the HSE's PADHI+ advice tool the hazardous installation (Firmin Coates & Sons Ltd at Station Yard), which resulted in the requirement for consultation with the HSE, has been removed.

Network Rail (summarised): Objection unless financial contribution of approximately £50,000 made

- It is believed that the development would bring pedestrian usage of the crossing into a Category B crossing;
- Details within the submitted Transport Statement are disputed, but Network Rail are unable to conduct a technical review of this. An independent consultant could be appointed to look at this;
- As a technical review of the submitted information has not been possible, Network Rail agree that pedestrian and vehicular numbers using the crossing will decrease as a result of the development;
- It is considered that there would be an increase in the number of vulnerable users using the level crossing, particularly trips to educational establishments;

- Network Rail supports the intention of the developer to provide Welcome Packs to new residents with information about the level crossing;
- Red Light Security Equipment at crossings is only used to address vehicular misuse, rather than pedestrian;
- It is accepted that a full barrier upgrade of the crossing would be disproportionate, however the developer could fund standing red man signals;
- The increased risk of vulnerable users using the crossing means that it is reasonable for the developer to fund improvements to the crossing which addresses this risk;
- Standing red man signals are enforceable for pedestrians and would make it easier for Network Rail and the British Transport Police to make people aware it is a criminal offence to cross when signals are flashing.

Southern Water (summarised): Recommends conditions and informatives

- Southern Water is in discussions with the developer to ensure that the sewerage system can be improved to ensure that there is adequate capacity for the proposed development;
- Southern Water would be able to provide a water supply to the site and the developer should make an application for this;
- The proposed means of surface water disposal should be considered with the relevant authorities for land drainage and arrangements for the future ongoing maintenance of any SuDS proposed will need to be considered.

Sport England (summarised): Objection

- The proposed development would not accord with paragraph 74 of the NPPF or Sport England's playing field policy as it would result in the loss of playing fields without providing suitable replacements of appropriate quantity and quality;
- Sport England oppose the granting of planning permission for any development which would lead to a loss of, or prejudice the use of, all or part of a playing field, unless one of five specific exceptions applies. It is not considered that one of these exceptions applies to the proposal;
- The development would result in the loss of 0.4 hectares of playing field (which can accommodate a mini football pitch) and two tennis courts;
- The applicant would be expected to replace the playing field with equivalent or better provision in terms of quantity and quality in a suitable location;
- Details of any proposed mitigation package need to be provided;
- Should the Council be minded to grant planning permission for the development, then in accordance with the Town and Country Planning (Consultation) (England) Direction 2009 and the Planning Practice Guidance, the application should be referred to the National Planning Casework Unit.

Sussex Police – Joint Commercial Planning Manager (summarised): Objection unless financial contribution of £29,510.40 made

- The development of 160 No. dwellings would represent an increase in the population of Horsham, which would place demands upon existing policing services;
- The proposal has therefore been assessed in relation to the implications on the infrastructure requirements of Sussex Police and the impacts of the scheme on day to day policing of the area;
- In order to effectively provide the current level of policing, a contribution towards policing infrastructure will be required;
- A contribution of £29,510.40 (equivalent to £184.44 per dwelling) is required towards the provision, maintenance and operation of Sussex Police infrastructure to be used in the Horsham area;
- This contribution may be used towards:

- increased space at re-provided Horsham police station;
- battery assisted pedal cycle;
- remote IT facilities.

Sussex Police – Crime Prevention Design Advisor (summarised): No objection

- The development, in the main, has outward facing dwellings which creates a good active frontage with streets and public areas being overlooked;
- Parking is provided as in-curtilage parking bays and rear parking courts, which should leave the street layout free and unobstructed;
- Communal parking courts should be within view of active rooms within properties, it is noted that active rooms are proposed within the development to observe rear parking bays;
- Where 1.8m high fencing is proposed for rear gardens, this should be reduced to 1.5m high fencing with 300mm trellis on top, to ensure surveillance;
- The introduction of ground planting to the front of dwellings is welcomed to provide a demarcation line and defensible planting to vulnerable ground floor windows;
- Walls, fences and hedges to dwelling frontages should be kept low to ensure they are open to view;
- Perimeter fencing to vulnerable areas, such as side and rear gardens, should be robust with walls or fencing to a height of 1.8m and gates are to be of the same height and lockable;
- Lighting of the car parking areas, around buildings and communal areas should conform to BS 5489:2013.

WSSC Archaeology (summarised): No objection

- The archaeological and historical background of the site and its potential to contain archaeological features, have been assessed in the supporting Archaeological Desk-Based Assessment;
- There are no previously reported significant or ancient archaeological sites or finds, located within or close to the application site;
- Previous extensive landscaping works, over most of the application area, are likely to have reduced or removed presently unknown buried archaeological features and finds;
- It is reasonably concluded that the proposals are unlikely to have a significant archaeological impact;
- No further archaeological assessment or mitigation measures are considered to be necessary.

WSSC Ecology: No objection subject to condition

WSSC Highways (summarised): No objection subject to conditions

- The site is brownfield and is within the built-up area of the town where local shops, schools, public services and employment centres would be within walking, cycling or a short bus journey distance;
- The proposed access onto Parsonage Road offers significant betterment over the existing access arrangements and will include a right turn ghost lane so as not to interrupt the flow of traffic along the main road;
- A continuous new footway will be provided across the development frontage to North Heath Lane and better cycle advisory lanes painted on Parsonage Road;
- Queueing across the access as a result of the railway crossing barrier being down is unlikely, but access could be protected by 'keep clear' markings if necessary;
- In terms of traffic generation, the proposed development would result in a small net reduction when compared to the extant traffic generation, although the traffic flows will be somewhat different in nature to the existing employment use;
- An assessment of a number of key junctions using three modelling scenarios

indicate that they will either operate within capacity or that there is unlikely to be a significant difference between the 2019 'without development' and the 2019 'with development' scenarios to indicate that the effects of the development will be severe;

- Notwithstanding this, it is projected that there will be future capacity issues – particularly at the North Parade/Wimblehurst Road and Parsonage Road/Rusper Road/Redkilyn Way/Kings Road junctions, so the TAD contribution could be used to help address some of these issues;
- A travel plan would also be required to encourage sustainable non-car modes of journeys to and from the development;
- The existing car park access point could be used as a construction access, however, the new access should be constructed and in use prior to any occupations.

PUBLIC CONSULTATIONS

North Horsham Parish Council: No objection

A total of 16 No. letters of representation have been received in relation to the proposed development. Of these 11 No. letters object to the development and raise the following summarised concerns:

- The proposal would be too dense and an overdevelopment of the site;
- The development of this site is premature pending the outcome of the future use of the main Novartis site to the south of Parsonage Road and the HDPF;
- The design of the development would not be appropriate for the area;
- The development would result in the loss of many trees, contrary to local and national policies;
- The development would have a significantly adverse impact upon the amenity and privacy of nearby residents;
- The development would lead to noise disturbance for nearby residents;
- The proposed three and four storey buildings would be out of keeping with the locality;
- The development would cause traffic congestion and increase existing problems;
- Wimblehurst Road suffers from existing traffic movements and any increase in these needs to be carefully considered and mitigated against;
- There would be insufficient provision of, or support for, sustainable transport options;
- The site cannot be considered as 'brownfield' given the number of trees and the sports facilities;
- Insufficient information has been provided within the submitted Transport Assessment and no account has been made for increased rail movements;
- There are inadequate facilities to serve pedestrian movements to and from the development site;
- The proposed footpath to the site frontage could cause harm to the protected trees in this area;
- The proposed development would have an adverse impact upon the needs of cyclists in the area;
- A scheme for street lighting within the site and a Stage 1 Road Safety Audit should be submitted;
- The internal road layout restricts permeability and creates a need for turning heads;
- The traffic assessments do not take account of all surrounding areas and associated vehicular movements;
- There should not be an access created into Allcard Close from the site;
- There are concerns about drainage and water run-off;

- There may be bats roosting on the site;
- It is not proposed to provide any equipped play areas within the development site;
- The loss of the social club and sports pitches would be a shame for the local community;
- The existing sports facilities should be offered for community use;

5 No. letters have been received which either state no objection, or make comments neither objecting or supporting the development, these are summarised here:

- The site is well served by public transport;
- Consideration should be given to funding 'real time' bus information screens on the nearby bus stops.

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 issues for consideration in relation to this proposal are:

- The principle of the development
- Loss of sports facilities
- Impact on the character and appearance of the surrounding area
- Impact upon the amenities of nearby and future residents
- Affordable housing provision
- Transport impacts
- Ecology, drainage, contamination and archaeology
- S106 obligations

Principle of the development

6.2 The National Planning Policy Framework (NPPF) sets out that there is a presumption in favour of sustainable development and that this should run through both plan-making and decision-taking (paragraph 14). In terms of the determination of planning applications this should mean the approval of developments that accord with the development plan without delay, and that where the development plan is silent or relevant policies are out of date, that permission be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or policies of the NPPF indicate otherwise. Paragraph 7 of the NPPF sets out that there are three dimensions to the achievement of sustainable development, these being economic, social and environmental. The economic and social aspects of sustainability are discussed within this section and the environmental aspects considered under subsequent sections below.

6.3 Paragraph 49 of the NPPF states that '*housing applications should be considered in the context of the presumption in favour of sustainable development*' and that '*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.*'

- 6.4 The NPPF further requires, at paragraph 47, that Local Planning Authorities should identify, and update annually, a supply of deliverable sites sufficient to meet their housing requirements for a 5 year period with an additional buffer of 5%. The Horsham District Annual Monitoring Report (December 2013 and update January 2014) identifies that the District currently has a supply of housing land sites equivalent to 64.3% of its requirement for the 5 year period (including the 5% buffer requirement), against the targets set out within the South East Plan. Whilst the South East Plan has been formally revoked (in March 2013), it continues to be the most up-to-date position in terms of housing figures which have been tested through examination. As the District cannot demonstrate a 5 year supply of deliverable housing sites, the housing policies of the adopted development plan could be considered to be out-of-date.
- 6.5 The application site lies within the built-up area of Horsham, a category 1 settlement which is considered to be capable of sustaining some expansion, infilling and redevelopment, as it offers a good range of services and facilities and has access to means of public transport. Policy CP5 of the CS 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 settlement hierarchy listed in that policy. In addition, policy CP5 states that there will be an emphasis on the re-use of suitable previously developed land for housing. The NPPF defines, at Annex 2, previously developed land as:

'Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.'

This definition then goes on to state that previously developed land excludes:

'land in built-up areas such as private residential gardens, parks, recreation grounds and allotments'.

- 6.6 Taking this definition, the application site can be considered to be partially previously developed land. The land within the site which accommodates the existing built form of the social club and the hardsurfaced car parking areas, is considered to constitute previously developed land, however, the land which currently provides the 2 No. tennis courts and the open grassed area cannot be considered to fall within this definition. The loss of these areas is considered further below in paragraphs 6.13 to 6.18.
- 6.7 Notwithstanding whether the site should be considered as previously developed land, the most recent use of the site has been as car parking and social facilities to serve the large industrial complex of Novartis, located to the opposite (southern) side of Parsonage Road. Policies CP11 of the CS and DC19 of the GDCP seek to retain existing employment sites within the built-up areas in order to minimise development of greenfield sites. Whilst the proposed development would result in the loss of this part of the Novartis site, its redevelopment would not result in the loss or unviability of the main site south of Parsonage Road.
- 6.8 Planning permission was granted in 2013 (under application DC/14/2342) for a new vehicular access from Parsonage Road into the main (southern) Novartis site and the provision of car parking within this main site. This approval allows a consolidation of Novartis' activities into just the main site rather than using the northern site, and shows that the main site could satisfactorily accommodate adequate car parking space for its future use. Given that the ongoing commercial use of the Novartis main site could remain without the requirement for the northern site, it is considered that the redevelopment of the northern site (the application site) would not adversely impact the ongoing employment use of the wider site. Furthermore, whilst the application site has provided parking and amenity space in connection with the main Novartis site, the use of this northern site for

independent industrial activities, i.e. within new buildings, would need to be subject to a careful consideration of the appropriateness of such activities given the proximity of existing surrounding land uses. It is therefore considered that the redevelopment of the application site for non-employment use would not lead to an overall reduction in the availability of suitable employment land and as such it is not considered that the proposal would contravene the intentions of policies CP11 or DC19.

- 6.9 Given that the proposed development would not compromise the overall level of suitable employment land and would result in a growth in the availability of local housing, which in turn could support the local economy through the wider use of shops, businesses and services, it is considered that there are significant economic benefits to the proposal, as required by the NPPF's definition of sustainable development.
- 6.10 In terms of social sustainability, the proposed development would provide a total of 160 No. residential units, which would assist in meeting the current and future housing needs of the District. The proposed dwellings would comprise a mix of 1, 2, 3, 4 and 5 bedroom units (as set out in paragraph 1.3 above). Policy DC18 requires that on developments of more than 15 No. residential units, the size and type of those units should meet the identified need for smaller homes across the District. This policy goes on to state that 64% of the homes should be provided as 1 or 2 bed dwellings, unless the need for smaller homes identified through future Strategic Housing Market Assessments indicates otherwise. The proposed development would provide a total of 83 No. units as 1 and 2 bed properties, which equates to 52%. Whilst this is below the 64% target it is considered that this level of provision of smaller units would adequately reflect the current profile of housing requirements across the District. In addition, of the 160 No. properties proposed, a total of 64 No. would be provided as affordable homes, which is considered to be a significant social benefit. This affordable provision is considered further below at paragraphs 6.33 to 6.34.
- 6.11 The proposed development is therefore considered to be both economically and socially sustainable as the proposed housing would assist in the growth of the local economy and in delivering an appropriate level of housing supply to meet the needs of present and future generations. The proposal would therefore accord with both the NPPF's economic and social strands of sustainability, as set out in paragraph 7 of the NPPF.
- 6.12 It is considered that the principle of the proposed development is acceptable, given the presumption in favour of sustainable development set out in paragraph 14 of the NPPF and the conclusion that the proposal would not result in the loss of employment land. Therefore, planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or other policies would restrict development.

Loss of sports facilities

- 6.13 In addition to the above, the implications of the loss of sports facilities through the redevelopment of the application site needs to be considered. The site contains 2 No. tennis courts and an open grassed area that has previously been marked out for football, and which Sport England advise could accommodate an under 9/10s mini pitch. Whilst the site is identified within the Horsham District Sport, Open Space and Recreation Assessment (February 2014) as providing sports facilities, it is acknowledged that these facilities have only been available for use by employees of Novartis and as such have a limited community value. Notwithstanding this, the NPPF states, at paragraph 74, that existing open space, sports and recreation buildings and land, including playing fields, should not be built on unless: they have been assessed as being surplus to requirements; they would be replaced by equivalent or better provision, in terms of quantity and quality in

a suitable location; or, the development is for alternative sports and recreational provision, the need for which would clearly outweigh the loss.

