



Horsham
District
Council

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Development Control (North) Committee
TUESDAY 13TH MAY 2014 AT 5.30p.m.
COUNCIL CHAMBER, PARK NORTH, NORTH STREET, HORSHAM

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 1st April 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:

Head of Planning & Environmental Services
Appeals

Applications for determination by Committee – Appendix A

Item No.	Ward	Reference Number	Site
A1	<i>Itchingfield, Slinfold and Warnham</i>	DC/13/2042	Land Rear of 1 to 25 Hayes Lane, Slinfold
A2	<i>Itchingfield, Slinfold and Warnham</i>	DC/13/2457	Greenfield Farm, Valewood Lane, Barns Green
A2	<i>Holbrook East</i>	DC/14/0270	The Holbrook Club, North Heath Lane, Horsham

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

DEVELOPMENT CONTROL (NORTH) COMMITTEE

1st April 2014

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

Apologies: Councillors: John Chidlow, Helena Croft, Laurence Deakins, Ian Howard, David Jenkins, David Sheldon, Simon Torn, Tricia Youtan

DCN/127 **MINUTES**

The minutes of the meeting of the Committee held on 4th March 2014 were approved as a correct record, subject to an amendment to item DC/13/1829 (DCN/122) with the insertion of a penultimate paragraph:

‘Members noted Paragraph 17 of the Appeal Decision and the fact that the Inspector had stated that because of the established character of Cemetery Lane a specific design solution would be required.’

The minutes, as amended, were approved and signed by the Chairman.

DCN/128 **INTERESTS OF MEMBERS**

There were no declarations of interest.

DCN/129 **ANNOUNCEMENTS**

There were no announcements.

DCN/130 **APPEALS**

Notice concerning the following appeals had been received:

Appeals Lodged

Written Representations/Household Appeals Service

There were none.

Informal Hearings

<u>Ref No</u>	<u>Site</u>	<u>Appellant(s)</u>
DC/13/0781	Blakes Farm Cottage (land West of), Southwater Street, Southwater	Mr Paul Hunt

DCN/130 Appeals (Cont.)

Appeal Decisions

<u>Ref No</u>	<u>Site</u>	<u>Appellant(s)</u>	<u>Decision</u>
DC/12/1810	Harwood House, Kings Road, Horsham	Croudace Homes Ltd	Dismissed

It was noted that it had been a Committee decision to refuse this application, rather than a delegated decision as stated in the Agenda.

DCN/131 **PLANNING APPLICATION: DC/14/0154 – PROPOSED NEW VEHICULAR ACCESS FROM ALBION WAY INTO THE EXISTING SEMI BASEMENT OF LINDEN HOUSE. DEMOLITION OF EXISTING EXTERNAL FIRE ESCAPE AND ASSOCIATED STEPS. INSTALLATION OF NEW GLAZING AND PANELS ON NORTH WEST ELEVATION. NEW WALL, PIERS, METAL GATES AND PEDESTRIAN PASS DOOR.**
SITE: LINDEN HOUSE, CHART WAY, HORSHAM
APPLICANT: ARLO (UK) LIMITED

The Head of Planning & Environmental Services reported that this application sought permission for a new access point from Albion Way. The vehicular access would be a 'left in, left out' (LILLO) priority junction and serve the building directly from Albion Way. The access would lead to the semi basement parking area under the building.

A new wall and 2.1 metre high piers supporting a new double metal vehicular access gate and pedestrian pass door would be constructed in line with the Albion Way elevation. The gate would be 19 metres from the Albion Way carriageway.

To facilitate the access, the external fire escape and associated steps on the northwest corner of the building would be demolished. New glazing and panels would be installed to match the existing materials.

The application site was located at the corner of Chart Way and Albion Way and included a 3-storey office building which had been vacant since March 2007. It was adjacent to County Hall North and on the southern side of Chart Way was the five-storey RSA building, St Marks Court. The site currently shared an access off Madeira Avenue, via the gate control system, with County Hall North and the RSA buildings in St Marks Court. There were two-storey residential properties to the northwest in Madeira Avenue. Albion Way led to a roundabout to the west giving access to Madeira Avenue, Park Surgery and Horsham Park to the north, and Swan walk multi storey car park to the south. The junction to the east was traffic light controlled, giving access to the north, via a filter lane to Park Street, and to the south to Copnall Way and the multi storey car park in Piries Place.

DCN/131 Planning Application: DC/14/0154 (Cont.)

The National Planning Policy Framework 2012; National Planning Practice Guidance 2014; Local Development Framework Core Strategy Policy CP3; Local Development Framework General Development Control Policies DC9 and DC40; Horsham Town Design Statement Supplementary Planning Document (SPD); Horsham Town Plan SPD; the Horsham District Planning Framework Preferred Strategy; and Horsham District Council Planning Advice Note for Parkside, Linden House and Madeira Avenue were relevant in the determination of this application.

Relevant planning history included:

DC/11/1893	Demolition of existing redundant office building and erection of building comprising 79 residential apartments with commercial/retail accommodation to part of the ground floor level	Withdrawn
DC/12/0877	Demolition of existing redundant office building and erection of building comprising 80 residential apartments above existing car park with new vehicular access onto Albion Way	Refused
DC/13/1714	Prior notification to convert existing offices to 1-bed and 2-bed apartments	Refused

The consultation response from the Highway Authority, as contained within the report, was considered by the Committee. It was reported at the meeting that a further condition to secure approval of materials and design of walls, piers and gates would be added, and that details of the guard walling would be added to the visibility splay condition. The Neighbourhood Council had objected to the application. The Horsham Society had also objected to the proposal. One member of the public spoke in objection to the application and a representative of the Neighbourhood Council spoke in objection to the application.

Members considered the principle of the proposal and questioned why an application for the access was being determined separately from any application regarding the future of Linden House. It was noted that Linden House had B1(a) office use and the applicant had advised that the proposed access would facilitate this lawful office use.

Members discussed road safety in the context of the Highway Authority's comments and the previous application DC/12/0877 which had been refused (Minute No. DCN/57 (01.10.13) refers).

DCN/131 Planning Application: DC/14/0154 (Cont.)

It was noted that access for delivery vehicles would remain via Madeira Way and this would be controlled by condition. Members were concerned that the proposed access could potentially be used by occupants of the RSA buildings and it was agreed that Condition 3 could be amended to limit its use for the benefit of traffic to Linden House only.

Whilst serious concerns regarding the impact on road safety remained, Members were mindful that the Highway Authority had considered the proposal to be satisfactory. Members questioned whether the safety audit that had been carried out had taken into account traffic movements at peak times.

Members concluded that, given the level of concern regarding road safety implications of the proposal, they were unable to determine the application without further information from the Highway Authority to clarify their conclusion that there was no highway objection.

Members concluded that the Highway Authority should be asked to clarify details and timings of the highways surveys and examine the differences between traffic generated by current office use compared to the previous proposed residential use. Members also requested that the findings of the route assessment study being carried out in relation to DC/13/1599 (demolition of existing buildings and redevelopment for retail purposes, including revised accesses, landscaping, improvements to public realm along Albion Way, Bishopric and to the Albion Way/Bishopric Junction) be included. It was requested that the Highway Authority's further comments be circulated to Members prior to the determination of the proposal. To enable Members to seek further clarification, it was also requested that a Highways Engineer from West Sussex County Council be invited to attend the meeting when the proposal would be determined.

RESOLVED

That application DC/14/0154 be deferred to allow for further clarification, assessment and comments from the Highway Authority to be obtained; and to invite a West Sussex County Council Highways Engineer to attend the Committee meeting when the application will be determined.

DCN/132 **PLANNING APPLICATIONS: DC/13/1886 – DEMOLITION OF EXISTING EQUESTRIAN BUILDINGS. CHANGE OF USE OF LAND TO PROVIDE A SCHOOL (CLASS C2 – RESIDENTIAL EDUCATION AND TRAINING CENTRE) FOR CHILDREN WITH SPECIAL EDUCATIONAL NEEDS. ERECTION OF SCHOOL BUILDING, FORMATION OF CAR PARKING AREA, NEW ACCESS AND LANDSCAPING;**
AND DC/13/1806 – CHANGE OF USE OF LAND, THE ERECTION OF A GYM AND STABLE/HORTICULTURE BLOCK AND FORMATION OF PLAY AREA TO PROVIDE EDUCATIONAL AND RECREATIONAL FACILITIES FOR THE SCHOOL BUILDING AND LANDSCAPING
SITE: RAPKYNS CARE CENTRE, GUILDFORD ROAD, BROADBRIDGE HEATH
APPLICANT: SUSSEX EDUCARE

The Head of Planning & Environmental Services reported that these applications related to Woodland Grange School, which operated from the site under temporary permission DC/11/0802, and provided educational facilities for children with special educational needs.

Application DC/13/1886 sought permission for the change of use of land and the erection of a school with seven classrooms, two specialist rooms for art and IT and a group space/dining area. The roof space would include three offices, staff room, meeting room and counselling room. The building would have a 'barn style' design with horizontal timber boarding on the walls and profiled metal roof cladding.

The existing access point would be closed and there would be a new access from the existing drive with parking for 21 cars and landscaped areas.

Application DC/13/1806 sought permission for the change of use of land to the northern part of the site, the erection of a gym building and stable block, outdoor games area and landscaping. These facilities would provide educational and recreational facilities for the school. The stable block would include two rooms for teaching countryside skills and three stables. Both buildings would be of a similar design to the proposed school.

The application site was located outside any built up area two and a half miles west of Horsham town centre and one mile west of Broadbridge Heath. It was accessed from the A281 Guildford Road, along a private drive to the Rapkyns Care Centre. The dwelling (Rapkyns Cottage) provided residential accommodation for children with special needs. The site included disused stables, two barns and a sand school. There had been six portacabins, five of them in the larger barn, which had been used as classrooms. These had been removed and the children had been moved to school premises in Alfold as a temporary measure.

DCN/132 Planning Applications: DC/13/1886 and DC/13/1806 (Cont.)

There were a number of agricultural fields adjoining the site, with Rapkyns Care Centre and Rapkyns Nursing Home to the west. There were some dwellings to the south of the property, also in the ownership of the applicant, four of which provided residential accommodation for pupils. A public footpath ran close to Rapkyns Cottage.

The National Planning Policy Framework 2012; National Planning Practice Guidance 2014; Local Development Framework Core Strategy Policies CP1, CP3, CP5, CP14 and CP16; Local Development Framework General Development Control Policies DC1, DC8, DC9 and DC40; and the Horsham District Planning Framework Preferred Strategy were relevant in the determination of this application.

Relevant planning history included:

DC/11/0796	Change of use of Rapkyns Cottage to provide residential accommodation for 6 children with special needs	Granted
DC/11/0802	Temporary consent for 2 years for retention of the siting of 5 portable cabins within an existing barn, together with one portable cabin sited externally, to provide education of children with special needs and use of an outbuilding as a reception wing	Granted
DC/12/1928	Demolition of existing barn and replacement with a school to provide education for children with special education needs	Withdrawn

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee. It was reported at the meeting that a Legal Agreement to: limit the number of pupils at the school to 34; ensure that 50% or more of pupils educated at the school reside on the Rapkyns Estate; and to limit the number of non-residential day pupils to eight had been completed. The Parish Council raised no objection to the application. There had been no representations received from neighbouring properties.