- 6.14 Furthermore, Sport England have a policy to protect playing fields, set out in their guidance 'A Sporting Future for the Playing Fields of England' and have stated that they will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of, all or part of a playing field, unless one of five exceptions applies. These exceptions are: a quantified and documented assessment demonstrates that there is an excess of playing fields provision within the catchment and the site is not of specific interest for sport; the development is ancillary to the principal playing field use and does not affect the quantity or quality of pitches or their use; the development affects only land incapable of forming a playing pitch and does not result in the loss of, or inability to make use of, any playing pitch, a reduction in the size of the playing area, or the loss of other sporting/ancillary facilities; the playing fields lost would be replaced by equivalent or better playing fields in terms of their quantity and quality in a suitable location; or, the development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to sport to outweigh the loss of the playing fields.
- 6.15 The applicant has therefore been advised that there is a requirement for provisions to be made for the replacement of facilities that would be lost as a result of the development. It has previously been accepted by The Planning Inspectorate (in the appeal decision referenced APP/U4610/A/12/2176169 for a site at Lythalls Lane, Coventry) that a financial contribution to the Council towards replacement pitch provision within the vicinity of the development is an appropriate and acceptable solution to ensure equivalent or better replacement facilities are provided.
- 6.16 As mentioned above, the application site could accommodate a mini football pitch and 2 No. tennis courts and therefore it is these facilities that would need to be replaced in order to result in no net loss of sports pitches. In order to calculate the appropriate level of financial contribution required to re-provide a mini football pitch and 2 No. tennis courts, Sport England's Facilities Costs (Fourth Quarter 2013) guidance has been used. This guidance indicates that a mini football pitch would have a capital cost of £20,000 and that 2 No. tarmacked tennis courts with fencing and floodlighting would have a capital cost of £165,000. The total capital cost of these two facilities could therefore be £185,000. However, the 2 No. existing tennis courts on site are unlit and hence a reduction of £20,000 has been applied to the overall figure. This reduction is on the basis that the cost of lighting, and the provision of the associated cabling, for 2 No. tennis courts has an estimated cost of around £24,500. A total financial contribution of £165,000 is therefore considered to represent an appropriate level that would allow for the satisfactory replacement of tennis and football facilities within the vicinity of the development. This level of contribution has been agreed with the developer and Sport England. It should be noted that this contribution would be separate, and in addition, to any contribution required in order to address additional demands for sports facilities that would result from the proposed development, this element is considered below in paragraphs 6.49 to 6.58.
- 6.17 It has also been agreed with Sport England that the contribution can be used to enhance specific existing sports facilities in the local area, as although this would not provide new facilities, such works would mitigate the loss of the existing sports facilities through providing facilities capable of accommodating increased usage and improved accessibility. In order to ensure that the enhanced facilities will be of sufficient benefit to outweigh the detriment caused by the loss of existing facilities, specific individual projects need to be secured through a Section 106 agreement. These specific projects need to reflect the types of facilities that would be lost and as such the following have been identified and costed:

Location	Project	Contribution
Horsham Park Tennis Courts	Enhancements to the existing tennis courts – to include resurfacing, fencing and re-lining	£73,125
Pixies Hollow, Woodstock Close	Reinstatement of junior pitch with improved drainage	£20,000
Collyers Sixth Form College, Hurst Road	Works to increase community usage and disabled accessibility – to include sports hall refurbishment, additional storage areas, access improvements and improvements to the multi-sports courts (<i>Additional funding already secured for this project</i>)	£71,875
Total		£165,000

- 6.18 The level of contribution and these specific projects have been agreed with the developer and Sport England. The payment of the financial contribution of £165,000 and the allocation of these funds to the above projects will be secured through a Section 106 agreement. Sport England have accepted this as a reasonable and appropriate form of mitigation for the loss of the existing facilities, however there are currently ongoing discussions relating to the wording to the legal agreement to ensure their provision. Therefore, on this basis, Sport England currently maintain their objection to the proposed development. It is anticipated that an agreement should be reached with Sport England prior to the meeting of the Committee and as such this is reflected within the dual recommendations within this report. It is Officer's view that the proposed development would make appropriate provision for replacement sports facilities and that the proposal would therefore accord with the requirements of the NPPF and with the aims of policy CP14 of the CS and policy DC21 of the GDCP.

Impact on the character and appearance of the surrounding area

- 6.19 As detailed above, the existing site is characterised by the large hardsurfaced area and the former social club facilities of Novartis. The site is surrounded by existing vegetation to the majority of its boundaries and as such is relatively well screened from the surrounding developments. Given this situation, the application site appears somewhat separate to the surrounding developments, with the existing residential properties to the north east and north west being accessed from Wimplehurst Road/North Heath Lane rather than Parsonage Road. Other than the units situated within The Crossings, to the immediate south east of the site frontage, the residential development along Parsonage Road is separated from the site by the railway line and level crossing. When travelling along Parsonage Road from the north west to the south east, this area, after the level crossing, has a distinctly different character to that of the application site.
- 6.20 The proposed development would see the removal of a considerable number of trees within the site, however, the majority of these are categorised as either category 'C' or category 'U' trees (defined under BS:5837), and the large protected Oak tree to the centre of the site would be retained and made a significant feature of the proposed development. Whilst numerous trees would be removed, considerable numbers of those situated around

the north western and north eastern boundaries would be retained, along with existing hedgerows in these locations.

- 6.21 It is recognised that the proposed development would lead to a significant alteration to the street scene along Parsonage Road, with many existing trees along this frontage being removed. However, the existing protected trees to the north western end of this frontage would be retained and it is also proposed to plant eight semi-mature Oak trees along this frontage. It is considered that the proposals would result in the site having a character that is to a greater degree defined by built form. However, the majority of the trees on the site are not protected by Tree Preservation Orders and as such could be removed without any need for planning consent. In addition, given the location of the site, within the built-up area, immediately opposite a very substantial commercial site, surrounded by residential development to the north west and north east, bordered by the Horsham to London mainline railway and then further residential development and an established industrial site to the south east, it is not considered that the character that would result from the proposed development would be incompatible with the surrounding townscape.
- 6.22 As detailed above, the application site does not form part of a wider character area, and is largely seen in isolation due to the positioning, orientation and form of the surrounding developments. Whilst it is acknowledged that the character of the site would change to that of predominantly built form, the proposed development would create a new, strong character for the site through its design. It is proposed to create residential units of three to four storeys in height, comprising both apartments and houses, fronting onto Parsonage Road and to form a focal entrance to either side of the vehicular access point which would frame views into the site and the retained mature Oak tree to the centre. The scale of the proposed development is such that the tallest properties are proposed towards the Parsonage Road frontage, the centre of the site and towards the boundary with the railway line, with lower forms of properties shown towards the boundaries with Thatchers Close and Allcard Close.
- 6.23 The introduction of three to four storey development to the Parsonage Road frontage is not considered to be inappropriate, as these properties would face towards the substantial buildings of the existing Novartis site, which although largely due for demolition could potentially be replaced with similarly scaled commercial premises. In addition, the proposed dwellings and apartments are considered to be well designed, through the use of varying and quality materials (such as London stock bricks, painted brickwork, render and slate roofs, which can be ensured through condition); balconies; dormer windows and half dormers; bay windows; gable projections; and porches. These elements would ensure that the development exhibits its own new character that is reflected throughout and would apply equally to both the market and affordable units.
- 6.24 The overall design and the inclusion of taller units and some apartments enables the site to accommodate a substantial number of properties whilst still providing some retained communal green spaces, car parking and private garden areas. The proposed development would have a density of approximately 48 dwellings per hectare, which is comparable with that of the nearby Blenheim Road and Marlborough Close developments, and ensures that efficient use of this sustainable site is made. The NPPF requires, amongst other elements, at paragraph 58, that planning decisions should aim to ensure developments optimise the potential of a site to accommodate development. It is considered that the development proposed is not a level that would be inappropriate or detrimental to the surrounding area, given the sustainability of the site and its location.
- 6.25 It is considered that the proposed development would not result in an inappropriate character for the area, as it would not be seen in combination with the surrounding residential developments and is of different scale and type to the commercial site opposite. Whilst there would be a considerable reduction in overall tree cover, and some retained

trees and hedgerows would be placed into private ownership, it is not considered that the resulting relationship would be an uncommon one within the built-up area, and indeed it is not considered that this would warrant refusal of the scheme on this basis. Therefore it is considered that the proposed development would not result in any significantly detrimental impacts upon the character or appearance of the surrounding area and that it would accord with policy DC9 of the GDCP and with the requirements of the NPPF.

Impact upon the amenities of nearby and future residents

- 6.26 The surrounding properties to Thatchers Close and Allcard Close, along with the 5 No. flats that comprise, The Crossings, Parsonage Road, would be the closest residential properties to the proposed development. To the south easternmost corner of the site, the adjacent property to The Crossings (plot 143) would be orientated to front onto Parsonage Road but would be set forward of the building line of The Crossings. This adjacent property would be set approximately 7m from the side elevation of The Crossings and although set further forward, this separation will ensure that plot 143 does not appear unduly prominent within the outlook from this adjacent premises. To the rear of plot 143, plot 144 is partially orientated towards the rear of The Crossings. The frontage of plot 144 would be set approximately 6m from the edge of the site and there would be some new planting provided along this boundary. It is not considered that this proposed relationship would lead to any significant impact upon the amenities of these adjacent residents. Similarly, although the proposal would provide an area of car parking to the rear of The Crossings, it is not considered that this would cause harm to the amenities of these residents, particularly given the proximity of the railway line.
- 6.27 Turning to Thatchers Close, the closest relationship with these existing properties would be those between the detached garage building adjacent to plot 82 and the rear of No. 21 Thatchers Close, and the side of plot 100 and the rear of No. 17 Thatchers Close. The proposed detached garage would be set 1.5m from the site boundary. This garage would be single storey in height (measuring 2.2m to eaves level and 4.2m to the apex of the hipped roof) and the existing boundary hedgerow to this position would be retained. The side of plot 100 would be situated approximately 16.5m from the rear of No. 17 Thatchers Close with the existing boundary hedgerow to be retained here along with a 5m wide landscaped strip which would not fall within private ownership. No first floor level side facing windows are proposed within plot 100 and this can be maintained through an appropriate condition. In situations where the rear of proposed dwellings would face towards the shared boundary with Thatchers Close, the rear gardens would have a minimum depth of 9.5m and a separation between properties of at least 18.5m. This relationship is not dissimilar to other existing developments within the locality.
- 6.28 The properties within Allcard Close, to the north west of the site, and those facing towards North Heath Lane, would lie adjacent to the proposed units on plots 30-55 and 56 to 64. The proposed apartment block to the northern corner of the site (plots 30-55) would be of substantial form, being up to four storeys in height in parts. However, this northernmost corner of the site would retain considerable existing mature vegetation with an open amenity area also proposed to the rear of the apartment block. As such the distance between the rears of No's. 8 and 10 North Heath Lane and the apartment block, would be 56.5m. The element of this apartment block situated closest (~16m distant) to the rear of properties within Allcard Close, is of two storeys in height and although closer to the shared boundary, would be separated from it by existing mature vegetation which would not be in private ownership.
- 6.29 In terms of the proposed dwellings adjacent to Allcard Close, the nearest of these would be plot 61 and No. 14 Allcard Close. Plots 59 to 61 would be a short terrace of three which would be two and half storey dwellings. These properties would be approximately 24m from the rear of No's. 14 and 15 Allcard Close and although they would have rear facing

windows to serve the second floor level, these would be set at a high level. The rear of plot 64 would face towards the side elevation of No. 11 Allcard Close with a separation distance of approximately 17.5m. It is proposed to provide additional hedgerow planting to the shared boundary to the rear of plots 59 to 61 and plot 64.

- 6.30 With regard to the level of amenity for future residents of the proposed development, it is considered that this would be reasonable and acceptable. Each of the proposed houses would be provided with a private garden area of at least 8m in depth. Whilst these smallest gardens would not be overly generous, they are not dissimilar to other recent developments within the District and would provide a useable area of outdoor amenity provision. In terms of the apartments, these would have access to communal areas of open space, either around the apartment blocks or elsewhere within the site. It is considered that the outdoor environment and the relationship between properties within the proposed development would be acceptable and would not cause the amenities of future residents to be lower than could reasonably be expected.
- 6.31 The Council's Environmental Health Officer has raised some concerns relating to the potential for noise disturbance arising from both the traffic along Parsonage Road and also from movements along the railway line to the south east of the site. These sources of transportation noise would be likely to result in bedrooms facing towards them having a reduced internal noise environment when windows are open. It is recognised that this is not an ideal situation, however, the positioning of properties fronting onto Parsonage Road and situated adjacent to the railway line is not unique to this development and instances of similar relationships already exist within close proximity to the application site. The Environmental Health Officer has recommended that a condition be attached to any approval to ensure that measures to reduce the intrusion of noise into these rooms is mitigated. It is considered that the proposed internal environments for these properties can therefore be satisfactorily controlled.
- 6.32 It is considered that the relationship that would result between the proposed development and the existing surrounding properties at The Crossings; in Thatchers Close; along Allcard Close; and, to North Heath Lane, given the separation distances, the form of adjacent development, the boundary treatment and the control of higher level windows, would not cause any significant impact upon the amenities of these nearby residents. In addition, it is considered that the proposed development would create an environment that would provide an acceptable level of amenity for future residents and as such would accord with the requirements of policy DC9 of the GDCP and the requirements of the NPPF.

Affordable housing provision

- 6.33 The development proposes a total of 160 No. properties, of which a total of 64 No. would be provided as affordable homes. This represents 40% of the total number of units and fully accords with the requirements of policy CP12, which seeks 40% on all developments of 15 No. units or more. Of the 64 No. affordable units, which would include 1, 2 and 3 bedroom units, 39 No. would be provided for affordable rent with 25 No. provided for shared ownership. This split of tenures equates to 61% and 39% respectively, which is very close to the target split set out in the Planning Obligations SPD. The affordable housing numbers, mix and tenure split are supported by the Council's Strategic Housing Manager.
- 6.34 Whilst the affordable units would be largely situated in two locations within the site, to the north western corner and towards the eastern side, the design and appearance of these units would not be readily discernible from that of the market units. Furthermore, the affordable units would be provided with amenity space or private gardens of a comparable level to the market units and the grouping of these units does provide benefits to the Registered Provider in terms of their ongoing management. It is therefore considered that the situation of the proposed affordable units is acceptable.

Transport impacts

- 6.35 The site would be accessed from Parsonage Road with a new vehicular access point being created, along with a right turn ghost lane for traffic approaching the site from the south east. In addition, a new footway to the northern side of Parsonage Road would be provided within the site, linking it to North Heath Lane, and better cycle advisory lanes would be painted along Parsonage Road. The proposed layout within the site has been designed in accordance with the Manual for Streets and a tracking diagram to show that the development would be accessible for refuse collection vehicles has been submitted.
- 6.36 In terms of traffic generation, the submitted Transport Assessment has provided details of how these levels would differ from the anticipated vehicular movements to the site had the extant commercial use of the site been maintained. The conclusions of this assessment are that the proposed development would result in a slight reduction in overall traffic flows, however, the pattern of movements would have a somewhat different nature, given that the majority of vehicles would be leaving the site in the morning hours and entering the site in the evening hours. Irrespective of this, the County Highways Authority have not raised any objections to the proposed development and indeed comment that the proposed access arrangements would be an improvement over the current situation.
- 6.37 In addition to the proposed access into the site, the submitted Transport Assessment has considered the potential impact of the proposed development on the capacity of a number of key junctions in the vicinity of the site and how these would operate using three modelling scenarios: 'observed traffic flows 2013'; 'without development flows 2019'; and, 'with development flows 2019'. The junctions reviewed were:
1. Parsonage Road site access
 2. North Heath Lane/Parsonage Road/Wimblehurst Road mini-roundabout;
 3. Parsonage Road/Parsonage Way/Foundry Lane mini-roundabout;
 4. North Parade signalised junctions;
 5. Parsonage Road/Rusper Road/Crawley Road/Redkiln Way/Kings Road roundabout;
 6. Railway crossing queue lengths
- 6.38 This assessment has shown there to be no capacity issues in any of the three scenarios at junctions No. 1 and No. 3 and that there would no significant difference between the 'without development flows 2019' scenario and the 'with development flows 2019' at junctions No. 2 and No's 4-6. Whilst it is projected that there would be future capacity issues at the above junctions No. 4 and No. 5, this is not considered to be attributable to the proposed development as these issues are anticipated to arise in any event. West Sussex County Council do not dispute the findings of this assessment, but propose that the transport element of the infrastructure contribution could be used towards improvements to the North Parade signalised junction. In addition, the applicant proposes to use the existing vehicular access into the site for construction purposes, in order to separate such activities from residential traffic and works progress. The County Highway Authority do not object to this use, provided that the new access is constructed prior to any occupations and that the existing access is closed in due course. This could be ensured through conditions.
- 6.39 With respect to the railway crossing, surveys carried out in 2013 indicate that the maximum queue lengths awaiting the opening of the level crossing barriers are 20 No. vehicles heading west along Parsonage Road and 17 No. vehicles heading east. The proposed new access to serve the development would be situated approximately 100m from the level crossing and as such would allow for around 18 No. vehicles to queue from the crossing in this direction, before any issues of accessibility would arise. This degree of queueing is

very similar to the anticipated maximum lengths and therefore it is considered unlikely that significant issues would arise.