The principle of providing education on the site had been established when temporary permission DC/11/0802 had been granted. Members discussed the current operation of the school and considered that the proposed additional facilities would bring greater benefits to the pupils.

DCN/132 Planning Applications: DC/13/1886 and DC/13/1806 (Cont.)

The scale and design of the proposed buildings were considered to be of good design and in keeping with the surrounding area. The site was relatively isolated and would not have an impact on any residential properties. A majority of pupils would be residential and it was considered that the level of activity in this countryside location would not be materially increase by the proposal.

Members noted concerns regarding road safety, in particular the Parish Council's comments regarding the current speed limit of 60mph. It was noted that the Parish had been advised to contact the County CLC regarding this matter which could not be addressed as part of the current application.

Members welcomed the proposal, which would provide enhanced facilities that would meet the educational and pastoral needs of the pupils without having an adverse impact on the surrounding area.

RESOLVED

DC/13/1886

That application DC/13/1886 be determined by the Head of Planning & Environmental Services to await the expiry of the consultation period. The preliminary view of the Committee was that the application should be granted.

DC/13/1806

That application DC/13/1806 be determined by the Head of Planning & Environmental Services to await the expiry of the consultation period. The preliminary view of the Committee was that the application should be granted.

DCN/133 **PLANNING APPLICATION: DC/14/0320 – ERECTION OF GARAGE**

SITE: 20 THE PINES, HORSHAM

APPLICANT: MR CHRIS GRINSTEAD

The Head of Planning & Environmental Services reported that this application sought permission for the erection of a garage in the rear/side garden. It would be attached in part to the side of the property with a total width of 3.6 metres. It would be 7.8 metres long and have a pitched roof with a ridge height of 3.5 metres. Materials would match the existing dwelling.

A roller door would be on the rear elevation, with a door and window in the northern side elevation, providing access into the rear garden. Three conifers would be removed to accommodate the turning circle into the garage.

DCN/133 Planning Application: DC/14/0320 (Cont.)

The application site was within the built up area of Horsham and included a two-storey semi-detached property on the corner of The Pines. The site was surrounded by terraced and semi-detached dwellings of similar size, appearance, and architectural design. The garden bordered the road on two sides with a high hedge. The attached semi detached property to the east had a flat roofed garage.

The National Planning Policy Framework 2012; National Planning Policy Guidance (2014); Local Development Framework Core Strategy Policy CP3; Local Development Framework General Development Control Policies DC9 and DC40; and Horsham District Council Design Guidance Advice – House Extensions (2008) were relevant to the determination of this application.

Relevant planning history included:

HH/89/98	2-storey side and front extension	Granted
DC/13/2259	New garage	Withdrawn

It was reported at the meeting that the Highway Authority had raised no objection to the proposal. The Parish Council had not commented on the proposal. Nine letters of objection from eight addresses had been received. One member of the public spoke in objection to the proposal.

Members considered the principle of the proposal and whether the design and layout would be in keeping with the character of the surrounding area. It was noted that the proposal was slightly larger than minimum guidance, but not significantly so. The roller door would be screened from the street scene by the hedge and a condition to ensure that the hedge was retained would be included.

Members considered the impact of the proposal on the amenity of neighbouring occupiers. Concerns regarding activity generated by the proposal were noted. Whilst it had not been evident during an officer site visit, it was understood that the applicant regularly carried out repairs to vehicles. Members noted that a condition preventing any commercial use would be included and action could be taken should this condition be breached. In addition an Informative would be issued to the applicant stating that commercial use of the garage would not be permitted.

Members also noted that should there be noise nuisance, this could be reported to Environmental Health who could take enforcement action.

Members considered that concerns regarding the loss of amenity of neighbouring occupiers could be satisfactorily controlled, and the proposal would not have a material impact on the amenity of residents, on the character of the surrounding area or on highway safety and was therefore acceptable.

DCN/133 Planning Application: DC/14/0320 (Cont.)

RESOLVED

That application DC/14/0320 be granted subject to the following conditions:

- 01 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 02 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.
- 03 The garage hereby permitted shall be used solely for purposes incidental to the occupation and enjoyment of the existing property as a dwelling and shall not be occupied for business purposes.
- 04 The hedging along the southern boundary shall not be wilfully damaged, uprooted, or removed without the previous written consent of the Local Planning Authority until 5 years after completion of the development hereby permitted. In the event that any of the hedging should die following the proposed works, it shall be replaced with similar trees in similar locations during the next planting season.

REASON

The application is compliant with policies CP3 of the Core Strategy (2007), policies DC9 and DC40 of the General Development Control Policies (2007). The application also fully endorses those policies within the National Policy Planning Framework that seek to promote good design and sustainable development; namely sections 7 and 14 of the Framework.

The meeting closed at 7.14pm having commenced at 5.30pm.

CHAIRMAN

Blank

DEVELOPMENT CONTROL (NORTH) COMMITTEE
13TH MAY 2014
REPORT BY THE HEAD OF PLANNING AND ENVIRONMENTAL SERVICES

APPEALS

1. **Appeals Lodged**

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

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

DC/13/2378 Proposed replacement barn.
Lane End, Lyons Road, Slinfold, Horsham, RH13 0QS.
For: Mr Darren Williams

3. **Informal Hearings**

NONE

4. **Appeal Decisions**

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

DC/13/1594 Proposed conversion of existing barn to residential dwelling.
Barnsfold Barn, Barnsfold Lane, Rudgwick, West Sussex.
For: Mr and Mrs Trafford
Appeal: **DISMISSED** (Delegated)

DC/13/1765 Erection of end of terrace dwelling (Amendment to DC/11/0673 to
incorporate basement and rear dormer)
14 Peary Close, Horsham, West Sussex, RH12 5GD.
For: Ms Shelley Vickers
Appeal: **ALLOWED** (Officers Recommendation Overturned at
Committee)



Horsham
District
Council

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee North

BY: Head of Planning and Environmental Services

DATE: 13th May 2014

DEVELOPMENT: Redevelopment of site to provide 23 x dwellings, vehicular and pedestrian access and a range of community measures including a replacement football pitch with improved drainage levelling, new car parking and upgraded access to serve the existing recreation ground, new tennis pavilion and siting for additional tennis court, with associated works and landscaping, including acoustic bund

SITE: Land Rear of 1 To 25 Hayes Lane Slinfold West Sussex

WARD: Itchingfield, Slinfold and Warnham

APPLICATION: DC/13/2042

APPLICANT: Slinfold LLP

REASON FOR INCLUSION ON THE AGENDA: Category of development

RECOMMENDATION: That planning permission be delegated for approval to the Development Manager subject to the consideration of any consultation responses received from the Environment Agency and Sport England, the securing of 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 erection of 23 No. dwellings with associated works and landscaping, including vehicular and pedestrian access. It is also proposed to provide a replacement football pitch, siting for an additional tennis court, an upgraded access and new car park to serve the recreation ground, a new tennis pavilion and improvements to the existing pavilion. The proposed 23 No. units would comprise 6 No. 2 bed flats, 8 No. 2 bed houses, 5 No. 3 bed houses and 4 No. 4 bed houses.
- 1.2 The main element of the proposed residential development would be accessed from Hayes Lane via Maydwell Avenue with the existing footpath link through to Cherry Tree Lane being retained. The proposal shows Maydwell Avenue running west from Hayes Lane and then branching both north and south, towards the western edge of the site. The northern part of the road would then provide access to a row of 3 No. terraced dwellings, a pair of semi-detached dwellings and the block of 6 No. apartments. The southern part of the road would lead to 11 No. dwellings, comprising detached and semi-detached properties. There

would also be 1 No. detached dwelling accessed from Cherry Tree Lane and situated to the rear of the property at Spinners, Hayes Lane.

- 1.3 The proposed dwellings would be of two storeys in height with the proposed apartment block to be three storeys in height. Of the 23 No. dwellings, 8 No. are proposed to be provided as affordable units, this equates to approximately 35% with these properties to be split 75%/25% between affordable rent and shared ownership.

DESCRIPTION OF THE SITE

- 1.4 The application site lies to the west of Hayes Lane, adjacent to but outside of the built-up area boundary of Slinfold, a category 2 settlement as defined within the Horsham District Local Development Framework. The site is situated to the rear of properties No's. 1 to 25 and Halland Cottage, Hayes Lane, wraps around Cherry Tree Farm and then comprises a plot to the rear of Spinners, Hayes Lane and includes the existing recreation ground. For ease of reference, that part of the site lying to the north of Cherry Tree Farm and accessed from Maydwell Avenue is referred to as the northern section, with the part to the south of Cherry Tree Farm and accessed from Cherry Tree Lane being referred to as the southern section. The total site extends to approximately 3.37 hectares.
- 1.5 The northern section of the site is accessed from the eastern portion of Maydwell Avenue, an existing cul-de-sac which formerly provided access through to the adjacent Business Park. Maydwell Avenue currently provides access to the rear of a number of the properties along Hayes Lane and the existing car parking area serving the football and tennis clubs. This existing car park is linked to the recreation ground by means of a footpath running just to the north and east of Cherry Tree Farm. The northern portion of the site is partially laid to hardsurfacing which formerly formed part of the Business Park area and includes a sunken hollow area, which formed part of a surface water system in connection with a previous use at the Business Park and has not been required since that use ceased in 2010. Maydwell Avenue continues further to the west of the Business Park and links up to the A29. This western portion of Maydwell Avenue forms the vehicular access point for the Business Park.
- 1.6 The southern section of the site is accessed from Cherry Tree Lane and comprises an area of land to the rear of Spinners, Hayes Lane and the existing recreation ground which provides a grassed football pitch, 3 No. hardsurfaced tennis courts and a single storey red brick pavilion building shared between both the football and tennis clubs.
- 1.7 The ground level of the northern section of the site slopes very gently upwards towards the west with this change in levels becoming slightly more pronounced within the southern section of the site, across the recreation ground. The boundary of the site with the rear of the properties at No. 1 to No. 10 Hayes Lane is formed by a line of mature trees and shrubs, however, the rear boundaries of the properties No. 11 to No. 25 Hayes Lane are generally far more open. There are a number of trees along this boundary but the majority of these rear gardens are largely open to their rear access track.
- 1.8 The northern boundary of the site adjoins the Downs Link and is formed by a line of trees. The western boundary of the site, adjacent to the Business Park is formed in part by a row of mature conifers and in part by an existing bund and acoustic fence, to the northernmost section, the section between is currently open to the Business Park and the rear elevation of one of the two storey high commercial buildings. To the southern edge of the northern section there is a group of trees and shrubs, just to the north of Cherry Tree Farm.
- 1.9 The southern part of the site is bordered by mature trees to the south, east and west and by a line of mature conifers to the north adjacent to the Business Park. Cherry Tree Farm's southern boundary is formed by post and rail fencing. The section of the site to the

immediate rear of Spinners, Hayes Lane is separated from this dwelling by an existing row of conifers. This part of the site currently houses a dilapidated garage building and is somewhat overgrown.

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 National Planning Policy Guidance (2014)
Technical Guidance to the NPPF (2012)

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
- CP8: Small Scale 'Greenfield' Sites
- CP12: Meeting Housing Needs
- CP13: Infrastructure Requirements
- CP14: Protection and Enhancement of Community facilities and Services
- 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
- DC18: Smaller Homes/Housing Mix
- DC22: New Open Space, Sports and Recreation
- DC30: Exceptions Housing Schemes
- DC40: Transport and Access

2.6 Local Development Framework: Supplementary Planning Documents:

- Facilitating Appropriate Development (2009) (FAD)
- Planning Obligations (2007)

PLANNING HISTORY

2.7 There is no planning history for this site relevant to the proposed development.

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

3.2 **Arboricultural Officer (summarised):** No objection

3.3 **Access Officer (summarised):** Comment

The car parking area would have 44 No. parking spaces. It would be good to have at least 3 No. spaces as accessible (disabled) parking spaces and as close to the entrance as possible. The new tennis pavilion should have level access to the veranda from inside the building and level access off the veranda, if that is proposed.

Environmental Health (summarised): No objection subject to conditions

- The submitted and updated acoustics assessments have satisfactorily addressed concerns relating to any potential impacts on residents of noise from the industrial site

Housing Services Manager (summarised): No objection

- It is noted that the number of affordable units represents 35% of the total offer, which sits below the target.
- However, the proposed development as a whole would deliver affordable homes and extensive sports and community facilities which would benefit the local community considerably.
- The proposal offers 6 x 2 No. bed flats and 2 x 2 No. bed houses, the tenure split of which will be finalised within a legal agreement.
- The Action in Rural Sussex housing needs survey of November 2011 identified 22 No. households in housing need with a local connection and the affordable housing mix offered reflects the profile of need established through this survey.
- Housing Officers support the proposed affordable housing offer and that these will be offered first to those in housing need with a strong local connection to Slinfold Parish.

Landscape Architect (summarised): No objection

The revised details have overcome the initial concerns raised and the submitted soft landscape details, specification and maintenance plans are acceptable.

Leisure Services (summarised): No objection

Parks and Countryside accept the offer that the developers are making in respect of the improved football pitch and the improvements to sports pavilions as part of this proposal. There is a requirement for a play area in principle, however, it is appreciated that this would be difficult to justify in conjunction with the other elements being offered.

Technical Services (Drainage) (summarised): No objection subject to conditions
 The Flood Risk Assessment (FRA) submitted has described how the flood risk from all sources of flooding to the proposed development site will be managed, including taking into account climate change. I have no overall objections to the drainage strategy proposed. Conditions should be applied to ensure the submission of detailed design and maintenance arrangements at the appropriate stage.

OUTSIDE AGENCIES

Southern Water (summarised): No objection & recommends condition
 There is currently inadequate capacity in the local network to provide foul sewage disposal to service the proposed development. The proposed development would increase flows to the public sewerage system, and existing properties and land may be subject to a greater risk of flooding as a result. Additional off-site sewers, or improvements to existing sewers will be required to provide sufficient capacity to service the development. Section 99 of the Water Industry Act 1991 provides a legal mechanism through which the appropriate infrastructure can be requested (by the developer) and provided to drain to a specific location. Should permission be granted the applicant should contact Southern Water to agree the provision of the necessary sewerage infrastructure.
 There are no public surface water sewers in the immediate vicinity of the site. Alternative means of draining surface water from the development would be required. This should not involve disposal to a public foul sewer.

WSCC Ecology (summarised): No objection subject to conditions

WSCC Highways (summarised): No objection subject to conditions

- The existing junction of Maydwell Avenue and Hayes Lane is to be altered to reflect the intended residential use of this junction over its former use to serve the Business Park. The proposed alterations would move the 'give way' line out to align with the western kerbline of Hayes Lane, would reduce the width of the junction, thereby reducing the crossing distance for pedestrians and provide adequate visibility splays. These alterations accord with Manual for Streets guidance and the recorded vehicle speeds along Hayes Lane.
- It is proposed to increase the width of Cherry Tree Lane, to provide access to the recreational facilities, and suitable visibility splays can also be achieved here.
- It is not anticipated that the proposed development would result in any highway capacity concerns.
- Some concern has been raised that the parking of vehicles adjacent to the Cherry Tree Lane access obstruct visibility. However, this is an existing access used in association with the existing recreational facilities and given the rural location it is not considered that waiting restrictions are necessary.
- The internal access road has been designed in accordance with Manual for Streets and to use a shared surface within the development, given the low speed and low trafficked nature, this is considered appropriate.
- There are no significant concerns relating to the parking layout within the development.

PUBLIC CONSULTATIONS

Slinfold Parish Council (summarised): No objection

- The scheme is well designed and sympathetic to the vernacular of the village.
- The proposed improvements to the recreational facilities will benefit the entire Parish and the mix of new housing is welcomed.
- It is requested that timber boarding is retained with a natural colour finish, that the

affordable housing units are offered firstly to persons with a link to the Parish, and that only emergency access is retained through to the Business Park.

- The removal of the one bedroom affordable units is regrettable.
- The drainage and potential for flood risk should be carefully considered in light of problems encountered by residents of Hayes Lane.
- The Parish Council would like clarification on who would be responsible for the on-going maintenance of the development site, who would be administering the affordable housing units, that a permissive path leading from the recreation ground would be provided and what arrangements there would be for the ongoing maintenance of the recreation ground.

A total of 23 No. letters of representation have been received. Of these, 19 No. support the proposal and make the following summarised comments:

- The proposed development would be sympathetic with the area and not intrusive of adjacent properties;
- The proposal will form a barrier between the existing properties and the existing industrial area beyond;
- This would provide much need housing on an unsightly brownfield site;
- The mix of affordable housing has been agreed with Saxon Weald Homes would help to address an identified local need;
- The proposal will improve the aesthetics of the area and have minimal impacts on the local environment;
- Efforts have been made to maintain the amenity value of existing properties and screen the industrial site;
- The proposed recreational facilities would be an improvement for the village;
- The parking facilities of the tennis and football clubs will reduce the likelihood of members parking in Hayes Lane;
- The proposed attenuation pond is a good addition, but there is some concern regarding flooding.

4 No. of the letters received object to the proposed development and make the following summarised comments:

- There would be an increase in traffic along Cherry Tree Lane and Maydwell Avenue with associated noise disturbance and loss of privacy for adjacent residents;
- The proposed recreation ground car parking would be unmonitored and there are concerns over the security of this area;
- Parking of vehicles along Maydwell Avenue and Hayes Lane, north of Cherry Tree Lane, is already a problem and this would increase;
- There are concerns over increased traffic along Hayes Lane, particularly regarding the prevalence of parked cars and the speed of traffic;
- Both the Cherry Tree Lane and Maydwell Avenue junctions with Hayes Lane are dangerous and would receive increased traffic for both the new dwellings and the recreation ground;
- The car parking for the recreation ground would be excessive and spaces should be of a less permanent nature;
- The proposal is outside the building line of development in Slinfold;
- The proposed dwelling on plot 23 would cause a loss of privacy to the adjacent dwelling;
- The proposal could worsen existing drainage and flooding problems;
- The proposed access to the rear of properties along Hayes Lane would be too narrow;
- The existing light pollution from the Business Park should be reduced;
- The noise pollution from the adjacent Business Park is disruptive and the proposed dwellings would be closer to this than existing dwellings;
- The funding for the proposed improvements to the tennis club facilities could be

- better utilised for other facilities, such as the local Scout group;
- The proposed block of flats would be out of character with the area.

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

- 4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

- 6.1 The key issues for consideration in relation to this proposal are:

- The principle of the development
- Impact on the character and appearance of the surrounding area
- Impact upon the amenities of nearby and future residents
- Affordable housing provision
- Highway impacts
- Ecology
- Drainage
- 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.
- 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 Inspector in the RMC Engineering Works, Washington appeal (application DC/10/1457) concluded in his decision that it would be appropriate to identify those elements of the housing supply policies which should be given less weight, rather than removing them in their entirety. Further to this, a more flexible approach to the consideration of housing proposals close to or adjoining built-up areas was suggested as being appropriate, with those developments seeking housing in more remote areas to be considered with more restraint.
- 6.6 The application site lies in the countryside to the immediate west of part of Slinfold, outside of, but adjoining, the edge of the identified built-up area. Slinfold is a Category 2 settlement, as defined within policy CP5 of the Core Strategy and is therefore considered to have a more limited range of services (compared to Category 1 settlements), and which should accommodate only small scale development or minor extensions that address specific local needs. This location is such that the more flexible approach advocated by the Inspector in the aforementioned appeal decision should be adopted.
- 6.7 The Facilitating Appropriate Development (FAD) SPD was adopted in May 2009 as a means of ensuring that sufficient housing supply was provided during the period of the Core Strategy through enabling a more flexible approach to the consideration of proposals on sites which adjoin defined settlement boundaries. The general approach of the FAD SPD was agreed by the Inspector in the RMC Engineering Works appeal decision.
- 6.8 From the stand point that the District does not have a current 5 year supply of housing land, that the adopted housing supply policies of the development could be considered out-of-date and that a more flexible approach to the consideration of sites that adjoin built-up areas should be taken, the proposal needs to be considered under the presumption in favour of sustainable development and an assessment needs to be made as to whether the proposal would constitute sustainable development.
- 6.9 Paragraph 7 of the NPPF sets out the three dimensions to sustainable development, those being economic, social and environmental, with which the planning system is tasked with promoting. The FAD SPD also sets out, in its Appendix, criteria for assessing the sustainability of a site, which include, but are not limited to, sustainable building methods; housing affordability; and, landscape and townscape character. In terms of economic benefits, the proposed development would support a growth in the availability of local housing, which in turn could support the local economy through the wider use of local shops, businesses and services.
- 6.10 In terms of social issues, the proposed development would provide a total of 23 No. residential units, which would assist in meeting the current and future housing needs of the District. The proposed 23 No. dwellings would comprise 6 No. 2 bed flats, 8 No. 2 bed houses, 5 No. 3 bed houses and 5 No. 4 bed houses. 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. 64% of 23 No. dwellings would equate to 14.7 No. properties. The proposed development would provide a total of 14 No. units as 2 bed properties and whilst this is slightly below the 64% it is considered that this level of provision of smaller units would reflect the current profile of housing requirements across the District.
- 6.11 In addition, of the 23 No. units proposed, a total of 8 No. would be supplied as affordable homes and would be prioritised for those in housing need with a local connection to the Parish of Slinfold. The affordable housing offer is considered further below in paragraphs 6.40 to 6.44.