- 6.40 The proposed development would incorporate a total of 287 No. car parking spaces, with these to be provided as 36 No. garage spaces, 193 No. allocated car parking spaces and 58 No. unallocated/visitor spaces. Each of the proposed residential units will have at least 1 No. allocated/driveway space, with many having more. The County Highway Authority have advised that this level of parking provision appears to be in accordance with their parking demand calculator and are satisfied that the provision offered would not be likely to lead to on-street car parking issues. In addition, each of the units will be provided with cycle storage space, either within garages or sheds for the dwellings or within a secure communal area for the apartments.
- 6.41 In conclusion, the proposed new vehicular access arrangements would be acceptable and the anticipated level of traffic movements would not place undue pressure on the surrounding road network. The site is considered to be sustainably located with realistic opportunities for residents to make use of forms of transportation other than the private motor vehicle. In addition, a travel plan is proposed to promote the uptake and use of more sustainable modes of travel and this, along with controlling construction activities and the new access provision, can be satisfactorily ensured through conditions.
- 6.42 Paragraph 32 of the NPPF states that '*development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*' (Officer's emphasis). The Highways Authority have not raised any objection to the proposed development in terms of any impact upon highway capacity or safety issues, nor have they raised any concerns relating to increased pressure for on-street car parking spaces. The level of car parking provision proposed is considered to be acceptable and it is therefore considered that the proposal would accord with the requirements of the NPPF and with policy DC40 of the GDCP.

Ecology, drainage, contamination and archaeology

Ecology

- 6.43 As detailed above, the site is formed by a mix of open sports facilities and a large area of hardstanding, but with a considerable number of trees and vegetation within and around the site. The application has been accompanied by an Extended Phase 1 Habitat Assessment, an Aerial Tree Inspection Report, a Reptile Survey Report and a Biodiversity Enhancement Strategy. These conclude that low populations of slow worms and common lizards are present on site, that roosting bats are unlikely to be present and that there is potential for breeding birds within existing vegetation.
- 6.44 The submitted statements recommend mitigation measures to ensure that any impacts upon reptiles or breeding birds are minimised and that measures to enhance the biodiversity value of the site following the development are undertaken. These conclusions and the proposed mitigation measures are considered to be acceptable to West Sussex County Council's Senior Ecologist and can be ensured through the imposition of an appropriate condition. Therefore it is considered that the proposal would include sufficient measures to protect, conserve and enhance the biodiversity of the site and would accord with the requirements of policy DC5 of the GDCP and with the NPPF.

Drainage

- 6.45 The application site lies within Flood Zone 1, as defined by the Environment Agency's Flood Map, which is land with the lowest probability of flooding. Residential development is considered to be appropriate development within Flood Zone 1, as established in the

Technical Guidance to the NPPF. The application has been submitted with a Flood Risk Assessment (FRA) which concludes that the site is at low risk of fluvial, surface water, groundwater, sewer, reservoir or artificial sources of flooding.

- 6.46 The submitted FRA also outlines a proposed surface water drainage strategy for the development, which takes account of both risks within the site and elsewhere within the catchment area. The drainage strategy indicates the use of Sustainable Drainage Systems (SuDS) and has been designed to accommodate all flows up to the 1 in 100 year storm event plus an allowance of 30% for climate change. No objections to the proposed development have been received from the Environment Agency, Southern Water or the Council's Drainage Engineer. The final details of the proposed foul and surface water drainage can be satisfactorily controlled by condition in order to ensure compliance with policy DC7 of the GDCP and the NPPF.

Contamination

- 6.47 Although the existing site is partially covered with hardstanding forming a car park it is not considered that the previous uses of the site, which have not been industrial processes, would be likely to lead to any significant risk of ground contamination. The submitted details conclude that the site represents a low risk area. Therefore, as recommended by the Council's Environmental Health Officer, it is considered appropriate that conditions be attached to any approval to ensure that contamination found on site is adequately remediated and that any asbestos containing materials are appropriately handled and removed.

Archaeology

- 6.48 The majority of the application site previously formed part of the parkland surrounding the Victorian mansion of Wimblehurst. This parkland is thought to have been informally laid out without significant landscaping. The mansion was demolished in 1982. For the remaining portion, and prior to the parkland use of the main area, the site was used for agricultural purposes. There are no previous reported ancient archaeological sites or finds within or near to the application site and given the previous ground works likely, in order to create the car park and tennis courts, it is considered unlikely that the development would have either significant or widespread archaeological impacts. The proposed development would not therefore contravene the requirements of policy DC10 of the GDCP.

S106 obligations

- 6.49 In order to ensure sufficient infrastructure capacity to serve the proposed development, the applicant has been advised that there would be a requirement to enter into a legal agreement under Section 106 of the Town and Country Planning Act. This requirement is set out in policy CP13 of the Horsham District Local Development Framework: Core Strategy (2007) and within the adopted SPD on Planning Obligations.
- 6.50 The proposed development seeks 160 No. residential dwellings, with 96 No. open market units and 64 No. affordable units. The proposal would therefore attract infrastructure contributions to Horsham District Council of £295,838 to cover open space, sport and recreation; public art; and community facilities, calculated in accordance with the adopted Planning Obligations SPD and considered to be fully compliant with the Community Infrastructure Levy Regulations (CIL Regs). An additional contribution of £663,952 would be required to West Sussex County Council to cover education; libraries; transport; and fire and rescue services. It is considered that these contributions also meet with the tests of the CIL Regulations.

- 6.51 It should be noted that the contributions set out above are in addition to the contribution agreed with the developer in order to facilitate the replacement of the mini football pitch and tennis courts, which would be lost as a result of the development. The requirement, level and specific use of this additional replacement facilities contribution is considered to comply with the CIL Regs tests, in that it would be necessary due to the loss of existing facilities, is directly related to the development and that the scale of the contribution and its identified use is appropriate given the facilities that would be lost.
- 6.52 In addition to the above contributions both Sussex Police (£29,510.40) and Network Rail (around £50,000) are also requesting funding. Sussex Police have advised that the development will lead to additional pressures on policing in the locality and have therefore requested the contribution in order to effectively maintain the current level of policing. The contribution requested would be used towards the provision of increased space at a re-provided Horsham Police Station, towards a battery assisted pedal cycle and for remote working IT facilities. The contribution is worked out on a 'per dwelling' basis. Network Rail have advised that the proposed development would result in an increase in vulnerable users using the level crossing and have therefore requested a contribution for the provision of standing red man signals.
- 6.53 In order for a contribution to be sought under a planning obligation (i.e. through a Section 106 legal undertaking) they need to meet all of the tests set out within Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regs) and reiterated within paragraph 204 of the NPPF. These tests require that an obligation should only be sought where they are:
- Necessary to make the development acceptable in planning terms;
 - Directly related to the development; and
 - Fairly and reasonably related in scale and kind to the development
- 6.54 When considering whether requests for contributions meet with the tests above, The Planning Inspectorate have issued guidance notes to their Inspectors for use when determining appeals. Whilst this proposal does not form an appeal, it is considered that reference to this guidance constitutes a reasonable approach to establish if the requested contributions are justifiable. The PINS guidance states that the following evidence is likely to be needed to assess whether any financial contribution meets the appropriate tests:
- Quantified evidence of the additional demands on facilities or infrastructure which are likely to arise from the proposed development;
 - Details of existing facilities or infrastructure, and up-to-date, quantified evidence of the extent to which they are able or unable to meet those additional demands;
 - The methodology for calculating any financial contribution necessary to improve existing facilities or infrastructure, or provide new facilities or infrastructure, to meet the additional demands;
 - Details of the facilities or infrastructure on which any financial contributions will be spent.
- 6.55 Sussex Police's consultation response states that the proposed development would be likely to give rise to an additional 12 crimes (equating to 48 incidents) per year and that this would represent approximately 25% of an additional officer's workload. It is on this basis that the Police have requested a financial contribution. They have indicated where the requested monies could be spent, but do not state the exact level of funding needed for each item or element. In addition, they do not provide quantified evidence of how the existing facilities or infrastructure would be unable to meet the anticipated additional demands.

- 6.56 Furthermore, whilst Sussex Police state that the contribution requested is equivalent to £184.44 per dwelling within the development, they do not provide a methodology for how these figures have been calculated. For example, there is no indication that smaller residential units (with on average less residents) would be subject to a smaller level of contribution than larger units. Sussex Police were requested to provide evidence in relation to the above PINS guidance and agreed that the need to provide this evidence was reasonable. However, no further evidence has subsequently been provided.
- 6.57 Network Rail have agreed that the proposed development would decrease the number vehicular and pedestrian movements across the nearby level crossing, however, they believe that the proportion of vulnerable users using the crossing would increase as a result of the development. They have therefore requested a contribution to enable the provision of standing red man signals at the crossing. Network Rail have not provided quantified evidence of the additional numbers of vulnerable users that would be using the crossing as a direct result of the development or how any increase in vulnerable users could not be accommodated by the existing infrastructure. In addition, the requested funding for standing red man signals is non-specific and there are no details of how the sum of around £50,000 has been calculated.
- 6.58 Given the above omissions in the evidence provided by both Sussex Police and Network Rail it is not considered that the requested financial contributions can be satisfactorily justified as being necessary to make the development acceptable in planning terms, or that they would be fairly and reasonably related in scale and kind to the development. For these reasons it is Officer's view that the contributions requested by Sussex Police and Network Rail would not meet the strict tests set out within Regulation 122 of the CIL Regs or paragraph 204 of the NPPF and as such a requirement to pay these should not be placed upon the developer.

Conclusion

- 6.59 Horsham District has an identified lack of a 5 year (plus 5% buffer) supply of deliverable housing sites and given the presumption in favour of sustainable development set out in paragraph 14 of the NPPF it is considered that the principle of the proposed residential development in this location is acceptable, and that planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 6.60 It is not considered that the development of this site for residential purposes would result in an overall loss of employment land provision, given that the consolidated use of the main Novartis site would remain. Although the proposal would necessitate the loss of social club facilities that could provide tennis courts and a mini football pitch, an appropriate level of mitigation has been agreed with Sport England, in the form of a contribution towards the replacement of these facilities. Whilst Sport England currently maintain their objection to the proposal, this relates only to the wording of the legal agreement.
- 6.61 The site lies within the built-up area of Horsham and therefore has good accessibility in relation to employment opportunities, leisure and community facilities, retail outlets, educational establishments and access to forms of public transport. The proposal includes the provision of 64 No. affordable homes, which would accord with the requirements of policy CP12 . It is also considered that the drainage and ecological implications of the development can be controlled through conditions to ensure their acceptability. Therefore it is considered that the economic, social and environmental aspects of sustainability, as set out by the NPPF, are met and that the proposed development therefore constitutes sustainable development to which the presumption in favour (as set out in paragraph 14 of the NPPF) applies.

7. RECOMMENDATIONS

7.1 Two recommendations are proposed:

A: Subject to the withdrawal of the objection from Sport England, that planning permission be delegated for approval to the Development Manager subject to securing a S106 legal agreement and appropriate conditions.

Or in the event that Sport England maintain their objection:

B: That subject to the referral of the application to the Secretary of State under the Town and Country Planning (Consultation) (England) Direction 2009 (as amended by the Planning Practice Guidance), planning permission be delegated for approval to the Development Manager subject to securing a S106 legal agreement and appropriate conditions.

1. A2 Full Permission

2. Prior to the commencement of the development, other than works of demolition and site clearance, the following shall be submitted to and approved, in writing, by the Local Planning Authority:

- a schedule of materials and samples of such materials and finishes and colours to be used for the external walls, roofs and fenestration of the dwellings;
- details of all hard surfacing materials to be used within the site;
- details of low level barriers to prevent car parking around the central Oak tree;
- details of all boundary treatments proposed.

All materials and details used shall conform to those approved.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

3. Prior to the commencement of development a detailed scheme of hard and soft landscaping works for the development hereby permitted shall be submitted to and approved, in writing, by the Local Planning Authority. The submitted details shall comprise:

- 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 as well as cross sections;
- Minor artefacts and structures – location, size, colour and type of any street furniture and signage.

The approved scheme shall be fully implemented in accordance with 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 (from the date of when they are first planted) 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, other than works of demolition and site clearance, a detailed long term 25 year Landscape Management and Maintenance Plan for all landscape areas shall be submitted to and approved, in writing, by the Local Planning Authority. The submitted plan shall include:

- 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 Local Planning Authority.

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. All works shall be executed in full accordance with the approved Simon Jones Associates Ltd 'Arboricultural Implications Report' and 'Tree Protection Plan – No. SJA TPP 13052-03', unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To ensure the successful and satisfactory retention of important trees, shrubs and hedges on the site in accordance with policies DC2 and DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

6. No existing trees, hedges or shrubs on the site, other than those the Local Planning Authority has agreed to be removed as part of this permission, shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development hereby permitted. Any trees, hedges or shrubs on the site, whether within the tree protective areas or not, which die or become damaged during the construction process shall be replaced with trees, hedging plants or shrubs of a type, size and in positions agreed in writing by the Local Planning Authority.

Reason: To ensure the retention and maintenance of trees and vegetation on the site unsuitable for permanent protection by Tree Preservation Order for a limited period, in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

7. Prior to the commencement of development, other than works of demolition and site clearance, details of the proposed means of foul and surface water drainage and sewerage disposal shall be submitted to and approved, in writing, by the Local Planning Authority, in consultation with Southern Water where appropriate. The submitted information shall include:

- details of any measures required to divert public sewers;
- details of all sustainable drainage systems (SuDS) that are to be utilised across the site;
- details of how the SuDS are to be maintained and managed after completion;
- details of how the development has been designed for exceedance events and flood flow paths;
- details to prevent surface water draining onto the public highway or public footpath.

The approved details shall be fully implemented in accordance with a timetable to be agreed, in writing, with the Local Planning Authority, in consultation with Southern Water as appropriate, and shall thereafter be retained and maintained as approved.

Reason: To ensure the development is properly drained, to prevent the increased risk of flooding and in the interests of highway safety, in accordance with policies DC7 and DC40 of the Horsham District Local Development Framework: General Development Control Policies (2007).

8. Prior to the first occupation of the development, the new vehicular access and right turn ghost lane on Parsonage Road shall be designed, laid out and constructed in all respects in accordance with plans and details to be 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 Horsham District Local Development Framework: General Development Control Policies (2007).

9. Prior to the first occupation of the development, a continuous footway shall be constructed across the site frontage between North Heath lane and the railway crossing in accordance with plans and details to be submitted to and approved, in writing, by the Local Planning Authority.

Reason: In the interests of pedestrian safety and in accordance with policy DC40 of the Horsham District Local Development Framework: General Development Control Policies (2007).

10. Prior to the occupation of the 160th residential unit hereby permitted, all existing accesses into the site, other than those hereby approved, shall be closed and obliterated to the satisfaction of the Local Planning Authority.

Reason: In the interests of road safety and in accordance with policy DC40 of the Horsham District Local Development Framework: General Development Control Policies (2007).

11. Prior to the commencement of development, including any works of demolition, a Construction Management Plan shall be 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 location of site offices;
- routing details of HGV's delivering plant and materials (this would have to be to and from the east of the site and not along Wimblehurst Road or North Heath Lane)
- 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 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);

Reason: In the interests of highway safety and the amenities of the area in accordance with policies DC9 and DC40 of the Horsham District Local Development Framework: General Development Control Policies (2007).

12. Prior to the first occupation of the development, a Green Travel Plan shall be submitted to and approved, in writing, by the Local Planning Authority. The approved details shall subsequently be implemented in full.

Reason: To offer and encourage the use of sustainable forms of transport to and from the site and ensure that the development is sustainable in terms of transport emissions in accordance with policy DC40 of the Horsham District Local Development Framework: General Development Control Policies (2007) and the aims of the NPPF.

13. No dwelling hereby approved shall be occupied until the relevant internal access roads, car parking and turning facilities, for that dwelling, have been designed, laid out and constructed in accordance with the plans hereby approved and the parking and turning facilities shall thereafter be retained solely for that purpose.

Reason: To ensure safe and adequate access, parking and turning facilities are available to serve the development in accordance with policy DC40 of the Horsham District Local Development Framework: General Development Control Policies (2007).

14. The development hereby permitted shall only be implemented in strict accordance with the recommendations of the approved Enims 'Biodiversity Enhancement Strategy (July 2014)' and 'Reptile Survey Report (July 2014)'.

Reason: To safeguard the ecology and biodiversity of the area in accordance with the NPPF and policy DC5 of the Horsham District Local Development Framework: General Development Control Policies (2007).

15. Prior to the commencement of development, other than works of demolition and site clearance, a scheme of works to reduce the intrusion of noise to habitable rooms and amenity spaces identified within the submitted acoustic survey as having any adverse noise impact, shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall have regard to the requirements of BS8233:2014. The approved scheme shall be fully installed prior to the occupation of any dwelling identified.

Reason: In the interests of residential amenities by ensuring an acceptable noise

level for the occupants and in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

16. Prior to the commencement of development, other than works of demolition and site clearance, precise details of the finished floor levels of the development in relation to a nearby datum point shall be submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details.

Reason: 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).

17. Prior to the commencement of development, other than works of demolition and site clearance, details of the means and location for the provision of refuse/recycling bin storage shall be submitted to and approved, in writing, by the Local Planning Authority. The approved details shall be fully implemented prior to the first occupation of the dwellings and thereafter retained as approved.

Reason: To ensure the adequate provision of recycling facilities in accordance with policy CP2 of the Horsham District Local Development Framework: Core Strategy (2007).

18. If, during development, contamination (including the presence of asbestos containing materials) not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that no unacceptable risks are caused and any pollution is dealt with in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

19. Prior to the commencement of any works of demolition all asbestos containing materials shall be removed by an appropriately licensed and competent contractor. A written report detailing these works shall be submitted to and approved in writing by the Local Planning Authority. The report shall include details of validation measures undertaken to ensure that all areas where works have been undertaken are free from asbestos.

Reason: To ensure that no unacceptable risks are caused and any pollution is dealt with in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

20. An appropriately licensed waste removal contractor shall remove clearance debris and construction waste from site, including all asbestos waste.

Reason: To ensure that no unacceptable risks are caused and any pollution is dealt with in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

21. The dwellings shall achieve at least Code Level 3 in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (or such national measures of sustainability for house design that replaces that scheme). A

Final Code Certificate for each dwelling, certifying that at least Code Level 3 has been achieved, shall be submitted to the Local Planning Authority within a period of 3 No. months from first occupation.

Reason: To ensure the dwellings makes the most efficient use of renewable energy and to comply with policy DC8 of the Horsham District Local Development Framework: General Development Control Policies (2007).

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or Orders amending or revoking and re-enacting the same, no windows or other openings (other than those shown on the plans hereby approved) shall be formed:

- at first floor level or above in the northern elevation of the property on plot 75;
- at first floor level or above in the northern elevation of the property on plot 100;
- at second floor level in the north western elevations or roofslopes of the properties on plots 59, 60 or 61,

without the prior permission of the Local Planning Authority pursuant to an application for the purpose.

Reason: To protect the amenities and privacy of the adjoining properties and in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

23. 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 rooflight windows approved within the north western roofslopes of the properties on plots 59, 60 and 61 shall be set at least 1.7m above the internal floor level of the rooms served, unless otherwise approved by the Local Planning Authority pursuant to an application for the purpose.

Reason: To protect the amenities and privacy of the adjoining properties and in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

24. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (Amendment) (No2) (England) Order 2008 (or any order amending or revoking and re-enacting that Order with or without modification) no development falling within Classes A B C D E F G and H of Part 1 of Schedule 2 to the order shall be erected constructed or placed within the curtilage(s) of the dwelling(s) hereby permitted so as to enlarge improve or otherwise alter the appearance or setting of the dwelling(s) unless permission is granted by the Local Planning Authority pursuant to an application for the purpose.

Reason: In the interest of visual amenity and in accordance with Policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

25. O1 Hours of Working
26. O2 No Burning of Materials
27. List of approved documents and plan numbers.

Notes to Applicant:

1. The applicant/developer would need to enter into a S278/38 agreement with West Sussex County Council for the highway works to provide and access, right turn ghost lane and new footway.
2. A formal application for connection to the water supply is required in order to service the development. The developer is requested to contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW or www.southernwater.co.uk
3. A formal application for connection to the public sewerage system is required in order to service the development. The developer is requested to contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW or www.southernwater.co.uk

Background Papers: DC/14/1624

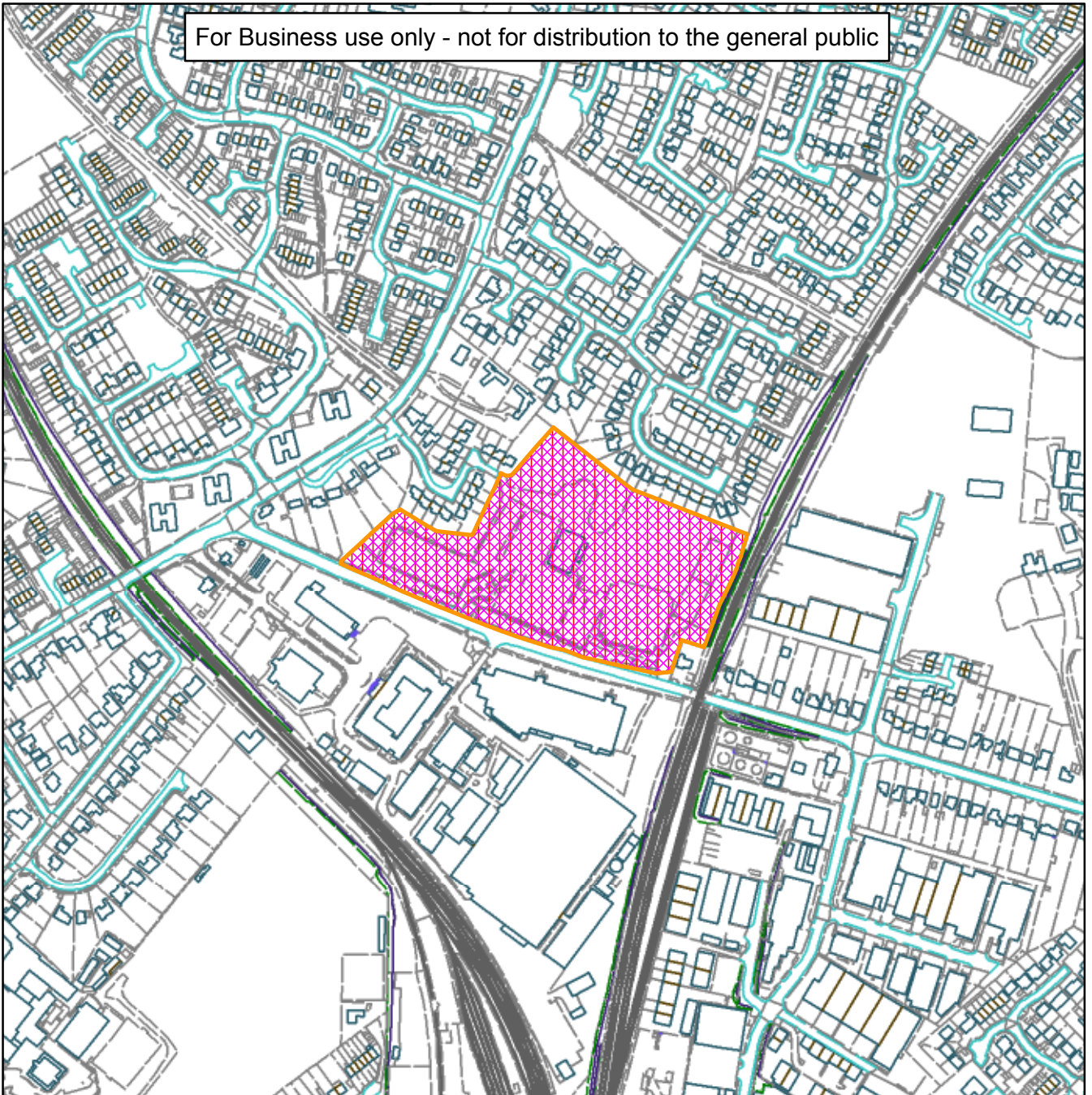
DC/14/1624



Horsham
District
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Organisation	Horsham District Council
Department	
Comments	Not Set
Date	21/11/2014
MSA Number	100023865



Horsham
District
Council

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management (North) Committee

BY: Development Manager

DATE: 2nd December 2014

DEVELOPMENT: Erection of 2 replacement dwelling with ancillary garaging (Edith and Gem Cottages) conversion of stables buildings to dwelling and erection of linking basement extensions following demolition of substantial range of modern agricultural buildings including feed silo (Marlands Home Farm). Conversion of workshop building and barn to dwelling, construction of linking extension and replacement semi basement extension. Demolition of two open fronted barns and existing hay barn and erection of attached three bay ancillary cart shed style garage building (Philderayes Farmstead)

SITE: Marlands Estate Plumtree Cross Lane Barns Green West Sussex

WARD: Itchingfield, Slinfold and Warnham

APPLICATION: DC/14/1358

APPLICANT: Mr L Goossens

REASON FOR INCLUSION ON THE AGENDA: Category of Development

RECOMMENDATION: 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 Gem and Edith Cottage, and the subsequent rebuilding of each property. It also seeks permission for the conversion of agricultural buildings on the site to form two residential dwellings, and the removal of 20,000 ft² of existing agricultural buildings including a feed silo.

1.2 Edith Cottage is a two storey property with three bedrooms and a detached garage and store. The existing building is 8.85 metres wide and 7.55 metres deep at its longest point. Edith Cottage would be replaced with a four bedroom property double garage and car port. The proposed dwelling would be 16 metres wide, 12 metres deep and 8.4 metres in height to the ridge. It would be constructed with a natural coursed stone plinth, stock brickwork to the ground floor and plain clay hanging tiles to the first floor. The proposed garage would be 8.5 metres wide, 6.75 metres deep and 5.7 metres in height with two enclosed garages with a single carport in the centre.

- 1.3 The existing dwelling of Gem Cottage is a two storey dwelling with three bedrooms 8.4 metres wide, and 7.7 metres deep. The proposed replacement dwelling would have four bedrooms and be 17 metres wide, 11.4 metres deep and 8.4 metres in height. The proposed two bay detached garage and single bay car port would be 8.5 metres wide, 7 metres deep and 5.7 metres high. The dwelling would have a similar material palette to Edith Cottage.
- 1.4 The application also seeks to convert the existing stables buildings (Upper Barn) into a six bedroom property with a glazed link joining the two existing buildings and a single storey grass roofed extension set down into the site on the southern elevation. The proposed extension would be 11.5 metres wide, 9.5 metres deep and 3.2 metres high.
- 1.5 The final element of the scheme seeks to convert two agricultural buildings (Lower Barn) on the southernmost part of the site into a four bedroom dwelling. The proposal would involve the demolition of the existing cartshed and its replacement with a two bay garage and carport, the provision of a glazed link between the two barns and a single storey extension with grass roof to replace part of the original barn. The single storey extension would be approximately 7.5 metres long and 21.6 metres wide with a green roof 3.2 metres in height. A glazed link is proposed to link the barns which would be 15 metres long and 3.9 metres wide at its widest point, and 2.8 metres in height.

DESCRIPTION OF THE SITE

- 1.6 The application site is located in a rural location outside of the defined built up area of Barns Green. The site is to the south of Plumtree Cross Lane, with access positioned between numbers 1 and 2 Middle Lodge which front onto Plumtree Cross Lane. The application site consists of a large former agricultural site with two residential dwellings Gem and Edith Cottage positioned in the southern part of the site. In the south eastern area of the site are some former stable buildings, and a separate group of agricultural buildings including a large silo. On the northern part of the site is an agricultural barn, with a further barn and cartshed positioned close to the northern boundary. Within the site there is an area of open pasture with the land sloping from north to south.
- 1.7 To the north and east of the site is an area of ancient woodland, with the property of Marlands to the east. A public footpath runs through the site from Plumtree Cross Lane, and then runs along the eastern boundary of the site.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 National Planning Policy Framework (2012) (NPPF)

- Section 4: Promoting sustainable transport
- Section 6: Delivering a wide choice of high quality homes
- Section 7: Requiring good design
- Section 10: Meeting the challenge of climate change, flooding and coastal change
- Section 11: Conserving and enhancing the natural environment

- 2.3 National Planning Policy Guidance (March 2014)

RELEVANT COUNCIL POLICY

2.4 Local Development Framework: Core Strategy (2007) policies:

- 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
- CP13: Infrastructure Requirements
- CP15: Rural Strategy

2.5 Local Development Framework: General Development Control Policies (2007) policies:

- DC1: Countryside Protection and Enhancement
- DC2: Landscape Character
- DC5: Biodiversity and Geology
- DC6: Woodland and Trees
- DC7: Flooding
- DC8: Renewable Energy and Climate Change
- DC9: Development Principles
- DC24: Conversion of Agricultural and Rural Buildings for Industrial Business or Residential Uses.
- DC28: House Extensions, replacement Dwellings and Ancillary Accommodation
- DC40: Transport and Access

RELEVANT COUNCIL POLICY

2.6 The emerging Horsham District Planning Framework (HDPF) was approved by Council on 30th April 2014 as the Council's policy for planning the future of the District for the period 2011-2031. Following a six week period of representations, the plan was submitted to the Government on 8th August 2014 for independent examination under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012. A Planning Inspector has commenced the examination of the HDPF. The outcome of the Examination is expected in early 2015 and Adoption of the HDPF by the Council is currently programmed in the Local Development Framework to be April 2015. The emerging plan is therefore a material consideration however it may overall, only be afforded limited weight in the assessment of this planning application.

2.7 PLANNING HISTORY

There is no recent, relevant planning history relating to this site.

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

3.1 None undertaken

OUTSIDE AGENCIES

- 3.2 **Southern Water** (summarised) – A water distribution main and foul sewer cross the site, the siting of which must be determined on site. It may be possible to divert the water main subject to the agreement of Southern Water.
- 3.3 **WSCC Highways** (summarised) – No objection subject to conditions

PUBLIC CONSULTATIONS

- 3.4 **Itchingfield Parish Council** – Comments relating to amended plans area awaited. The Parish supported the application subject to changes to the application documents and the formalising of an agreement to retain the agricultural use of the undeveloped part of the estate in their original response.
- 3.5 **Six letters** (four from the same writer) have been received objecting to the application on the following grounds;
- Loss of a working farm
 - Rural feel lost
 - Sound of countryside will disappear
 - Decisions being made by people who do not understand the countryside
 - Loss of genuine countryside
 - Change in character of public footpath
 - Increased light and noise pollution
- 3.6 **One letter** has been received commenting on the application noting that the land is farmed and that a working compromise should be reached to ensure that farming can continue and the rural nature of the Marlands estate can be assured.
- 3.7 **One letter** has been received supporting 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

Principle

- 6.1 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 two existing dwellings, with two larger properties and the conversion of further agricultural buildings to form two additional units of accommodation. 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. It is considered that the scheme can be divided into two distinct elements in planning policy terms with the replacement of Gem and Edith Cottage forming one element, and the agricultural conversion a second element.