- 6.12 The FAD SPD requires that sites should propose residential development not exceeding 150 dwellings. In the case of this proposal, the site adjoins the edge of a Category 2 settlement, rather than the edge of a Category 1 settlement, and therefore the scale of development should be proportionate to the size of the settlement to which it relates. This current application proposes 23 No. dwellings, just less than 1/6th of the maximum size stipulated and it is therefore considered that this level of development could not be considered out of scale in the context of this requirement of the FAD SPD and would not be of such a scale to adversely impact upon the village of Slinfold.
- 6.13 The proposed development is considered to be socially sustainable as it would assist in delivering an appropriate level of housing supply to meet the needs of present and future generations, and in addition, would also provide a number of improvements to recreational facilities that would be of benefit to the community. These elements accord with the social dimensions set out in the NPPF and are in line with the requirements and criteria of the FAD SPD.
- 6.14 Taking the third dimension of paragraph 7 of the NPPF, the proposed development is considered to be environmentally sustainable as it would not cause harm to the biodiversity value of the site or protected species, would not adversely impact upon the historic environment, is sited within Flood Zone 1 (low probability of flooding), and would utilise sustainable construction methods to ensure that the proposed dwellings meet Level 3 of the Code for Sustainable Homes. These are discussed further below.
- 6.15 Furthermore, although Slinfold is identified as a Category 2 settlement and therefore has a limited level of community facilities and services, those that are available would be accessible by residents of the proposed development within a reasonable walking distance. Whilst it is acknowledged that future residents would likely be reliant on private motor vehicles for many trips, there are bus services running from the centre of Slinfold to Horsham, Billingshurst and Guildford. It is therefore considered that the proposed scheme would constitute sustainable development and that the presumption in favour of this proposal, as set out in paragraph 14 of the NPPF, should apply.
- 6.16 In relation to the southern part of the site, the proposal seeks to reposition and re-grade the existing football pitch, with improved surface water drainage including the creation of an attenuation basin, the construction of a new pavilion for the tennis club and siting for an additional tennis court, and the creation of a car parking area to serve the recreation ground. The enhancement and improvement of open space, sports and recreation facilities is generally encouraged, through policy DC22, provided that the proposed works are appropriate to the area in which they would be situated. As the proposal involves works to existing playing fields, Sport England have been consulted and as their comments have not as yet been received, the recommendation below reflects this position.
- 6.17 In this instance, the proposed enhancements would improve the football pitch by creating a more level and better drained playing surface. Although the proposed new tennis club pavilion, court and car parking area would result in additional built form and hardsurfacing within this area, these are facilities that are considered to be reasonably required for the purposes of outdoor sport and recreation and would accord with the requirements of policy DC1. The proposed recreational facilities and improvements to existing facilities are therefore considered to be acceptable in principle.
- 6.18 Given the presumption in favour of sustainable development set out in paragraph 14 of the NPPF, the lack of an identified 5 year (plus 5% buffer) supply of deliverable housing sites and the aforementioned more flexible approach to the implementation of housing policies deemed appropriate by the Inspector in the RMC Engineering Works appeal decision, it is considered that the principle of the proposed development is acceptable, and that planning

permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Impact on the character and appearance of the surrounding area

- 6.19 The existing northern section of the site is characterised by its mix of hardsurfaced areas, rough grassland and the sunken hollow area. The site lies between the rear of properties fronting Hayes Lane and the rear of the established Business Park, accessed from the A29. Given this location, and despite the number of trees surrounding the site, it does not exhibit a rural character and does not appear open or allow for any significant views from within the surrounding area. It is clear from within, and across, the northern part of the site that its character is heavily influenced by the surrounding existing built form and any new development would be seen in the context of this, rather than as a more rural area.
- 6.20 The proposed development would position 23 No. residential units across the site, with 22 No. of these to be located within the northern section. Whilst the proposed development would inevitably alter the character of the site, it is not considered that this would be to the detriment of existing public views of the northern part, as these are very limited. It is also not considered that the proposed development would result in built form that would be unduly prominent within, or adversely detract from, the wider landscape character or appearance of the area. It is therefore considered that the proposed development would comply with the requirements of policies CP1 and DC2.
- 6.21 The existing site contains a considerable number of trees and shrubs, including a group of trees and scrub to the south of the northern section. The development proposed would result in the removal of a number of these trees, the removal of a number of trees to the rear of No's. 1 to 10 Hayes Lane, the removal of a small group of trees to the northern end of the site and the removal of the existing mature conifer hedgerow to the western side. The group of trees to the south of the northern section are in a fairly poor condition and it is not considered that the trees proposed for removal are of any especial merit that would warrant their specific preservation and due to the situation of the site, being largely enclosed by existing forms of development, it is not considered that they provide any significant level of public amenity value.
- 6.22 Although it is proposed to remove a number of trees and shrubs, considerable numbers would remain around the site and these would be augmented within additional planting of both new trees and native hedgerows. The applicant has submitted a planting plan which shows the planting of considerable new trees, hedgerows and shrubs around and throughout the site. No objections to the proposed development have been received from the Council's Arboricultural Officer and the Landscape Architect is satisfied that the proposed landscape details are acceptable. The implementation of the submitted landscaping scheme and the future maintenance of these areas can be ensured through the imposition of appropriate conditions.
- 6.23 In terms of the layout and form of the proposed development, the majority of the proposed residential units (22 No. out of the total of 23 No.) would be situated within the northern portion of the site. These properties would all be accessed from Maydwell Avenue with this being extended to create north and south branches. It is proposed that 5 No. dwellings would face directly onto Maydwell Avenue, 2 No. dwellings and the block of 6 No. apartments would be accessed from the northern branch and 9 No. dwellings would be accessed from the southern branch. This northern part of the overall site would have a density of just over 24 dwellings per hectare. Whilst this is not particularly high, it is not dissimilar to the density of the adjacent properties fronting Hayes Lane (at 21 dwellings per hectare) and is considered reasonable and appropriate given the location of the site in an edge of village location.

- 6.24 The proposed residential units are comprised of mostly two storey dwellings, with one three storey apartment block also proposed. The dwellings consist of detached, semi-detached and one row of three terraced properties. The dwellings would exhibit a variety of designs with largely hipped roofs, but with front projecting gables, bay windows, cat-slide roofs and canopy porches. The majority of the dwellings would be finished with a brickwork exterior, but some instances of cladding, render, tile hanging and the use of rubble stone would assist in providing further variety across the properties. The proposed apartment block would be three storeys with a hipped roof with brickwork across the lower levels and the use of render to the second floor level. It is considered that this palette of external materials would not appear inappropriate for this edge of village location.
- 6.25 The proposed block of apartments would be situated towards the northern boundary of site to the rear of the properties at No's. 3 and 4 Hayes Lane. Although the block would be three storeys in height, due to the slight change in levels across the site it would not be significantly higher than the adjacent proposed two storey dwellings. In addition, the block would have a very similar height to the existing adjacent commercial building within the Business Park.
- 6.26 The character of the residential properties within the locality of the site is largely that of two and two and half storey semi-detached dwellings and short terraces, with a number of larger detached dwellings being situated around Cherry Tree Lane and to the north of No. 1 Hayes Lane. Whilst the proposed development would not replicate the existing pattern of development along Hayes Lane, the proposed dwellings would not be seen as forming part of this Hayes Lane frontage and as such it is considered that the difference in layout and nature would not detract from the overall appearance of the area. In addition, whilst the surrounding dwellings do not display three storeys, it is not considered that the proposed block of apartments would be of a scale that would appear unduly dominant or overwhelming of their surroundings.
- 6.27 The southern section of the site would comprise the 23rd dwelling and the recreation ground. The proposed 23rd dwelling would be a two storey detached property situated to the rear of Spinners, Hayes Lane and accessed from Cherry Tree Lane. This proposed property would be of a larger form with a detached double garage/car port to the front. This property would be mainly finished with brickwork, but with the front projecting gable to be clad. It is considered that the larger scale and plot associated with this dwelling is appropriate given its location to the southern edge of the proposed development site and the nature of the existing dwellings that are accessed from Cherry Tree Lane.
- 6.28 The recreation ground currently comprises a single storey pavilion building, 3 No. hardsurfaced tennis courts and a grassed football pitch. The existing football pitch uses the natural ground level of the recreation ground and as such suffers from being unlevel, with the eastern side being lower than the western side. The proposal would slightly reposition the football pitch and form a far more level playing surface through the regrading of the land. It is proposed that the western edge of the pitch would be lowered by approximately 0.3m and that the eastern edge would be raised by approximately 0.4m. The re-graded pitch would be provided with drainage that would then connect to a seasonal pond/attenuation basin, which is to be sited to the south eastern corner of the site.
- 6.29 The existing access to the recreation ground from Cherry Tree Lane is proposed to be extended to create a new car parking area to the south of the existing pavilion. It is also proposed to construct a new single storey pavilion building just to the north of the existing tennis courts and to site an additional tennis court just to the south. The new pavilion would be of brick construction with a pitched slate roof extending down to create a covered veranda area to the southern side, overlooking the tennis courts. The proposed car parking

area would provide a total of 44 No. spaces, including 3 No. accessible spaces. The main car parking area is proposed to provide 26 No. spaces with a cellweb gravel filled surface and an additional overflow area of 18 No. spaces with a reinforced grass surface.

- 6.30 It is not considered that the proposed re-grading works to the football pitch and the proposed seasonal pond/attenuation basin would adversely impact upon the character of the surrounding landscape as these elements would still fully retain the open nature of the land. In terms of the proposed new pavilion building, additional tennis court and the car parking area, whilst these would create new hard structures and surfaces within the site they would only be seen in the context of the existing outdoor sports facilities across the site, including the existing fencing around the tennis courts, and it is not considered that these additions, which would improve the facilities and the accessibility of them, would cause harm to the wider landscape character of the area.
- 6.31 It is therefore considered that the situation of the site, its relative enclosure by existing development and vegetation, its layout and form, and the nature of the proposed recreational facility improvements are such that they would not cause any significant level of impact upon the character or appearance of the surrounding area. The proposal is therefore considered to comply with the requirements of the NPPF and with policies CP1, CP3, DC2, and DC9.

Impact upon the amenities of nearby and future residents

- 6.32 The site lies to the west of the existing properties which front onto Hayes Lane and to both the north and south of the existing property at Cherry Tree Farm. The property at Cherry Tree Farm is a detached bungalow and would be the closest in proximity to the proposed residential dwellings and the works to the recreation ground. The proposed dwelling on plot 3 would be the closest to Cherry Tree Farm, being situated just to the north. This property would be approximately 8.5m away at its closest point, with the main part of the dwelling being about 14.5m away. There is existing vegetation to the shared boundary and this would be retained. In addition, no windows serving habitable rooms are proposed along the southern side of the dwelling on plot 3.
- 6.33 In terms of the alterations proposed at the recreation ground, the proposed tennis pavilion would be situated approximately 44m from the southern boundary of Cherry Tree Farm and would be orientated such that the main windows and the veranda area are to the far side. Whilst it is acknowledged that the creation of a car parking area would bring a level of vehicular activity to this southern side of Cherry Tree Farm, it is not considered that this would be greatly different to the existing level of activity arising from the existing recreation ground car park, situated to the north of Cherry Tree Farm with pedestrian access then running around the eastern side of the property. It is therefore considered that the proposal would not lead to any significant loss of amenity for the residents of this property.
- 6.34 The proposed dwelling on plot 23 would be located to the rear of Spinners, Hayes Lane. The new dwelling would be orientated to face in a northerly direction such that its side elevation would face towards Spinners. There would be a separation distance of 13m between the proposed dwelling and the closest part of Spinners and only windows serving a bathroom and staircase would be positioned at first floor level within this side elevation. It is considered that these windows can be reasonably and satisfactorily conditioned to be obscurely glazed. The proposed dwellings within the northern part of the site would be situated some distance back from the dwellings fronting Hayes Lane, with the nearest being approximately 45m away. It is therefore considered that the proposal would not cause harm to the level of amenity experienced by any of the residents of the adjacent properties fronting Hayes Lane.