Replacement Dwellings

- 6.2 With regards to the replacement of Edith and Gem Cottage it is accepted by the Council that although new development in the countryside is not encouraged, in some cases it is appropriate to allow for the extension and improvement of existing dwellings. In allowing these types of development however, it is recognised in local planning policy that all development in the countryside must protect and reflect the rural and landscape character of the area. Policy DC28 of the Horsham District Local Development Framework General Development Control Policies (2007) is the main policy by which extensions and alterations for dwellings in the countryside are assessed. DC28 states that development must be accommodated appropriately within the curtilage of the existing dwelling, must not be disproportionate to the existing dwelling, and must be in sympathy with and subservient to the scale and character of the existing dwelling. Policy DC9 of the Horsham District Local Development Framework General Development Control Policies (2007) describes the development principles that all development proposals are assessed against whether they are located in the countryside or not. It requires that new development is of a high standard of design and layout having regard to its natural and built surroundings in terms of scale, density, height, massing, siting, orientation, views, character, materials and space between buildings. Development should relate sympathetically with its surroundings, as well as having regard to the sensitivities of the surrounding area, should be locally distinctive in character and be of a scale which is sympathetic to and does not overpower the original building.

Design

- 6.3 In terms of national planning policy, the Government assigns great importance to the design of the built environment, and describes good design as a key aspect of sustainable development and that it should contribute positively to making places better for people. Section 7 of the National Planning Policy Framework (2012) describes the importance of the extent to which new development seeks to reinforce and promote local distinctiveness, local characteristics and local identity. Paragraph 60 notes that planning policies and decisions should not attempt to impose architectural styles or particular tastes, but notes that it is proper to seek to promote or reinforce local distinctiveness. Paragraph 58 specifies that planning decisions should aim to ensure that developments respond to local character and history and reflect the identity of local surroundings, with paragraph 64 going on to

state that permission should be refused for development of poor design that fails to take the opportunities available for improving the character of an area.

- 6.4 It is considered in terms of policy DC28 that the proposed dwellings would be one for one replacements of the existing properties and that neither property is derelict. It is therefore considered that the key element of the policy relates to the scale and character of the proposed dwellings. The dwellings have been amended during the application process with the scale of each being reduced and the design revised to appear less prominent. It is clear that the proposed replacement dwellings are larger in size than the existing properties. The applicant has indicated that the dwellings as proposed would have the same floor area as the existing buildings if they made full use of their permitted development rights. However, policy DC28 is clear that applications for replacement dwellings should not be disproportionate in size to the existing dwellings. It is considered that the existing dwellings on the site are reflective of agricultural workers accommodation and that the proposed dwellings would be considerably more prominent in appearance to the original properties. It is considered that the cumulative impact resulting from the increase in the size and design of the buildings would result in two large imposing dwellings on the site which would appear incongruous in the locality and have an adverse impact on the rural character of the area.

Amenities of Adjoining Properties

- 6.5 The properties would be sited within their existing curtilage, and due to the distances to the boundaries of the plot (Edith Cottage is some 17 metres from the boundary at its closest point and some 80 metres to the nearest residential property to the west The Squirrels, whilst Gem Cottage is 25 metres from the boundary and 133 metres from Marlands Court) it is not considered that this element of the proposal would have an adverse impact on the amenities of neighbouring properties.

Access

- 6.6 The County Surveyor has noted that although the dwellings proposed are much larger than existing and could generate a higher level of traffic, given the previous use of the site for agriculture, it is unlikely the increase will be significantly higher than historic levels. It is therefore considered that an objection on highways grounds could not be maintained. The proposal also seeks to relocate the access for Edith Cottage along the north western boundary of the site, and to provide a separate access to Gem Cottage along the main drive. It is considered that the access's within the site have been located using the natural contours of the site to retain the rural character of the area, and that this element of the proposal would not detract from the overall open, parkland nature of the site.

Conversion of Rural Buildings

- 6.7 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. The NPPF advises Local Authorities should: *“avoid new isolated homes in the countryside unless there are special circumstances such as:....where the development would re-use redundant or underused buildings and lead to an enhancement to the immediate setting.”* 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

- 6.8 The application seeks to convert two groups of rural buildings into two individual, residential properties. The proposed scheme also seeks to remove an area of 20,000 ft² of existing buildings including a feed silo. It is considered that the location of the buildings could be viewed as being isolated however, when taking into consideration appeal decisions in the immediate vicinity (Storries, Plumtree Cross Lane DC/12/0743) where the Inspector noted that *“a range of shops and services lie about one kilometre in Barns Green”* and the site *“is on a bus route”* that it would be difficult to object to the proposal on sustainability grounds.

Upper Barn

- 6.9 The Upper Barn consists of a range of former stable buildings in varying stages of repair with an element of accommodation within one end of the building believed to be used by an agricultural worker when the estate was in active use. The proposed scheme would cover the buildings with the addition of a glazed link and a ground floor extension. The proposed extension would be at a lower level than the existing building and would accommodate a utility room, main living room and kitchen. The proposed extension to the building would result in the provision of an additional 109 m² of floor space. Policy DC28 states that permission would be granted for the conversion of rural buildings to residential uses where the proposed use can be accommodated within the existing buildings, and that the proposed use would maintain or enhance the architectural character of the buildings and the character of their settings. It is considered that the proposed conversion and extension of the Upper Barn would not retain the simple architectural character of the former stable buildings. The proposed accommodation also cannot be accommodated within the existing buildings, hence the need for the large extension. It is therefore considered that the proposal does not comply with policy DC24 of the General Development Control Policies.

Lower Barn

- 6.10 The Lower Barn is located in the southern part of the site, at a lower level than the other buildings to the north. The Lower Barn is in an isolated position with a separate access from the main drive. The buildings consist of a cartshed attached to an existing barn, and a further two attached barns to the south. As part of the proposal the existing cart shed is to be removed, and replaced with a two bay garage and car port, and the southernmost barn removed and replaced with a single storey extension 7.5 metres long and 21.6 metres wide. The proposed extension would have a green roof. A glazed link is proposed to link the barns which would be 15 metres long and 3.9 metres wide at its widest point. The link would contain the main entrance to the barn conversion.
- 6.11 The application buildings are simple, functional structures which are not considered to be of architectural or historic interest. It is considered that the works proposed to the buildings including the extension and glazed link would constitute a scale of extension which is considered to be contrary to part e of DC24 which requires that *“the proposed use can be accommodated in the existing buildings.”* It is considered that the proposed additions due to the type of materials used, would appear overly dominant and would not reflect the simple utilitarian nature of the original buildings. It is therefore considered that the proposed works would not retain the agricultural character of the buildings and would result in a form of development which would not maintain or enhance the character of the buildings or its setting. It is therefore your Officers view that the proposed works would not comply with policy DC24.

Rural Character

- 6.12 The applicant has submitted details within the application regarding the costs and financial background to the scheme. The applicant has stated that the costs associated with the removal of the 20000 ft2 of agricultural buildings on the site and associated hardstandings would require the proposed dwellings to have a certain end value to enable the scheme to be viable. The applicant has therefore suggested that the justification for the layout of the Lower Barn is required to meet the overall costs of the scheme. The Councils Property Services Team has considered the figures submitted and noted that the details submitted appear within reasonable limits for the type of dwellings proposed. However it is considered that the agricultural buildings on the site are in keeping with the rural character of the locality and its agricultural function, and consequently the appearance of the site as it stands is not 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.
- 6.13 As part of the wider considerations of the change of use of the site from agricultural to four residential units concern has been raised with regards to the loss of the rural character of the area. As part of the application the proposed curtilages for each dwelling have been submitted for each unit, and a plan also submitted showing the areas to remain in agricultural use. The applicant has indicated that the agricultural land would be operated through a management freehold company which would operate under a farm business tenancy which would graze the parkland and pasture. Whilst the detail is noted it is considered that the overall scale, and design of the proposed units as a whole would result in a change to the character of the area which would not retain the sites rural character.

Conclusion

- 6.14 It is considered that the proposed application for two replacement dwellings, and the conversion of agricultural buildings into two further dwellings would have an adverse impact on the rural character of the locality contrary to policies DC1, DC9, DC24 and DC28. It is not considered that the existing agricultural buildings are so harmful in their form or setting, or unexpected in a rural location to justify the proposed works. It is therefore considered that the application should be recommended for refusal.

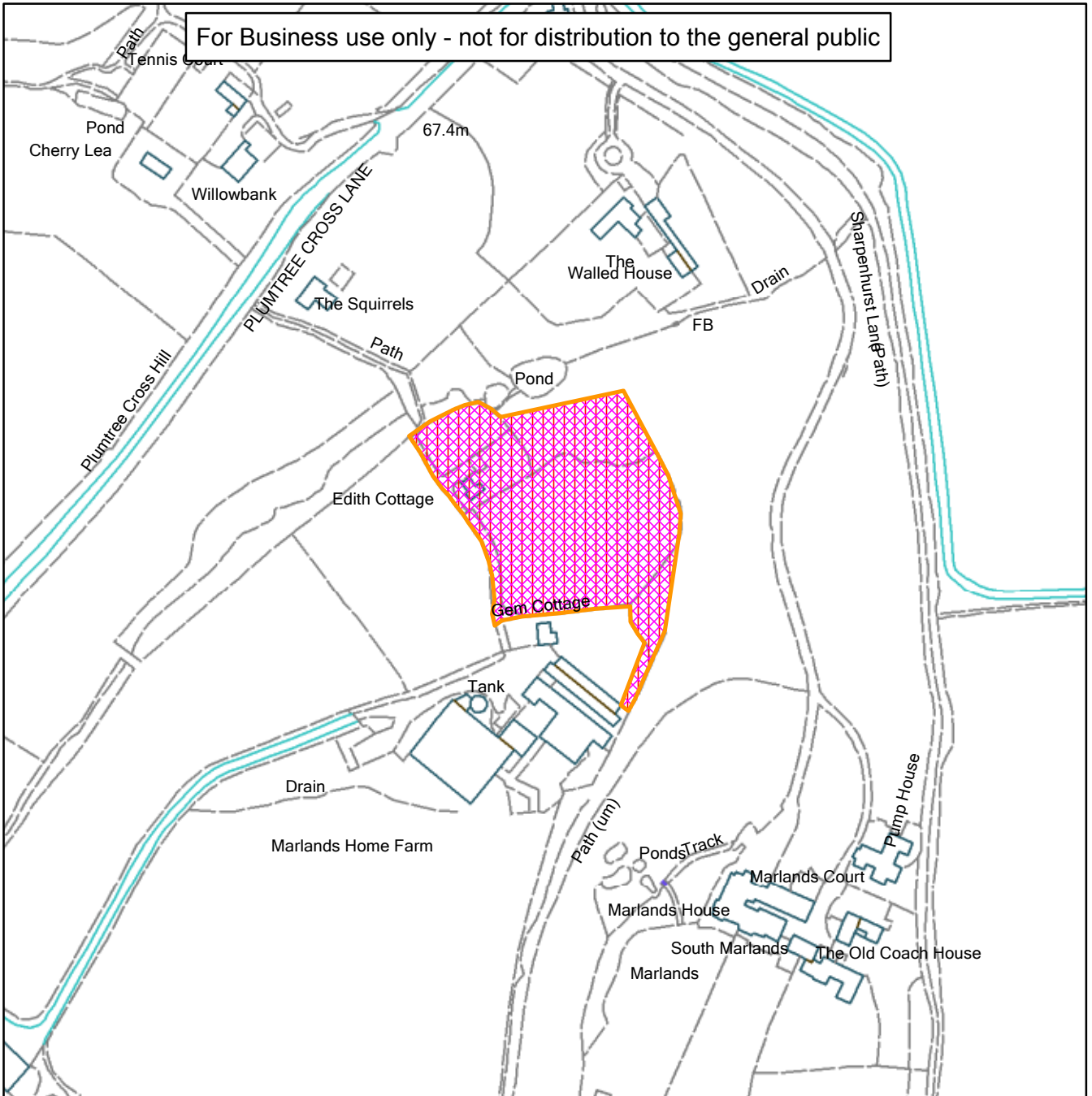
7. RECOMMENDATIONS

- 7.1 It is recommended that the application is refused for the following reason;
- 1 The proposed replacement dwellings by reason of their scale, and design would appear disproportionate in size to the existing dwellings and would have an adverse impact on the rural appearance of the area. The proposal therefore conflicts with paragraph 55, and 64 of the National Planning Policy Framework, policy CP1, and CP3 of the Horsham District Core Strategy, and policy DC1, DC9, and DC28 of the Horsham District General Development Control Policies.
 - 2 The proposed conversion of the agricultural buildings cannot be accommodated within the existing buildings and the proposed extensions would by reason of their size, scale and design not maintain or enhance the architectural character of the buildings or the rural character of their settings. The proposal therefore conflicts with paragraph 55, and 64 of the National Planning Policy Framework, policy CP1, and CP3 of the Horsham District Core Strategy, and policy DC1, DC9, and DC24 of the Horsham District General Development Control Policies.



Marlands Estate

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Scale: 1:2,345

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Organisation	Horsham District Council
Department	
Comments	Not Set
Date	21/11/2014
MSA Number	100023865



Horsham
District
Council

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee

BY: Development Manager

DATE: 2 December 2014

DEVELOPMENT: Demolition of existing dwelling and stables and erection of new dwelling and detached garage - Revised proposals following refusal of application DC/14/1384

SITE: Springfield Farm Bungalow Springfield Lane Colgate Horsham

WARD: Rusper and Colgate

APPLICATION: DC/14/2180

APPLICANT: Mr Peter White

REASON FOR INCLUSION ON THE AGENDA: More than 5 letters of support have been received.

RECOMMENDATION: To refuse the application.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

1.1 DESCRIPTION OF THE APPLICATION

- 1.1.1 The application seeks full planning permission for the demolition of the existing dwelling and stables and the erection of a replacement dwelling and detached garage. The application follows a previously refused application which is currently the subject of an appeal to the Planning Inspectorate. Officers had concerns in respect of the height and prominence of the dwelling previously proposed along with the proposed front boundary treatment, the prominent position of the detached garage and the extent of gravel forecourt. The applicant has therefore submitted a revised scheme in an attempt to overcome Officers concerns which involves the removal of a dormer from the front elevation and a slight reduction in the overall height of the property.
- 1.1.2 The dwelling will have a floor area of 203m² and will provide 3 bedroom accommodation over 2 floors. The ground floor would house a large living room, kitchen with breakfast/dining area, dining room, study, utility room, cloakroom and large entrance hall. At first floor level will be two bedrooms with a shared en-suite bathroom, a large gallery landing and a master bedroom with a walk-in closet and separate "his" and "her" ensuites. The application also seeks consent for a detached 2 car garage with a secure cycle store which will have a floor area of 39m² and will be 5.3 metres at its highest point.

- 1.1.3 The proposed dwelling will be 16.5 metres in length and 12.8 metres in width at its widest point and will be 8.6 metres at its highest point. The materials proposed include stone blockwork with flint panels, clay hangings tiles and elements of exposed oak frame with render to the wall and clay plain tiles and glass to the roof.
- 1.1.4 The works proposed also include the re-siting of the access off Springfield Lane, the reduction in height and re-facing in stock brick of a section of the front boundary wall and the construction of a 1.8 metre high panel fence along the southern boundary of the site. A gravel forecourt area will be created to the front of the dwelling and a mixed deciduous hedge planted along the western boundary of the site.