- 6.35 Internally within the site, the proposed dwellings would be set within plots of a good size and with adequate separation distances that would ensure that each dwelling has a reasonable level of amenity space. The proposed dwellings would largely be sited in a series of short staggered rows which, in the main, would not front or back onto the garden areas of other dwellings. The proposed properties on plots 9 and 10 would back onto the side boundary of plot 5's rear garden area, however, a separation distance of 11.5m would be maintained and it is considered that this, together with boundary treatment, would ensure that a suitable level of amenity would be achieved by all residents. Whilst the properties on plots 12 to 14 would back onto a parking court area, the immediately adjacent parking spaces would serve this terrace of three dwellings and it is not considered that the likely level of activity associated with the remaining spaces would be such as to cause any significant impact upon the residents of these properties.
- 6.36 The application site lies to the immediate east of an existing Business Park, which accommodates a number of commercial premises, including Southern Cranes and Access (SCA) on the part of the Business Park adjacent to the northernmost section of the application site. SCA can operate on a 24 hour basis in order to respond to emergency situations, however crane activity is usually within the 5.00am to 7.00am period on weekdays. To the immediate east of the SCA site (forming the boundary with the development site) is an existing 3m high bund with 2m high acoustic fence on top, however, this terminates at the existing two storey SCA office building, which also lies adjacent to the boundary with the application site.
- 6.37 Given the proximity of the proposed residential units to the Business Park and potential sources of noise disturbance, acoustics assessments have been submitted by the applicant following discussions with the Council's Environmental Health team. The acoustics assessments have used the existing conditions as a baseline and considered other potential future users of the adjacent Business Park. The assessment concludes that the proposed development would be likely to have ambient sound levels below a level at which the adverse impacts of noise exposure can be detected, and that single events during the night-time would be likely to be below a level at which the adverse impacts of noise exposure would be significant.
- 6.38 In order to further minimise the potential noise impacts upon the proposed residential development, the application proposes the creation of an acoustic barrier along the western side of the site. It is proposed to continue an acoustic fence southwards, from the existing end of the bund adjacent to SCA, behind the SCA office building to a position opposite the end of Maydwell Avenue. At this point a gate will be provided to allow pedestrian only access through from the Business Park. Then to the south of this a new acoustic bund and fence are proposed along the remainder of the western boundary with the Business Park. The proposed bund and fence would have an overall height of 5m with the bund generally having a sloping profile from the residential development, except for the section to the west of plot 10 where a short stretch of retaining wall is proposed. The proposed bund would have an approximate height of just over 1.5m with the acoustic fence being approximately 3.5m in height.
- 6.39 It is considered that the proposed bund and fence to create an acoustic barrier would satisfactorily limit the potential for noise disturbance within the proposed residential dwellings such that they would not be likely to be significantly affected. In addition, these proposed mitigation measures would improve the situation for existing residents fronting onto Hayes Lane. No objections to the proposal have been raised by the Council's Environmental Health Officer and it is considered that the proposal will comply with the requirements of the NPPF and with policy DC9. Whilst the proposed bund and fence would be substantial, they would be seen against the backdrop of the existing commercial

development at the Business Park and it is not considered that these features would appear unduly overbearing or oppressive.

Affordable housing provision

- 6.40 Policy CP12 requires that for developments in settlements with a population of less than 3,000, that permission be limited to schemes providing 100% of the units as affordable, unless it can be demonstrated that market housing is required. Whilst the application site lies outside of the built-up area of Slinfold (a settlement with a population of less than 3,000), given the District's lack of a deliverable 5 year supply of housing land it is considered that there is a need for market housing and as such that the principle of both affordable and market housing on this site can be acceptable, given the situation and level of sustainability of the site. In such cases of proposals for more than 5 No. units, the target of 40% of dwellings as affordable, as set out in policy CP12, is applicable.
- 6.41 The application proposes to provide a total of 8 No. units as affordable, comprised of 6 No. 2 bed apartments and 2 No. 2 bed houses, to be split 75% as affordable rent (6 No. 2 bed apartments) and 25% as shared ownership (2 No. 2 bed houses). The affordable housing offer represents 35% of the total number of units to be provided as affordable, which does not meet the target level identified within policy CP12.
- 6.42 The local Action in Rural Sussex Housing Needs Survey of November 2011 identified a total of 22 No. households with a local connection in housing need. Of these households the majority were individuals or couples and the greatest requirement is therefore for 2 No. bed units as these provide some flexibility and allow for some future household growth. The affordable units proposed would therefore reflect the profile of local need established.
- 6.43 The units proposed would be situated to the north of the site and would be accessed by the northern branch of Maydwell Avenue. Whilst all of the affordable units would be situated adjacent to each other, on a site of this scale, this is not unreasonable and allows for ease of maintenance by the Registered Provider. In addition, the units would not appear cut-off from the remainder of the development as the market dwellings on plots No's. 12 to 13 would utilise the same area for their car parking. The external appearance of the proposed dwellings and block of apartments would exhibit similar materials and detailing as the proposed market dwellings and it is considered that these units would not therefore be readily discernible from the remainder of the proposed units.
- 6.44 Whilst the proposal would provide only 35% of dwellings as affordable rather than the target level of 40%, across a development of only 23 No. properties, this equates to a difference of 1 No. property. The proposed development seeks to provide a number of community facility improvements across the adjacent recreation ground (these being discussed further below in paragraphs 6.55 to 6.59) and it is considered that these benefits, together with the provision of 35% of units as affordable, of which 75% would be for affordable rent, is acceptable. The Council's Housing Services Manager is in support of the proposed development and considers that the affordable units provided could be satisfactorily prioritised for those with a local connection to the Parish of Slinfold through a legal agreement.

Highway impacts

- 6.45 The development proposes the northern part of the site (22 No. dwellings) to be accessed from the existing Maydwell Avenue and the southern part of the site (1 No. dwelling and the recreation ground) to be accessed from Cherry Tree Lane. It is proposed to realign the junction of Maydwell Avenue and Hayes Lane such that the junction is moved out in line with the edge of Hayes Lane (outside the application site), it currently sits set back from this edge, and the radius of the junction is to be reduced to 6m in width with dropped kerbs

and tactile crossing points created. The reduction in the width of this junction is appropriate for a residential access, rather than the wider access originally created to serve the Business Park.

- 6.46 Along Maydwell Avenue itself, it is proposed to introduce a narrowed section as a traffic calming measure and to ensure continued accessibility to existing garages and off-street parking situated along here. The existing access track leading to the rear of properties No's. 11 to 20A Hayes Lane would be retained (outside of the application site) and a new 2m wide pedestrian access would be provided to the rear of properties No's. 8 to 10 Hayes Lane. Within this northern part of the site shared surfaces would be created from the end of Maydwell Avenue to provide access to the proposed dwellings.
- 6.47 The access to the southern part of the site would be from Cherry Tree Lane and it is proposed to improve the junction of this private road with Hayes Lane to create a more formal vehicle crossover and to upgrade it to create a 4.1m wide shared surface track to allow for two vehicles to pass each other. Cherry Tree Lane would be constructed with a Cellweb gravel filled surface.
- 6.48 The proposed alterations to both Cherry Tree Lane and Maydwell Avenue would provide adequate visibility splays and accord with Manual for Streets guidance. In addition the internal layout of the site has been designed to accord with the Manual for Streets guidance and is of an appropriate nature given the scale and nature of the proposed development. West Sussex County Council, as Highways Authority, raise no objections to the proposed development in terms of highway capacity or safety and it is considered that the development would accord with the requirements of the NPPF and with policy DC40. It is noted that highway works within the existing highway would need to be secured through a legal agreement under Section 278 of the Town and Country Planning Act with the County Council.
- 6.49 Turning to parking provision, the proposed car park to serve the recreational facilities would provide 25 No. spaces as a replacement for the existing car park, plus an additional 16 No. overflow spaces. Within this car parking area a total of 3 No. spaces would be provided as accessible, which accords with the request of the Council's Access Officer. The parking demand for the proposed residential development has been calculated to be a total of 54 No. spaces. Each of the proposed units would be allocated spaces (1 No. per each apartment and at least 2 No. per each dwellinghouse) plus an additional 7 No. spaces would be provided as unallocated/visitor spaces. The total number of spaces to be provided for the residential part of the development would be 58 No. Cycle parking for the properties will be provided within garages where applicable and within a dedicated cycle store for the apartment block. Dwellings without garages would be able to store cycles in sheds. It is considered that the proposed car and cycle parking arrangements within the site are appropriate and would accord with the requirements of policy DC40.

Ecology

- 6.50 The applicant has submitted an Extended Phase 1 Habitat Survey for the application site, which concluded that either the site was unlikely to provide suitable habitat for, or there were unlikely to be any significant impacts upon, badgers, hedgehogs, breeding birds or Great Crested Newts. Additional survey work was recommended in relation to bats, reptiles and Dormice. These surveys have been carried out and the associated reports submitted.
- 6.51 The Dormice survey concluded that there was no presence of this species across the site. The bat survey indicated that the trees within the site have the potential to provide roosting opportunities for bats, but that it is unlikely that any support maternity roosts. This survey therefore recommends a number of precautionary measures for tree and vegetation removals to ensure that any impacts upon bats are minimised. The reptile survey found a

number of slow worms across the site and that due to the nature of the proposed development these would need to be relocated to a suitable receptor site. The reptile survey recommends that a detailed mitigation strategy for the translocation of the slow worm population to an identified and agreed site should be submitted.

- 6.52 The West Sussex County Ecologist has not raised objection to the proposed development and has advised that suitable conditions could be attached to any permission to ensure that any appropriate mitigation measures are implemented. It is therefore considered that the proposed development would not adversely impact upon the biodiversity value of the site or cause any significant harm to protected or Biodiversity Action Plan species, thereby according with the requirements of policy DC5.

Drainage

- 6.53 The application site lies in 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) and a Drainage Impact Assessment. The FRA states that rainwater harvesting tanks are to be utilised for the proposed dwellings. The submitted information also indicates that storm water runoff from both the residential and recreational elements of the proposed development would be managed and attenuated to restrict flows and volumes in accordance with current design practice standards and Environment Agency recommendations, including an allowance for climate change. In the case of the residential element of the proposal, surface water would be attenuated within 2 No. storage tanks to be located under the site and in the case of the recreation ground, a seasonal pond/attenuation basin is proposed.
- 6.54 No objection to the proposed development has been raised by Southern Water or the Council's Drainage Engineer. It is therefore considered that the proposed development would not cause an increased risk of flooding downstream or that the proposed dwellings would be at risk of flooding. The proposal is therefore considered to comply with the requirements of the NPPF and policy DC7. However, as the Environment Agency have not as yet provided a formal response in relation to this proposal the recommendation set out below is worded to reflect this. Should a response be received prior to the date of Committee any necessary updates will be reported.

S106 obligations

- 6.55 In order to ensure that there is sufficient infrastructure capacity to serve the proposed development there is a requirement for the applicant to enter into a legal agreement under Section 106 of the Town and Country Planning Act. This requirement is set out in policy CP13 and within the adopted SPD on Planning Obligations.
- 6.56 A residential development in this location of this scale and form would require contributions to Horsham District Council totalling £42,713 towards open space, sport and recreation; community centres and halls; and local recycling. However, the proposal seeks to provide an upgraded football pitch, a new tennis pavilion, a refurbished pavilion for the football club, and a relocated car park within the recreation ground and to improve the access to this area. Given the level of works proposed it is considered, with the agreement of the Council's Leisure Services department, that these would off-set the contributions towards open space, sports and recreation and towards community centres and halls and that it would not therefore be appropriate to collect contributions towards these in addition. Therefore, subject to information justifying its necessity to make the development acceptable in planning terms, the applicant would only be required to make a contribution towards local recycling facilities of £3,610, in addition to the works outlined above.