1.2 DESCRIPTION OF THE SITE

- 1.2.1 The site is located on the eastern side of Springfield Lane; a narrow unadopted track accessed via Forest Road approximately 1km to the north. The site is rectangular in shape with a depth of 38m, a width of 53m and an area of 0.2ha.
- 1.2.2 It comprises a small brick built bungalow on the northern part of the site with a floor area of approximately 75m² and a dilapidated L-shaped stable block of timber construction to the south. Land levels within the site fall from north to south.
- 1.2.3 The surrounding area is outside the built-up area boundary and is rural in character. Some 20m to the south of the site is a barn; 50m to the north is Springfield Farmhouse; to the south is an open field and beyond a deeply wooded valley which is designated as a Site of Nature Conservation Importance and Ancient Woodland. To the east, on the opposite side of Springfield Lane are open fields. The site lies within the High Weald Area of Outstanding Natural Beauty.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

2.2 RELEVANT GOVERNMENT POLICY

- 2.2.1 The following sections of the National Planning Policy Framework (2012), hereinafter referred to as the 'Framework', are relevant to the consideration of this application (Note: This list is not exhaustive and other paragraphs of the Framework are referred to where necessary within the contents of the report):

“Achieving Sustainable Development”

NPPF 6 – Delivering a wide choice of high quality homes

NPPF 4 - Promoting sustainable transport

NPPF 7 - Requiring good design

- 2.2.2 Planning Practice Guidance (2014).

The sections of the PPG on Design are considered to be particularly pertinent to the consideration of this application.

2.3 RELEVANT COUNCIL POLICY

2.3.1 Local Development Framework (Core Strategy 2007):

CP1 - Landscape and Townscape Character
CP2 – Environmental Quality
CP3 - Improving the Quality of New Development
CP5 - Built-up Areas and Previously Developed Land
CP12 – Meeting Housing Needs
CP15 – Rural Strategy

2.3.2 Local Development Framework (General Development Control Policies 2007):

DC1 – Countryside Protection and Enhancement
DC2 – Landscape Character
DC9 - Development Principles
DC28 – House Extensions, Replacement Dwellings and Ancillary Accommodation
DC40 - Transport and Access

2.3.3 The emerging Horsham District Planning Framework (HDPF) was approved by Council on 30th April 2014 as the Council's policy for planning the future of the District for the period 2011-2031. Following a six week period of representations, the plan was submitted to the Government on 8th August 2014 for independent examination under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012. A Planning Inspector has commenced the examination of the HDPF. The outcome of the Examination is expected in early 2015 and Adoption of the HDPF by the Council is currently programmed in the Local Development Framework to be April 2015. The emerging plan is therefore a material consideration however it may overall, only be afforded limited weight in the assessment of this planning application.

2.4 PLANNING HISTORY

DC/14/1384 Demolition of existing dwelling and stables and erection of new dwelling and detached garage REF

An appeal against the decision of the Authority to refuse planning permission has been submitted to the Planning Inspectorate under reference APP/Z3825/A/14/2226086. The decision of the Planning Inspectorate is awaited.

3. OUTCOME OF CONSULTATIONS

3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk.

3.2 OUTSIDE AGENCIES

3.2.1 Highways Authority

The proposal is for a replacement dwelling on an unadopted lane. There are no highway safety concerns arising from this proposal.

3.2.3 **Environment Agency**

The Environment Agency should be consulted directly regarding the use of a private wastewater treatment works drainage which disposes of effluent to sub-soil irrigation. The planning application form makes reference to drainage using SUDS. Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the application will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. Drainage details should be submitted to the Local Planning Authority.

3.2.4 **High Weald AONB Unit**

No response received to date. Any comments received will be verbally presented to Members.

3.3 PARISH COUNCIL

3.3.1 The Parish Council have no objections to this application. The current bungalow and stables are in a very poor state of repair and the design is not in keeping with the area. The proposed replacement development is in a traditional style and will be an asset and improvement to the area. The building will be constructed in a sustainable way which is helpful to the environment. The applicant is local to Colgate and has lived in the village for many years.

3.4 PUBLIC CONSULTATIONS

3.4.1 6 letters/emails of representation were received and the following is a summary of the comments:

- The proposal will transform a site which has at present rundown stables, derelict barns and a bungalow of poor quality
- The current house does not complement the others around it and is the only property on the lane which does not do justice to the area
- The design of the house is in keeping with other houses in the lane and with the style of houses in West Sussex
- The proposal is well design and a sympathetic scheme
- There will be no need to take out any trees so therefore it will blend into the countryside
- The owner has lived in Colgate for many years, as has his family, and it would be nice to see a continuance of local people in the area who know our countryside and value it
- There will be no increase in traffic as there is a tenant in the bungalow at present

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 Principle

6.1.1 The National Planning Policy Framework (NPPF) sets out that there is a presumption in favour of sustainable development and that this should run through both plan-making and decision-taking. In terms of the determination of planning applications this should mean the approval of developments that accord with the development plan without delay, and that where the development plan is silent or relevant policies are out of date, that permission be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or policies of the NPPF indicate otherwise.

6.1.2 Government guidance and the planning policies of the Council seek to protect the open countryside from inappropriate development. Policy DC28 allows for replacement dwellings to be constructed in the open countryside provided that the development can be accommodated appropriately within the curtilage of the existing dwelling, the property is not derelict, is replaced on a one for one basis, is not disproportionate to the size of the existing dwelling and be in sympathy with and subservient to the scale and character of the existing dwelling. The proposal involves a replacement dwelling located within an existing residential curtilage. In principle the Local Planning Authority would have no objections to the replacement of the existing dwelling subject to the proposal meeting the criteria set out in the above mentioned policies. The property is to be replaced on a one-for-one basis, is not derelict and can be accommodated within the curtilage of the existing dwelling. It is however considered that the replacement dwelling is disproportionate to the size of the existing dwelling and would not be in sympathy with and subservient to the scale and character of the existing dwelling.

6.2 Design and Impact on the Character and Visual Amenities of the Locality

6.2.1 The application follows a previously refused application which is currently the subject of an appeal. Officers had concerns in respect of the height and prominence of the dwelling previously proposed along with the proposed front boundary treatment, the prominent position of the detached garage and the extent of gravel forecourt. The applicant has therefore submitted a revised scheme in an attempt to overcome Officers concerns in which a dormer window has been removed from the front elevation and the ridge height reduced by approximately 0.5 metres.

6.2.2 Policy DC9 seeks out general development principles and requires new development to meet a number of criteria including ensuring the scale, massing and appearance of the development is of a high standard of design and layout and relates sympathetically with the built surroundings and ensuring the development is locally distinctive in character and respects the character of the surrounding area. Policy DC28 of the Local Development Framework General Development Control Policies (2007) requires “applications for replacement dwellings should not be disproportionate to the size of the existing dwelling” and should “be in sympathy with and subservient to the scale and character of the existing dwelling.”

6.2.3 Unlike the existing bungalow which is relatively small and discreetly located, the proposed replacement dwelling occupies a highly prominent position and is considerably larger in terms of its footprint, scale and its overall height. The existing bungalow is relatively small with a shallow pitched roof inconspicuously located on the northern part of the site; set at a right angle to the road presenting a 10m wide elevation to Springfield Lane; and is viewed against the backdrop of a stand of mature trees running along the northern site boundary. In contrast, the proposed dwelling would occupy a prominent central position within the site and would be arranged over two storeys and surmounted by a substantial pitched roof. It would also be sited on a north-south axis with a 16.5 metre wide front elevation to

Springfield Lane. It is considered that the replacement dwelling due its disproportionate size and prominence in comparison with the existing dwelling would have an adverse impact on the rural character of the area contrary to Policy DC28.

- 6.2.3 It is acknowledged that there are several substantial residential plots located along the northern section of Springfield Lane. Further to the south vistas open, the character of the area is distinctively rural with little development apart from agricultural buildings. In this context, the proposed dwelling which is significantly larger, higher and of greater mass than the existing bungalow, would introduce an incongruous and unduly prominent form of development, detrimental to the open rural character of the area. The adverse visual impact of the development would be further compounded by the front boundary treatment, prominent double garage and expansive gravel forecourt which is an arrangement more suited to a suburban rather than rural context. It is considered that due to its size, design and form and commanding position overlooking fields to the east and the wooded valley to the west, the proposed development would fail to conserve or enhance the AONB.
- 6.2.4 Whilst the High Weald AONB Unit has to date provided no comments in respect of this application, given the limited revisions to the original scheme, their comments in respect of the previous application remain valid. The High Weald AONB Unit commented previously that *“the design is also overly intricate and ‘gentrified’ and overall (including the indicative landscaping) is likely to have a majorly sub urbanizing impact on the AONB. The boundary wall and gate details appear overly complex and stylised. Overall the design appears to be out of character with a rural location and is not sympathetic to the informal and small scale character of the AONB.”* Officers fully support this view from the High Weald AONB Unit. The design of the dwelling is overly complicated and sub-urban in design. The design of the dwelling itself coupled with the elaborate boundary treatment is considered to be at odds with and unsympathetic to the rural character of the area contrary to the requirements of policies DC9 and DC28 of the General Development Control Policies (2007) document.

6.3 Conclusion

- 6.3.1 In conclusion, it is not considered that the revised scheme for the construction of a replacement dwelling has overcome the reason for the refusal of the previous application. It is considered that the proposal would constitute an incongruous, overly dominant and visually inappropriate form of development, out of keeping with the rural character of the area and detrimental to the visual amenities of the High Weald AONB.

7. **RECOMMENDATIONS**

- 7.1 The application is recommended for refusal for the following reason:

1. The proposal would, by virtue of its siting, size, height, massing and unsympathetic design, constitute an incongruous, overly dominant and visually inappropriate form of development, out of keeping with the rural character of the area and detrimental to the visual amenities of the High Weald Area of Outstanding Natural Beauty contrary to policies CP1 and CP3 of the Horsham District Local Development Framework Core Strategy (2007) and policies DC1, DC4, DC9 and DC28 of the Horsham District Local Development Framework General Development Control Policies (2007).

Background Papers: DC/14/2180
DC/14/1384

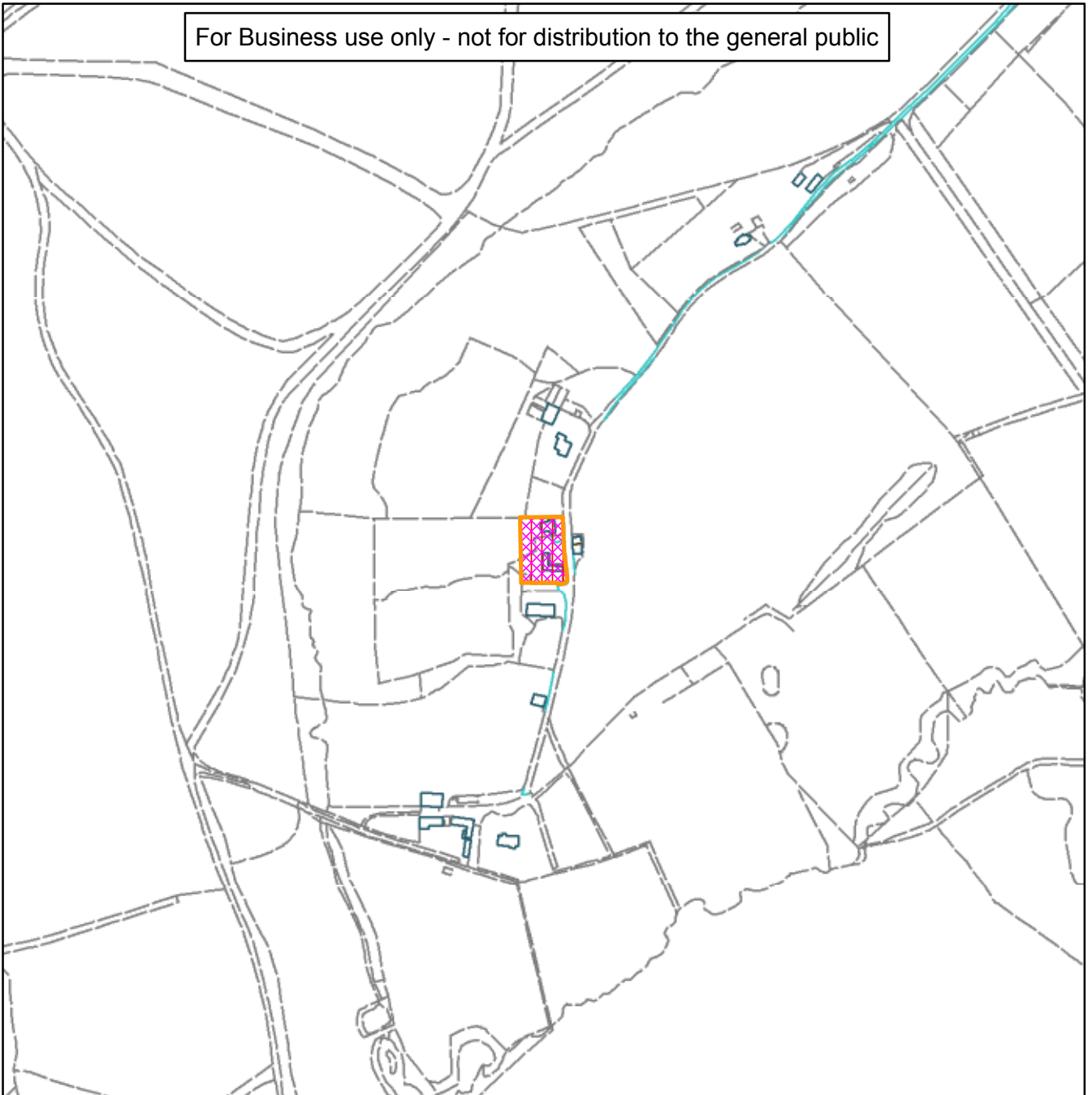
Contact Officer: Aimee Richardson

DC/14/2180



Springfield Farm Bungalow

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Scale: 1:4,690

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Organisation	Horsham District Council
Department	
Comments	Not Set
Date	21/11/2014
MSA Number	100023865



Horsham
District
Council

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management (North) Committee
BY: Development Manager
DATE: 2nd December 2014
DEVELOPMENT: Erection of new single storey double garage port and small store to disused land adjacent to property
SITE: 1A Gardeners Green, Rusper, Horsham, RH12 4QY
WARD: Rusper
APPLICATION: DC/14/1527
APPLICANT: Mr S Batley

REASON FOR INCLUSION ON THE AGENDA: Referred to Planning Committee (Representations)

RECOMMENDATION: Grant Planning Permission subject to Conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application

2. BACKGROUND

- 2.1 The application was first reported to the September Committee meeting, whereby it was resolved to defer the application to allow further information to be gathered regarding the previous appeal decision.
- 2.2 Further amendments have also been received since the previous Committee, with a reduced height to the garage and an alteration to the roof design to incorporate a half-hipped roof. Additional plans and drawings, including an artist impression have been received illustrating these changes.

3. ADDITIONAL INFORMATION

- 3.1 Following concern from the Parish Council over the positioning of the Protected Tree on the submitted plans, a site visit was undertaken by the Arboricultural Officer on 11th September 2014. The following additional comments were received:

- The tree is incorrectly plotted on the submitted plan, and is 2.1m due north of that shown. In regard to the correct position, the front southern flank of the proposed garage would be 12.2m from the tree, representing a 1.23m ingress into the RPA of the tree.
- The proposed construction is non-residential, lightweight and would be founded along its south-westerly elevation, closest to the tree, on individual support pads 200mm square. No trench footings are proposed, and this should be controlled by condition.
- The percentage ingress into the RPA is low at 9.15%, and paying regard to the clear, healthy vigour of the tree, satisfies the recommendations of BS 5837 in terms of the retained viability of the tree.

Despite the error, the proposed garage can be erected without causing further damage to the tree, and the proposal is therefore satisfactory. Please ensure that a suitably worded condition is used to prevent any ground excavation within the RPA of the tree, and other than the pad and beam foundations noted, as well as other conditions previously stated are added.

3.2 Therefore, in line with the previous recommendation, the proposed double garage is not considered to cause an unacceptable degree of harm on the amenities of the Protected Tree.

4. PREVIOUS APPEAL DECISION

4.1 The previous application reference DC/10/1623 was refused at appeal on 2nd March 2011. This application related to a two storey extension and the replacement of the existing garaging and garden store and was dismissed under appeal reference APP/Z3825/D/11/2143648. The reason for the appeal refusal primarily due to the ingress of the proposed side extension and garage into the RPA of the protected tree, as well as the perceived prominence of the proposed garage due to its scale, and specifically its height.

4.2 The differences between the appeal application and the current proposal can be summarised as follows:

- Reduced length
- Reduced height – considered to mitigate the degree of prominence caused by the double garage when viewed from the public road
- Revised design incorporating a half hip roof – considered to be more sympathetic to the existing character of the dwelling and surroundings, and further reduce its prominence
- Set back from the public highway by an additional 0.4m
- As agreed by the Arboricultural Officer, the proposal is located in a satisfactory position in relation to the Root Protection Area of the tree

5. ASSESSMENT

- 5.1 The reduction in scale and design of the proposed garage is considered to mitigate the concern held by the Inspector, with a reduced height and altered roof form considered to have less of an impact and prominence along the street scene.
- 5.2 In addition, the garage would be set back by an additional 0.4m above that previously proposed within DC/10/1623. As such, this is considered to be located in a less prominent position, which would reduce the perceived overbearing impact upon the street scene.
- 5.3 Therefore, these proposed alterations are considered to address the concerns of the Inspector, with the proposal providing a double garage which would be sympathetic to the character of the dwelling and surroundings, with a design and scale that would not have a detrimental or over-dominant impact upon the amenities of the street scene in accordance with policies DC9 of the Horsham District General Development Control Policies (2007).

6. CONCLUSION

- 6.1 It is recommended that planning permission be granted subject to the following conditions:

STANDARD 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 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 No development, including works of any description, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, shall take place until the following preliminaries have been completed in the sequence set out below:
 - (a) All required arboricultural works, including permitted tree felling and surgery operations and above ground vegetative clearance within such areas set out for development as indicated on the approved site layout drawing to be completed and cleared away;
 - (b) All trees on the site targeted for retention, as well as those off-site whose root protection areas ingress into the site, shall be fully protected by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012). Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site. Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or

ITEM A4 - 4

close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone. No alterations or variations to the approved tree works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

(c) The completed arboricultural works and installed tree protective fencing shall be inspected and approved by the Arboricultural Officer from the Local Planning Authority (or appointed deputy) who shall be given 5 days notice of the completion of the works set out above.

Reason: To ensure the successful and satisfactory retention 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).

- 4 No trenches or pipe runs for services, drains, or any other reason, [further to those indicated on drawing number 000/000 dated 00/00/00] shall be excavated anywhere within the root protection area of any tree or hedge targeted for retention on or off the site without the prior written approval of the Local Planning Authority.

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).

Background Papers: DC/14/1527



Horsham
District
Council

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee North

BY: Head of Planning and Environmental Services

DATE: 2nd September 2014

DEVELOPMENT:

SITE: Erection of new single storey double garage port and small store to disused land adjacent to property

WARD: Rusper and Colgate

APPLICATION: DC/14/1527

APPLICANT: Mr S Bartley

REASON FOR INCLUSION ON THE AGENDA: Referred to Planning Committee (Parish Council Referral)

RECOMMENDATION: Grant Planning Permission subject to Conditions

1. THE PURPOSE OF THIS REPORT

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks full planning permission for a detached single storey double garage which would be located to the north-east of the application site.
- 1.2 The proposed garage would measure to a length of 6m with a width of 8m, to form a pitched roof measuring to a maximum height of 5.4m, and would be built adjacent to the southern boundary and would be set 1.5m from the boundary and approximately 4m from the public road.
- 1.3 The front elevation of the garage would be built in line with the rear elevation of the property, set at a distance of 18.5m from the entrance to the property, and set behind a protected Oak tree.

DESCRIPTION OF THE SITE

- 1.5 The application site is a two storey detached dwelling which lies on the corner of Gardeners Green within the built up area of Rusper, and is surrounded by properties of similar size and appearance, although the external detailing of the application site differs from these.
- 1.6 The public road runs along the southern boundary, with a green open space lying to the south-west of the site, making both the front elevation and side garden of the site visible from the street scene.
- 1.7 The neighbouring properties to the north and west are built at an angle to the application site and set at a distance of between 10m and 15m from the location of the proposed garage.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990

RELEVANT GOVERNMENT POLICY

- 2.2 National Planning Policy Framework (2012):-
Section 7 (Requiring Good Design)
Paragraphs 7 and 14 (Presumption in favour of sustainable development)
- 2.3 National Planning Policy Guidance (2014)

RELEVANT COUNCIL POLICY

- 2.4 Policies CP 3 of the Core Strategy (2007)
- 2.5 Policy DC 9 (Development Principles) of the General Development Control Policies (2007)
Policy DC40 (Transport and Access) of the General Development Control Policies (2007)

OTHER RELEVANT GUIDANCE

- 2.6 HDC Design Guidance Advice Leaflet No. 1 House Extensions (2008)

PLANNING HISTORY

DC/10/1623	Demolition of existing garage, construction of two-storey extension and replacement of existing garaging and garden store	Application Refused at Appeal 02.03.2011
DC/13/0320	Demolition of existing garage and room over and construction of two storey replacement extension and small rear conservatory	Application Permitted on 23.04.2013
DC/13/1967	Non-material amendment to DC/13/0320	Application Permitted

- 2.7 (Demolition of existing garage and room over and construction of two storey replacement extension and small rear conservatory) to extend the width of ground floor and first floor windows on front elevation from 2 casements to 3 casements and to insert 2 x additional windows on flank elevation on 11.11.2013

3. OUTCOME OF CONSULTATIONS

The following section provides a summary of the responses received as a result of internal and external consultation, however, officers have considered the full comments of each consultee which are available to view on the public file at: www.horsham.gov.uk

INTERNAL CONSULTATIONS

3.1 Arboricultural Officer – No Objection

- Footprint of proposal lies outside the Root Protection Area as defined at BS 5837 'Trees in relation to design, demolition and construction – Recommendations' [2012] and the access driveway which runs right below the tree is in place and has been for some years now.
- Any consent should be conditioned suitably to secure the ongoing protection of the tree, and this should include full tree protective fencing along the eastern boundary of the existing driveway, prohibiting access into the parts of the Root Protection Area beyond the drive. No materials or plant should be allowed access into this protection zone; therefore suggest that condition L2b be used, requiring a site inspection of the tree protective fencing prior to the commencement of the actual building works. Also recommend use of condition L6 (no burning).
- No ground excavations shall be permitted anywhere within the Root Protection Area, and this includes all rainwater disposal systems and any required soakaways. Please use condition L3 (trenches) to secure this.

Provided the correct conditions are use, confident that the proposal may be implemented without causing any further harm to the TPO'd tree.

OUTSIDE AGENCIES

3.2 No comments received

PUBLIC CONSULTATIONS

3.3 Rusper Parish Council: Objection – the scale and height of the proposal would impact upon the entrance into the village.

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

Principle of the Development

- 6.1 Policy DC9 of the Horsham District Local Development Framework General Development Control Policies (2007) is the main policy against which proposals for extensions are considered. It requires that new development is of a high standard of design and layout having regard to its natural and built surroundings in terms of scale, density, height, massing, siting, orientation, views, character, materials and space between buildings. An extension should be of a scale which is sympathetic to the original building.
- 6.2 Additionally, policy DC 40 of the General Development Control Policies (2007) states that development should provide a safe and adequate means of access, suitable for all users.
- 6.3 The application seeks the erection of a detached garage with store room for domestic purposes in association with residential use of the existing dwelling.
- 6.4 The proposed erection of a garage on the application site is considered to be acceptable in principle, as the site is located within the built up area boundary, and therefore considered to be a sustainable location according with Paragraphs 7 and 14 of the National Planning Policy Framework. Development should be permitted unless any significant material harm can be demonstrated.

Residential Amenity

- 6.4 As stated within policy DC9, any development should have consideration for scale, density, and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.
- 6.5 The proposed garage would be located adjacent to the south-eastern boundary, to the rear of the application site. The two neighbouring properties to the north and east of the site are set a distance of approximately 20m from the proposed location of the detached garage.
- 6.6 As such, it is considered that the single storey detached garage, due to its scale and orientation, would not have a detrimental impact upon the amenities of neighbouring properties through outlook, loss of light or privacy in accordance with policy DC9.

Design of Development and Character of the Street Scene

- 6.5 Policies CP3 and DC9 promote development of high quality design, which ensures that the appearance of the development is of good quality and layout, and relates sympathetically to the character of the dwelling and built surroundings.
- 6.6 The proposed garage would be set back from the front elevation of the dwelling, and oriented to face the existing driveway/hardstanding of the application site.
- 6.8 Although it is proposed to locate the garage in a similar location to that originally proposed, the scale of the proposal would be smaller, with a design considered to appropriately reflect that of the existing dwelling.
- 6.7 Therefore, although forming a relatively large addition within the site, it is considered that the use of materials to match in design and form the existing dwelling, as well as the set back of the proposal behind the front elevation, would be sufficient so that it would not have a detrimental impact upon the character of the dwelling or an overbearing impact upon the street scene.
- 6.8 In addition, although it is recognised that the garage would be positioned within 1.5m of the eastern boundary, it is considered that the orientation of the proposed garage and the existing boundary fencing, would be sufficient so that it would not have a direct or detrimental impact upon the visual amenities of the street scene.
- 6.9 It is recognised that the Parish Council have objected to the application because of the perceived effect the proposal would have on the entrance to the village. However, it is considered that the proposed set back of the detached garage, set behind the recognised front elevation and behind the existing 3m high hedging would be sufficient so that its impact would be mitigated, and its effect on the entrance to the village reduced.
- 6.9 Therefore, it is considered that the proposed detached garage, due to its design and form, would be sympathetic to the character of the dwelling and surroundings in accordance with policies CP3 and DC9.

Parking and Traffic Matters

- 6.6 Policy DC40 states that development should incorporate, where appropriate, convenient, safe and attractive areas for parking.
- 6.7 The proposed garage would measure to a width of 8m, with a depth of 6m, and would be set back from the entrance of the site by 17m. As such, it is considered to be of an appropriate scale suitable for all users, in a position which would not have a detrimental impact upon road safety.
- 6.8 Therefore, it is considered that the proposed detached garage, positioned at an appropriate set back from the entrance of the site, would not have a detrimental impact upon the existing traffic conditions in accordance with policy DC40

Existing Trees

- 6.9 A large Oak Tree covered by a Tree Preservation Order lies to the south of the application site, in front of the proposed garage location. Following comments made by the Arboricultural Officer, it is considered that the proposed location lies outside of the Root Protection Zone, and provided the correct conditions are used to protect the tree, the proposal is considered acceptable in principle.

Other Matters

- 6.10 A similar previous application, reference DC/10/1623 was refused due to the prominent location of the garage and concerns held regarding the ownership of the land, which overall was considered to cause a detrimental impact to the existing pattern of development and character of the locality.
- 6.11 The issue regarding the ownership of the land has not since been rectified, however due to the time elapsed since the use started, it is considered that through the passing of time, the land in question has been absorbed into the residential curtilage.

Conclusions

- 6.9 The proposed single storey detached garage would be built of matching materials to the existing dwelling, in a design considered to be sympathetic to the character of the dwelling and surroundings, which due to its scale and orientation would not materially affect the amenities of neighbouring properties in accordance with policies CP3 and DC9.

7. RECOMMENDATION

- 7.1 It is recommended that planning permission be granted subject to the following conditions:

STANDARD 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 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 No development, including works of any description, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, shall take place until the following preliminaries have been completed in the sequence set out below:
- (a) All required arboricultural works, including permitted tree felling and surgery operations and above ground vegetative clearance within such areas set out for development as indicated on the approved site layout drawing to be completed and cleared away;
- (b) All trees on the site targeted for retention, as well as those off-site whose root protection areas ingress into the site, shall be fully protected by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and

Construction - Recommendations' (2012). Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site. Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone. No alterations or variations to the approved tree works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

- (c) The completed arboricultural works and installed tree protective fencing shall be inspected and approved by the Arboricultural Officer from the Local Planning Authority (or appointed deputy) who shall be given 5 days notice of the completion of the works set out above.

Reason: To ensure the successful and satisfactory retention 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).

- 4 No trenches or pipe runs for services, drains, or any other reason, [further to those indicated on drawing number 000/000 dated 00/00/00] shall be excavated anywhere within the root protection area of any tree or hedge targeted for retention on or off the site without the prior written approval of the Local Planning Authority.

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).

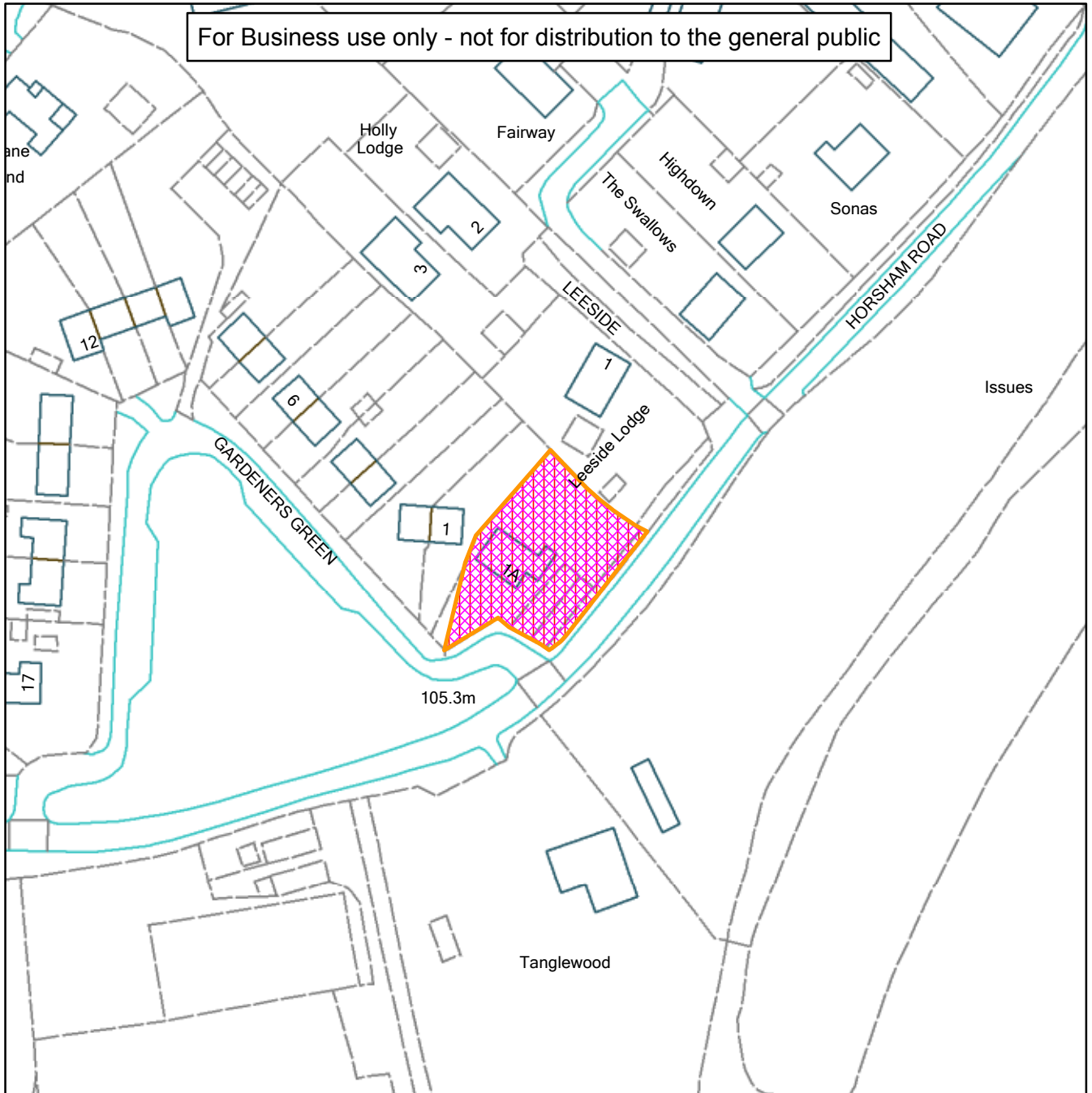
DC/14/1527



Horsham
District
Council

1A Gardeners Green

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Scale: 1:1,173

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Organisation	Horsham District Council
Department	
Comments	Not Set
Date	21/11/2014
MSA Number	100023865



Horsham
District
Council

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management (North) Committee
BY: Development Manager
DATE: 2nd December 2014
DEVELOPMENT: Repairs to external soffit of flying freehold part of property, located over adjacent land of Horsham Museum
SITE: Causeway Lodge 10 Causeway Horsham West Sussex
WARD: Denne
APPLICATION: DC/14/0868
APPLICANT: Horsham District Council

REASON FOR INCLUSION ON THE AGENDA: Applicant Horsham District Council

RECOMMENDATION: Grant Listed Building Consent – Subject to Referral to Secretary of State

1. THE PURPOSE OF THIS REPORT

To consider the listed building consent application.