- 6.57 Separately to the above, West Sussex County Council are seeking contributions towards education provision, libraries, fire and rescue services and transport. The provision of the 8 No. affordable units, together with their agreed tenure mix and prioritisation to those in housing need with a connection to Slinfold Parish, will also be ensured through a legal agreement.
- 6.58 It is considered that the above works and contributions are necessary to make the development acceptable in planning terms and that, given the very close proximity of the residential development to the recreation ground, and indeed the loss of the existing football and tennis club car park, would be reasonably related to the proposed development. It is therefore considered that they are compliant with the requirements of the CIL Regulations and accord with policy CP13 and the Planning Obligations SPD.
- 6.59 A legal agreement is therefore required to secure: the provision of the upgraded football pitch; the provision of a new tennis pavilion; improvements to the existing pavilion; the provision of affordable housing; and, the collection of contributions towards infrastructure improvements, to be administered by both Horsham District Council and West Sussex County Council. In addition, the legal agreement shall include the provision of written consent from Horsham District Council, in accordance with clause 2(i) of the 1982 Agreement under Section 52 of the Town and Country Planning Act 1972 that relates to this site, to allow the development. The applicant is aware of these requirements and a draft legal agreement has been received. The recommendation below therefore reflects this position.

Conclusion

- 6.60 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 and the more flexible approach to the implementation of housing policies advocated by the Inspector in the RMC Engineering Works appeal decision, it is considered that the principle of the proposed residential development is acceptable, and that planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 6.61 The site is located such that it is largely enclosed by existing development and it is not considered that the proposed residential development or improvements to the recreation ground would cause any significant impact upon the character or appearance of the surrounding area. It is therefore considered that the proposal accords with these requirements of the NPPF and policies CP1, CP3, DC2, and DC9.
- 6.62 The proposed development would be situated a sufficient distance from existing surrounding residential properties and where, in the case of the dwelling on plot 23 which is to be sited relatively close to the adjacent property at Spinners, any impacts upon nearby residents can be minimised through the imposition of appropriate conditions. It is also considered that the proposed development would provide a satisfactory level of environment for future residents.
- 6.63 The information submitted in relation to ecology and drainage is considered to be satisfactory and these issues can be controlled through conditions. Similarly, there are not considered to be any highway safety or capacity concerns arising from the proposed development and the proposed works to the highway will be controlled through a legal agreement with the County Council.

- 6.64 The affordable housing offer of 35% of units as affordable, split between affordable rent and shared ownership, would help to address an identified local need and whilst this level is lower than the target set out in policy CP12 it is considered acceptable in light of the other community benefits being brought forward by the development and secured through a legal agreement under Section 106 of the Town and Country Planning Act. This legal agreement will ensure the provision of these units, the construction of a new tennis pavilion, improvements to the existing pavilion and to the football pitch and the payment of infrastructure contributions to both Horsham District Council and West Sussex County Council.
- 6.65 As set out above, the proposed development is considered to constitute a sustainable form of development when considered against the advice of the NPPF. The proposed development would assist in addressing an identified need for housing provision and would provide community facility improvements. It is therefore considered that the benefits arising from this proposal are significant and are not outweighed by adverse impacts. Therefore, in accordance with the NPPF planning permission should be granted.

7. RECOMMENDATIONS

- 7.1 That planning permission be delegated for approval to the Development Manager subject to the consideration of any consultation responses received from the Environment Agency and Sport England, the securing of a S106 legal agreement and appropriate conditions.
1. A2 Full Permission
 2. M1 External Materials
 3. The hard and soft landscaping scheme for the development hereby permitted shall be fully implemented in accordance with the approved details, within the first planting season following the commencement of the development. Any plants which within a period of 5 years die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure a satisfactory development in the interests of amenity in accordance with Policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).
 4. All works shall be executed in full accordance with the submitted Arboricultural Impact Assessment.

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).
 5. 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 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).

6. Prior to the commencement of development, details of the phasing strategy for the development hereby permitted shall be submitted to and approved, in writing, by the Local Planning Authority. The submitted strategy shall include: the intended order of phases for each of the elements of the development; details of the alterations to the existing vehicular accesses onto the public highway; details of the internal road layout; and the means of construction access for each phase. The development shall thereafter proceed only in accordance with the approved phasing strategy details.

Reason: To ensure that the development is constructed as approved and in the interests of controlling the impact of the development during construction, in accordance with policies DC9 and DC40 of the Horsham District Local Development Framework: General Development Control Policies (2007).

7. Prior to the commencement of development, including any works of demolition, until a Construction Management Plan has been submitted to and approved, in writing, by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate, but not necessarily be restricted to, the following matters:
 - the anticipated number, frequency and types of vehicles used during construction;
 - the method of access and routing of vehicles during construction;
 - the parking of vehicles by site operatives and visitors;
 - the loading and unloading of plant, materials and waste;
 - the storage of plant and materials used in construction of the development;
 - the erection and maintenance of security hoarding;
 - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
 - measures to control the emission of dust and dirt during demolition and construction,
 - lighting for construction and security;
 - details of public engagement both prior to and during construction works.

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

8. Prior to the commencement of development, revised plans and details incorporating the recommendations given in the Stage 1 Road Safety Audit and accepted in the Designer's Response shall be submitted to and approved, in writing, by the Local Planning Authority in consultation with the Highway Authority. The approved plans and details shall be fully implemented prior to the first occupation of any building hereby permitted and the development retained as such thereafter.

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. The buildings hereby approved shall not be occupied until the car parking and turning facilities have been provided in accordance with the plans hereby approved and the parking and turning facilities shall thereafter be retained solely for that purpose.

Reason: To ensure adequate 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).

10. Prior to the commencement of development, details of the provision of facilities for the secure parking of cycles 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 each dwelling and the facilities so provided shall thereafter be retained solely for that purpose.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with policy DC40 of the Horsham District Local Development Framework: General Development Control Policies (2007).

11. Prior to the commencement of development or preparatory works on-site a detailed reptile mitigation and translocation strategy shall be submitted to and approved, in writing, by the Local Planning Authority. The mitigation and/or translocation shall then be implemented in accordance with the approved details and timing of the works and under the supervision an Ecological Clerk of Works, unless otherwise agreed, in writing, by the Local Planning Authority.

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).

12. Should it be found to be necessary to remove any of the trees identified within the AEW Ltd 'Bat Survey' (12-057-BS) as having 'potential' to support bats then prior to their removal, a suitably licensed bat ecologist shall be engaged to oversee their soft felling at an appropriate time of year.

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) and in accordance with the submitted AEW Ltd Bat Survey.

13. No removal of any tree or shrub shall be carried out on site between March and August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority. Where vegetation must be cleared during this bird breeding season a check for nesting birds by a suitably qualified ecologist will be required to be undertaken no more than seven days before works commence on the removal of that vegetation. Any vegetation found to contain occupied nests shall be protected as advised by the ecologist until the young have fledged.

Reason: To protect breeding birds (Wildlife and Countryside Act 1981) in accordance with the advice of the NPPF and with policy DC5 of the Horsham District Local Development Framework: General Development Control Policies (2007).

14. Prior to the commencement of development details of boundary treatments, with

the exception of the means of enclosure for the tennis court, shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall be implemented in accordance with the approved details and the dwellings shall not 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.

Reason: In the interests of amenity in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

15. Prior to the commencement of any works for the construction of the tennis court, full details of the means of enclosure for this tennis court shall be submitted to and approved, in writing, by the Local Planning Authority. The approved means of enclosure shall be fully erected prior to the first use of the tennis court and shall thereafter be retained and maintained as approved.

Reason: In the interests of amenity in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

16. 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.

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, 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 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.

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

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

18. Prior to the commencement of development full details of the arrangement and acoustic performance of the noise attenuation barrier shall be submitted to and approved, in writing, by the Local Planning Authority. The approved noise attenuation barrier shall be fully installed prior to the first occupation of any of the residential units on plots 1 to 22, and shall thereafter be retained and maintained as approved.

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).

19. Prior to the commencement of development, 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).

20. 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). No dwelling shall be occupied until a Final Code Certificate has been issued for it certifying that at least Code Level 3 has been achieved.

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).

21. Prior to the commencement of development, details to reduce the carbon emissions of the predicted energy use of the dwellings hereby permitted by at least 10% shall be submitted to and approved, in writing, by the Local Planning Authority. The approved details shall be implemented prior to the first occupation of each dwelling.

Reason: In the interests of sustainability and in accordance with policy DC8 of the Horsham District Local Development Framework: General Development Control Policies (2007).

22. No external lighting or floodlighting shall be installed without the prior written approval of the Local Planning Authority. Any that is installed with the permission of the Local Planning Authority shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the locality and future residents and in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

23. Prior to their first occupation, the specified windows within the dwellings identified below shall be glazed in obscured glass and permanently retained in that condition thereafter.
- First floor level windows in the southern elevation of the dwelling on plot 3;
 - First floor level windows in the northern elevation of the dwelling on plot 5;
 - First floor level windows in the eastern elevation of the dwelling on plot 23.

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. O1 Hours of Working
25. O2 No Burning of Materials

26. The development shall be carried out in accordance with the plans and details hereby approved:
- Finalised list of plans and documents to be compiled.

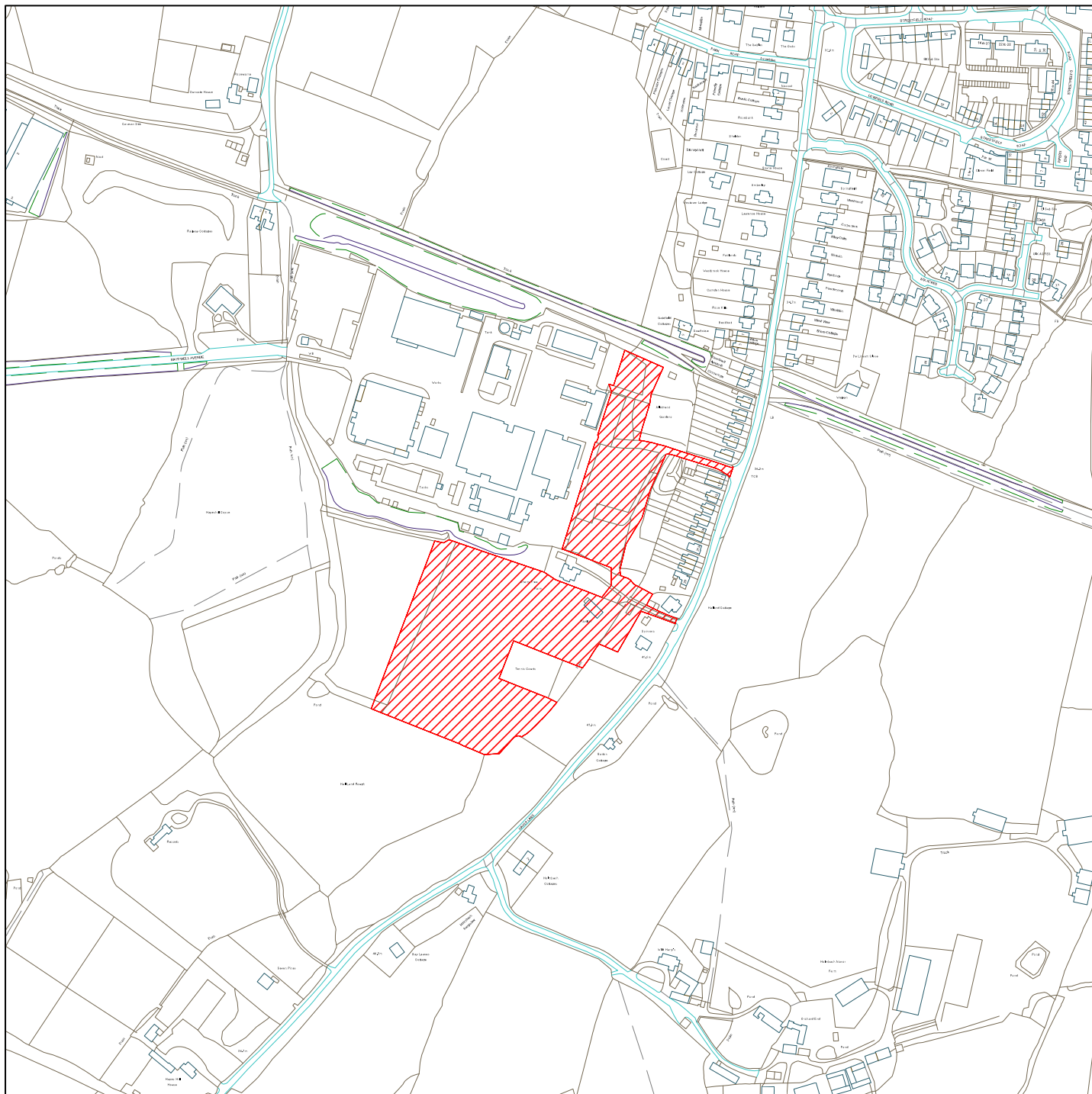
Note to Applicant:

1. The applicant is reminded that the proposals for connection to an existing watercourse would require 'Ordinary Watercourse Consent'.
2. In relation to condition No. 6, it should be noted that the works to the vehicular accesses should be completed prior to occupation of the development.

Background Papers: DC/13/2042

DC/13/2042

Land Rear of 1 To 25 Hayes Lane



Scale : 1:5000

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Organisation	Horsham District Council
Department	
Comments	O/S EXTRACT
Date	02 May 2014
SLA Number	100023865



**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee North

BY: Head of Planning and Environmental Services

DATE: 13th May 2014

DEVELOPMENT: Change of use of land for the stationing of caravans for residential purposes for 4no. additional gypsy pitches (to comprise 4 permanent mobile homes), together with the formation of hardstanding areas and a new access from West Chiltington Lane to serve plots 5 – 9, and stationing of 4 additional touring caravans.

SITE: Greenfield Farm, Valewood Lane, Barns Green, West Sussex

WARD: Itchingfield, Slinfold and Warnham

APPLICATION: DC/13/2457

APPLICANT: Mrs Anita Ray

REASON FOR INCLUSION ON THE AGENDA: Officer referral

RECOMMENDATION: To delegate the decision to the Head of Planning and Environmental Services to await the expiry of the consultation period and thereafter to grant planning permission subject to 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 change of use of the land, which is currently an agricultural field, to provide 4 no. gypsy pitches for residential use, as an extension to the west of the existing gypsy site at Greenfield Farm, which has 5 pitches at present. There would thus be a total of 9 pitches on the property as a whole.
- 1.2 The new pitches would contain permanent mobile homes with hardstanding areas. These plots 6 – 9 , plus plot 5 would be served by a new access point off West Chiltington Lane. Plots 1 – 4 would continue to be accessed via the existing access from Valewood Lane.
- 1.3 In addition there would be a further 4 touring caravans stationed at the easternmost part of the property, in the current caravan storage area adjacent to Valewood Lane.
- 1.4 This application has been submitted following the withdrawal of DC/13/0597. This

proposed using the Valewood Lane access point for all 9 plots and was considered to be unacceptable on highway grounds.

- 1.5 The extended area would have post and rail fencing to its northern boundary, to match that for plots 1 – 5. The western and southern boundaries front onto West Chiltington Lane and Valewood Lane respectively and these are formed by the existing trees/hedgerow. This vegetation is to be retained and strengthened where necessary, with the exception of the new access point.

DESCRIPTION OF THE SITE

- 1.6 Greenfield Farm site is occupied by members of a single gypsy family. The site lies on the north side of Valewood Lane and currently comprises 5 mobile homes and 5 touring caravans. The application site lies to the immediate west of this area, with West Chiltington Lane to the west and Valewood Lane to the south. The site is a field, which has hedges along its road side boundaries and post and rail fencing to the northern boundary. To the north are further fields, owned by the applicant.
- 1.7 Further to the north is Kingfisher Farm, a gypsy site of 11 pitches that was allowed on appeal in 2011.

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
 - Section 12: Conserving and enhancing the historic environment
- 2.3 Planning Policy for Traveller Sites (2012) (PPTS)
- 2.4 The National Planning Practice Guidance (March 2014) (NPPG)

RELEVANT COUNCIL POLICY

- 2.5 Horsham District 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
 - CP15: Rural Strategy
 - CP16: Inclusive Communities
 - CP19: Managing Travel Demand and Widening Choice of Transport

2.6 Horsham District Local Development Framework: General Development Control Policies (2007):

- DC1: Countryside Protection and Enhancement
- DC2: Landscape Character
- DC5: Biodiversity and Geology
- DC9: Development Principles
- DC10: Archaeological Sites and Ancient Monuments
- DC32: Gypsies and Travellers
- DC40: Transport and Access

2.7 The Horsham District Planning Framework (HDPF) Preferred Strategy was approved by Council for consultation on 25th July 2013. The consultation period ran from 16th August to 11th October 2013. This planning application will be considered following this consultation period and therefore the emerging Preferred Strategy is a material consideration with limited weight in the assessment of this planning application. The Proposed Submission document was approved by Council on 30th April 2014 for a 6 week consultation period.

2.8 PLANNING HISTORY

For Greenfield Farm:

I/26/03	Retention of 3 mobile homes and siting of further mobile home and 4 touring caravans and continued use of land for residential purposes	PER
DC/08/0416	Removal of Condition 1 of planning application I/26/03 for retention of 4 mobile homes and 4 touring caravans and continued use of the land for residential purposes	PER
DC/10/0721	Removal of Condition 1 of planning application DC/08/0416 to retain 4 mobile homes and 4 touring caravans with associated works for occupation by a Sussex gypsy family	PER
DC/12/0298	Proposed additional permanent mobile home and one additional touring caravan to existing site	PER
DC/13/0597	Proposed four additional permanent mobile homes and four touring caravans to existing site, on land adjacent to 5 Greenfield Farm	WDN

For Kingfisher Farm:

DC/10/1041	Use of the land for the stationing of caravans for residential purposes for 11no. gypsy pitches together with the formation of an additional hardstanding and utility/day rooms ancillary to that use	ALLOWED ON APPEAL
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3. OUTCOME OF CONSULTATIONS

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

- 3.1 **Environmental Health** – no objection subject to conditions including those relating to the sewage treatment system and hours of work for the implementation of the development.
- 3.2 **Strategic Planning** – no objection. From a strategic perspective, ideally all sites would come forward through a plan led approach, and would accord with the current adopted development plan policy and recent government guidance. Although new policies are emerging through the HDPF, the Council is currently reliant on Policy DC32 as the most up-to-date development plan policy and NPPF policies through the *Planning policy for traveller sites*.

In conclusion, it is considered that the Council cannot currently meet the identified backlog of unmet gypsy and traveller accommodation need or future need in accordance with policy DC32 of the General Development Control Policies and emerging policies in the HDPF. Although the Council is proposing to allocate sites through the Horsham District Planning Framework this is yet to be tested through examination. Overall it is considered that as the proposal is for an extension to an existing site the principle of the proposal is considered acceptable.

- 3.4 **Technical Services (Drainage)** – requires details of the condition and capacity of the existing foul water sewerage system including the dispersal system which should show that the additional flow from the extra vans/occupiers can be accommodated.

OUTSIDE AGENCIES

- 3.3 **Itchingfield Parish Council** - This is a re-application of DC/13/0597. The main difference is the extra access via West Chiltington Lane which has the approval of WSCC Highways Dept. There are no details of how sewage will be treated or mention of the 'day rooms' generally required on traveller sites. The main problem is that any increase on the Rays site which has already been tacitly agreed by HDC providing it is for family members will bring the potential number of gypsy and travellers pitches up to 20 with the potential for at least 2 more on Greenfield Farm and still more on the adjacent Kingfisher Farm site. This is too many for this community. Itchingfield Parish has already got sites, why do we have to have more.
If there is a need for more gypsies to come into the area, why not use plots that are already available. There are vacant pitches on the adjacent Kingfisher Farm site which could be used by the Rays.
For the above reasons Itchingfield Parish Council strongly objects to this planning application.
- 3.4 **WSCC (highways)** – no objection in principle and do not anticipate a significant increase in the number of vehicles using the local highway network as a result of this application. Given the horizontal alignment of the road and the verge width, the visibility available is likely to be sufficient for the speed of traffic using the road. On approval of the access design, no highway objection would be raised.
- 3.5 **Southern Water** - The Environment Agency should be consulted regarding the use of the septic tank. Details of surface water drainage are required. The exact position of the public water main in the immediate vicinity of the site needs to be established before the layout is finalised and the existing infrastructure should be protected during the course of construction works.

- 3.6 **Environment Agency** - Having screened the planning applications with regard to the development type and location of the proposal, the EA have no comments to make.

PUBLIC CONSULTATIONS

- 3.7 **4 letters of objection** have been received on the following grounds:
- conflict with countryside protection policy
 - additional traffic in this rural area and on local highway network
 - drainage problems
 - impact on visual character of the area, out of keeping
 - if permitted would be contrary to the original decision to limit the use of this site to the applicant and her immediate family
 - would encourage more applications
- 3.8 **1 letter of support** has been received.

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

- 4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENT

- 6.1 The key issues for consideration in the determination of this planning application are :
- the principle of the development and policy context
 - sustainability considerations
 - impact on the character and appearance of the surrounding area
 - access, parking and highway safety issues
 - impact on residential amenities
 - flooding and drainage issues

Principle of the development and policy context

- 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 7 of the NPPF sets out that there are three dimensions to sustainable development: economic, social and environmental. 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.
- 6.3 In addition to, and alongside, the NPPF, the Government published specific 'Planning Policy for Traveller Sites' (PPTS) in March 2012. The Government's definition of travellers includes gypsies.