DESCRIPTION OF THE APPLICATION

- 1.1 This application for listed building consent proposes repairs to the external soffit of the flying freehold part of property, located over adjacent land to the Horsham Museum. The application is made under Regulation 3 of the Town and Country Planning General Regulations 1992 Act as the works affect a Council's Own Development.

DESCRIPTION OF THE SITE

- 1.2 The building subject to this application is located on the East side of The Causeway adjacent to the Horsham Museum. Causeway Lodge is a Grade II listed building within the Horsham Conservation Area. The property was listed in 1949 and the list description is an older style one which briefly describes the exterior for identification purposes. The description of the building as described in the Heritage Statement is as follows:

'House. Probably built between 1665 and 1672 and refronted and altered internally c1720. Timber framed on random stone plinth with plastered front and Horsham slab roof with wide eaves and off central brick chimneystack set behind ridge. 2 storeys and attic. 5 windows and 1 dormer. Windows are 12 pane sashes in reveals with keystones over. Central door case with pilasters, flat hood over, and 8 panel moulded door. All the listed buildings in The Causeway form a very important group with all the listed buildings in Market Square and with South Street'.

- 1.3 It is advised that from the description and other documentary evidence that it is likely that the property is a medieval timber frame building, refurbished as a Georgian House of status during that period. This included the rendering, and insertion of windows to the front elevation. The applicant advises that according to the historic building report in listed building consent DC/07/1036, the property consists of two timber framed ranges, the front running parallel to The Causeway and being of four bays and a queen post truss roof construction; the rear range parallel to the front is a later 17th Century range; there is further 18th century wing at right angles to both ranges – there is some suggestion the rear range would have a service wing, denoted by the size of the fireplace. There is no mention of the Outshot which attaches to the first floor rear parallel range.
- 1.4 The Heritage Statement also advises that the layout and appearance of the outshot appears to be added at a much later date; its form and assumed internal connection breaks with the traditional layout of previous historic additions and glimpses of the lath and plaster/timber construction to the side elevation suggest a late 19th/early 20th century date. Typically, this was the height of service modifications in house building, especially with inside toilets and bathrooms being sought by the wealthy household. The form of the bricks in the supporting piers and the bricks in the ground floor side elevation are of a texture, colour and size consistent with early/mid 20th century – although the outshot forms part of the building, because of its age and seemingly altered state, its significance within the overall heritage asset (the grade II listed building) is considered to be limited.
- 1.5 The first floor outshot appears to be constructed of a timber frame with timber lath and plaster; this and timber weatherboarding is visible down the side of the elevation, partly covered by the abutment of the museums southern flank. However, in later years; probably the mid 20th century, this material has been covered with contemporary sand and cement textured render over metal laths.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning (Listed Building and Conservation Areas) Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 National Planning Policy Framework 2012 (specifically section 12 paragraphs 126, 128, 129, 131, 132, 134)

RELEVANT COUNCIL POLICY

- 2.3 Horsham District Local Development Framework: Core Strategy 2007 - the following policy is of particular relevance: CP3 Improving the quality of new development.
- 2.4 Horsham District Local Development Framework: General Development Control Policies 2007 - the following policies are of particular relevance: DC9 Development Principles, DC12 Conservation Area; DC13 Listed Buildings
- 2.5 The emerging Horsham District Planning Framework (HDPF) was approved by Council on 30th April 2014 as the Council's policy for planning the future of the District for the period 2011-2031. Following a six week period of representations, the plan was submitted to the Government on 8th August 2014 for independent examination under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012. A Planning

Inspector has commenced the examination of the HDPF. The outcome of the Examination is expected in early 2015 and Adoption of the HDPF by the Council is currently programmed in the Local Development Framework to be April 2015. The emerging plan is therefore a material consideration however it may overall, only be afforded limited weight in the assessment of this planning application.

PLANNING HISTORY

HU/43/75	Conversion of ground floor to dental surgeries (From old Planning History)	PER
DC/05/2328	Change of use of ground floor from dental surgery to residential	PER
DC/06/0046	Replacement window and internal alterations (Listed Building Consent)	REF
DC/06/2598	Construction of replacement garage	PER
DC/06/2599	Demolition of existing garage and replacement of 2 metre high boundary wall (Conservation Area Consent)	PER
DC/07/1036	Removal of stairs and installation of a lift and re-instatement of a window (Listed Building Consent)	PER

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

- 3.1 **Heritage Officer** – No objections (verbal confirmation) following the receipt of additional information.

PUBLIC CONSULTATIONS

- 3.2 **Denne Neighbourhood Council**: Objects

- 3.3 1 letter of representation objecting to the proposals has been received from the Horsham Society. The grounds of objection state that ‘the advice given by Catherine Jeater (*previous Conservation Officer*) should be followed by the submission of an application for listed building consent for the works to be redone to a standard, material and appearance consistent with preserving the significance of the listed buildings’.

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

The main issues are the principle of development and the effects on:

- (a) the character of the conservation area and the visual amenities of the street scene;
- (b) the impact of the proposed development on the grade II listed building;

Details

- 6.1 The proposals to modify the recently made repairs and make it more sympathetic to the existing sand and cement textured render over metal laths as provided to the adjoining external walls of the outshot and flank wall to the main building, comprises the provision of a hydraulic lime render finish to the outshot soffit.

Policies

- 6.2 The National Planning Policy Framework adopted in 2012 is considered to be relevant to the application, paragraph 14 of the NPPF states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development which should be seen as the golden thread running through both plan making and decision taking. Paragraphs 126 and 131 are relevant with regards to the desirability of new development making a positive contribution to local character and distinctiveness, which specifically refer to the approach to be adopted in respect of the assessment of development and the effect on a heritage asset.
- 6.3 Paragraph 126 advises that local planning authorities should set out a positive strategy within their Local Plan for the conservation and enjoyment of the historic environment including heritage assets that are most at risk through neglect, decay or other threats. In developing their strategy local planning authorities should take into account:
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - The wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
 - The desirability of new development making a positive contribution to local character and distinctiveness; and
 - Opportunities to draw on the contribution made by the historic environment to the character of a place.
- 6.4 Paragraph 131 advises that in determining planning applications, local planning authorities should take account of;
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
 - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality;

- The desirability of new development making positive contribution to local character and distinctiveness.
- 6.5 The applicant has submitted a Justification and Methodology Statement which set out the procedures that will be adopted in order to protect the historic fabric of this historic building, (received on the 30th June 2014), in accordance with the requirements of the National Planning Policy Framework 2012, specifically Section 12 - Conserving and enhancing the historic environment Paragraph 128.
- 6.6 The applicant advises in the Heritage Statement that the timber floor joists were exposed during the assessment of the building and were assessed as being adequate and reasonable condition to allow the soffit to the outshot to be replaced without further intervention.
- 6.7 Local Development Framework - General Development Control Policies DC13 - Listed Buildings is also relevant to this application given the Grade II listing status of this building. In regards to DC13, it is considered that the proposed works which the applicant has confirmed 'will involve the use of pre-mixed natural hydraulic lime render as supplied by the Lime Centre, Winchester, Hampshire applied over new stainless steel expanded metal laths following the removal of the inappropriately applied superflex board' is acceptable. It has also been confirmed that no works to the vertical render on the building are going to be undertaken as part of this application as such works will need to be addressed by the owner of the building.
- 6.8 The proposed works have been considered and assessed by the Heritage Officers acting on behalf of the Local Planning Authority and no objections have been raised following the receipt of additional information. It is therefore considered that the works proposed are sympathetic to the fabric of the building and do not detract from or result in any adverse effect either to its special architectural character or its appearance. Thus the details of the proposed remedial works to the external soffit of the flying freehold part of the property, located over land adjacent to Horsham Museum as set out in the detailed description of development above are considered to be in accordance with the policy criteria set out within DC13 and the overarching principles of the National Planning Policy Framework 2012 and are considered to be acceptable.
- 6.9 LDF Core Strategy policy CP3 Improving the Quality of New Development is considered relevant and is amplified by the requirements of LDF policy DC9 below.
- 6.10 LDF General Development Principles DC9 Development Principles states that proposals should be of a high standard of design, are locally distinctive in character, respect the character of the surrounding area (including its overall setting and should relate to their surroundings).
- 6.11 LDF General Development Principles DC12 Conservation Area advises that within a Conservation Area, development (including expansion or intensification) will not be permitted unless the proposal accords with the specified policy criteria as set out [a - g refers].
- 6.12 It is considered that the details of the application conform with the requirements of the policy criteria set out within DC12, and that the external alterations to this Grade II listed building within the Horsham Conservation Area as proposed, are considered acceptable and would not result in any material or appreciable harm to the character of the Horsham Conservation Area.

- 6.13 It is also considered that in light of the NPPF and the principles set out in paragraph 131 above, that the proposed remedial works as described in the description of development, respect the desirability of sustaining and enhancing the significance of this Grade II listed building, and furthermore, would not result in any substantial harm to or loss of a heritage asset as a result of the alteration to this Grade II listed building. It is thus considered that the required works accord with the overarching principles of the National Planning Policy Framework.

Visual Amenity

- 6.14 The applicant has advised that the works can be viewed from the immediate surroundings only, given that they are 'tucked away' in the corner of the museum site, adjacent to the fire escape. The area is only visible to The Causeway when the gates are open.
- 6.15 It is noted that both Denne Neighbourhood Council and The Horsham Society have objected to the proposals. Both parties object and request that an application for listed building consent should be submitted '*for the works to be redone to a standard, material and appearance consistent with preserving the significance of the listed buildings.*'
- 6.16 For clarity, the application being considered is an application for listed building consent. The Heritage Officers advising on behalf of the Local Planning Authority have assessed the proposals and have advised following confirmation as advised in paragraph 6.4 and 6.5 above, that the proposals are considered to be acceptable and thus no objections are raised.

Conclusion

- 6.17 In conclusion, the remedial works sought in respect of this listed building application are considered to be acceptable and respects LDF policy criteria set out within DC12 and DC13 and the overarching principles of the National Planning Policy Framework 2012 and as such are considered to be acceptable.

7. RECOMMENDATIONS

7.1 Grant Listed Building Consent

- 1 The works for which listed building consent is hereby granted must be begun not later than the expiration of three years beginning with the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 Upon completion of the work for which listed building consent is hereby granted any damage caused to the fabric of the building shall be made good to the satisfaction of the Local Planning Authority.

Reason: To preserve the special character of the building for the future and in accordance with policy DC13 of the Horsham District Local Development Framework: General Development Control Policies (2007).

3 All making good shall match the existing building.

Reason: To preserve the special character of the building for the future in accordance with policy DC13 of the Horsham District Local Development Framework: General Development Control Policies (2007).

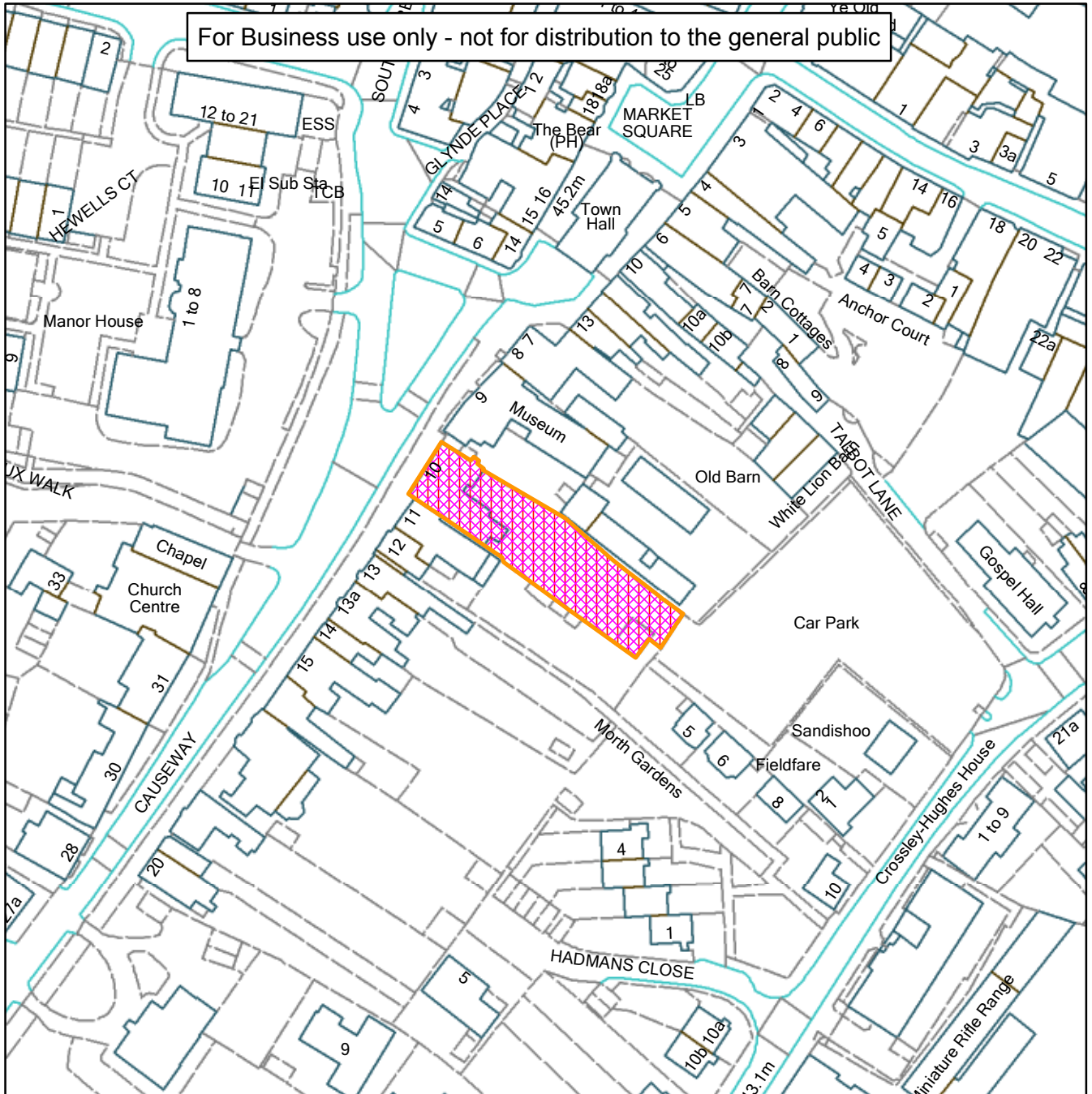
Background Papers: DC/14/0868

Contact Officer: Amanda Wilkes



Causeway Lodge

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Department	
Comments	Not Set
Date	21/11/2014
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