- 6.4 The PPTS sets out the Government's planning policy for traveller sites and identifies that the 'overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.'
- 6.5 Thus, as with housing provision for the settled community, Local Planning Authorities are required to ensure a supply of traveller sites to meet future need.
- 6.6 In this regard, Policy B of the PPTS indicates that Local Planning Authorities should , in producing their Local Plan:
- a) Identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of sites against their locally set targets;
 - b) Identify a supply of specific, developable sites or broad locations for growth, for years six to ten and, where possible, for years 11-15;
 - c) Consider production of joint development plans that set targets on a cross-authority basis, to provide more flexibility in identifying sites, particularly if a local planning authority has special or strict planning constraints across its area (local planning authorities have a duty to cooperate on planning issues that cross administrative boundaries);
 - d) Relate the number of pitches or plots to the circumstances of the specific size and location of the site and the surrounding population's size and density; and
 - e) Protect local amenity and environment.
- 6.7 Policy H of the PPTS sets out the Government's approach to dealing with planning applications for traveller sites. Its starting point is that applications should be determined in accordance with the adopted development plan unless material considerations indicate otherwise, and that such proposals should be assessed and determined in accordance with the presumption in favour of sustainable development.
- 6.8 This policy (at paragraph 22) also identifies a number of issues which should be considered, amongst others, for applications for proposed traveller sites:
- a) the existing level of local provision and need for sites
 - b) the availability (or lack) of alternative accommodation for the applicants
 - c) other personal circumstances of the applicant;
 - d) that the locally specific criteria used to guide the allocation of sites in plans should be used to assess applications that may come forward on unallocated sites
 - e) that they should determine applications for sites from any travellers and not just those with local connections
- 6.9 Turning to adopted policy, the relevant LDF Policy is DC32 from the Horsham District Local Development Framework: General Development Control Policies (2007). This states:
- "Proposals for sites for caravans for gypsies and travellers will be granted planning permission provided that :*
- (a) the Council is satisfied that a need for site provision exists locally and is clearly demonstrated and the proposal represents an adequate way of meeting this established need; and*
 - b) an identified local need cannot be met at any alternative suitable existing site within or outside existing settlements."*

If the need cannot be met at any suitable alternative sites as set out above, the following criteria will apply:

- 1) The site must be reasonably located for schools, shops and other local services and community facilities;*
- 2) a satisfactory means of access can be provided and the existing highway network is adequate to serve the site; and*
- 3) the proposed site accommodates adequate space for parking and turning of vehicles and provides easy access for service and emergency vehicles.*

Occupation of the site will be restricted to gypsies and travellers and may be limited to a temporary period and/or for the benefit of named occupiers. Applicants must comply with other relevant policies, particularly those relating to landscape character and design.”

- 6.10 In accordance with the issue of need and the availability of sites, as required by the PPTS, the Council commissioned a ‘Gypsy/Traveller, Travelling Showpeople Accommodation Needs Assessment’ from WS Planning & Architecture, the December 2012 report of which has been used to inform the draft policies within the Horsham District Planning Framework: Preferred Strategy (HDPF).
- 6.11 Whilst this HDPF is not currently an adopted Development Plan Document (DPD) and can therefore only have limited weight attached, the findings of the ‘Gypsy/Traveller, Travelling Showpeople Accommodation Needs Assessment’ represent the most recent and up-to-date study of existing and likely future need for gypsy and traveller pitch provision across the District.
- 6.12 It should be noted that the Inspector’s decision on the Kingfisher Farm, West Chiltington Lane, Itchingfield appeal (DC/10/1041) makes it clear that the appropriate basis for the assessment of local needs in accordance with policy DC32 is over the entire District and not across smaller or more discrete geographical areas.
- 6.13 The ‘Gypsy/Traveller, Travelling Showpeople Accommodation Needs Assessment’ concluded that there is an existing shortfall of 29 pitches across the District, comprised of existing households seeking permanent site accommodation, overcrowding and concealed households, unauthorised developments and temporary planning permissions.
- 6.14 This Assessment also establishes a projected need for an additional 10 pitches across the District over the five year period to 2017 (five years from the date of the study), based upon expected new family formations over this period. This gives a total requirement of 39 pitches up to 2017.
- 6.15 The Assessment also sets out that there is an anticipated need for a further 39 pitches by 2027. It should be noted that these figures exclude any requirements for both travelling showpeople and new age travellers.
- 6.16 To meet the identified need from the existing backlog and future need up to 2017, policy 20 of the HDPF identifies 5 locations that could be allocated to provide a total of 32 gypsy and traveller pitches and a further 6 pitches are identified on sites that are the subject of current applications for planning permission, or have been granted permission since the study was undertaken in 2012. In addition a recent appeal has been granted on land north of Oldfiled Cottage, Fryern Road, Storrington (DC/12/2345). Therefore, with this appeal decision, should these sites all be allocated through the HDPF process, the Council would be providing for a total of 39 pitches, with no provision for sites beyond 2017.

- 6.17 However, despite the identification of sites for up to 37 pitches through the HDPF, as mentioned above, this is not currently an adopted DPD as it has not been tested through examination, and can only therefore the document and the draft policy can only be given limited weight.
- 6.18 Given this situation, the Council cannot currently meet the identified backlog of unmet gypsy and traveller accommodation needs, or future anticipated needs, and is still some way off being able to allocate sites through the HDPF. In the light of the above identified need and accepted lack of supply of pitches over the next 5 years, it is considered that this current application would satisfy criterion a) of policy DC32 and policy H of the PPTS with regard to need for site provision.
- 6.19 Looking at whether there are suitable alternative sites, the 'Gypsy/Traveller, Travelling Showpeople Accommodation Needs Assessment' identified that of the existing pitches provided within the District there was only 1 vacant pitch and that there was a potential for 1 additional pitch to be vacated in the next five year period. The application seeks the provision of a total of 4 additional pitches at Greenfield Farm and whilst these one or two potential pitches could partially meet the needs of the applicant, this does not overcome the general established need for more sites in the District.
- 6.20 Such a conclusion was reached by the Inspector in paragraph 40 of the decision on the appeal at Land north of 1 Juniper Cottages, Littleworth Lane, Littleworth (DC/12/0551).
- 6.21 Thus in respect of the issues of principle as set out in LDF policy DC32 and policy H of the PPTS, it is considered that there is an identified need in the District for gypsy and traveller sites. This comprises an existing backlog of unmet gypsy and traveller accommodation need of 29 pitches and an anticipated additional need of a further 10 pitches within the period to 2017. An anticipated additional 39 pitches will be required up to 2027. In addition, there are no suitable existing alternative sites in the District. The criteria of policy DC32 and policy H of the PPTS are therefore met in respect of need and actual provision of sites.

Other development management issues

- 6.22 With regard to unallocated sites PPTS requires that such applications should be assessed against the locally specific criteria used to guide the allocation of sites in plans.
- 6.23 Draft policy 22 of the HDPF sets out a number of criteria to be taken into account when determining the allocation of land for gypsies and travellers; however this is currently not an adopted policy. Thus the most appropriate means of assessing the suitability of unallocated sites is contained within current LDF policy DC32 and which are examined in more detail below.

Sustainability Issues

- 6.24 Policy DC32 requires sites for gypsies and travellers to be 'reasonably located for schools, shops and other local services and community facilities'
- 6.25 The site is located in the open countryside and is located 2km approx. from Barns Green village, 3.5km approx. from Billingshurst and 9km approx. from Horsham. Barns Green is a Category 2 settlement as defined by policy CP5 of the Core Strategy which are those settlements with a more limited level of services in comparison with Category 1 settlements. Barns Green contains local facilities including an infant school, village store and public house. The primary school is located in Itchingfield which is some 4.3km away. A greater range of facilities are found at Billingshurst and Horsham.

6.26 Whilst the immediate road network comprises narrow, unlit country lanes and it is likely that the occupants would use the private car for most journeys, such considerations were taken into account with the earlier decisions made regarding this property, in particular DC/08/0416 which allowed for permanent permission for the 4 pitches, when it was acknowledged that the sustainability criterion was met.

6.27 In addition, issues of location and sustainability were considered in the Kingfisher Farm appeal (DC/10/1041). The Inspector concluded at paragraph 27:

'whilst private car use is likely to remain the predominant mode of transport future site occupiers would have a degree of choice. The site is not in a remote or isolated location as some services are quite close at hand. In the context of the provision of gypsy sites the proposed pitches would be reasonably located for schools, shops and other local services and community facilities in line with criterion 1 of Policy DC32.'

And at paragraph 28:

'Issues of sustainability should not only be considered in terms of transport mode and distance from services. A settled base for gypsies would bring about general and wider benefits of easier access to GPs and other health services and allowing any children to attend school on a regular basis. It would also potentially reduce the need for long-distance travel and environmental damage caused by unauthorised encampment.'

6.28 It is therefore considered that the proposed site would be reasonably located and can be considered to be sustainable, thereby meeting the relevant requirements of policy DC32, criterion d) of draft policy 20 of the HDPF and the aims of policy B of the PPTS.

Impact on character and appearance of the surrounding area

6.29 Development Plan Policies require that new development should be of a high standard of design and layout in keeping with the character of nearby developments and the surrounding area – (Policies CP1 – Landscape and Townscape Character, CP3 – Improving the Quality of New Development, DC9 – Development Principles).

6.30 The site lies within a rural area, which is characterised by open countryside with sporadic residential, agricultural and commercial development. The additional units would be read in the context of an extension to the existing gypsy site at Greenfield Farm. In this respect the key issue is how visible the additional units would be from public vantage points and the impact on the rural character of this locality.

6.31 The site is relatively screened from West Chilton Lane and Valewood Lane by the existing trees and hedges that run along the western and southern boundaries of the application site. Views of the site would be obtained through gaps in this vegetation and via the new access that would be inserted into the West Chilton Lane frontage. A landscaping condition would secure the appropriate retention and strengthening of the vegetation.

6.32 Turning to the cumulative impact of the additional units on the character of the area, and in particular whether this would dominate the nearest settled community, this issue was also examined by the Inspector in respect of Kingfisher Farm. In this regard he considered that the addition of 11 pitches *'would not swamp the local community (of Itchingfield) in a social sense because its scale in relation to what already exists could be readily absorbed. Even taking into account of the pitches at Greenfield Farm the proposal would not be disproportionate compared to an existing community of this size. Therefore, even in combination with other pitches, the proposal would not dominate the nearest settled community.'*

- 6.33 It is considered that the impact on the character of the area would be acceptable in the context of the proposed expansion of this site and would be in compliance with the aims of policy DC9.

Access, parking and highway safety issues

- 6.33 The earlier application DC/13/0597 was withdrawn following concerns about the additional use of the existing Valewood Lane access for all pitches, given the limited level of visibility. Following pre-application discussions with officers and WSCC highways, this current proposal would see the creation of a 2nd access point to serve the property. This one would be taken from West Chiltington Lane, and would provide access for existing plot 5 and the 4 new plots. The other existing pitches (plots 1- 4) would continue to use the Valewood Lane access.
- 6.32 WSCC do not object to the development, given the horizontal alignment of the road, the width of the verge and the set back of the hedge line, subject to a detailed design for the new access point.
- 6.33 Parking would be available on the site, with a hardstanding area set to the front of each pitch. This arrangement is the same as for the existing pitches.
- 6.34 It is considered that the scheme would meet the criteria of policies DC 9 and DC40 in respect of highways, access and parking.

Impact on residential amenities

- 6.34 The nearest residential properties to the application site are those of Pear Tree Farm, Hill Brow and the pitches at Kingfisher Farm in West Chiltington Lane and 1 – 4 Valewood Close and Fairlands Farm in Valewood Lane. None of these properties immediately abut the site and/or are separated from the site by the intervening highway.
- 6.35 It is considered that in view of the distances and the context of the relationship of the site with these nearby properties that issues of privacy or disturbance would be limited and that there would be no material loss of amenity. The proposal would therefore not conflict with policy DC9 in this respect.

Flooding and drainage issues

- 6.35 The application proposes a separate septic tank to serve the new pitches, in addition to the existing system which serves the current pitches.
- 6.36 The site lies in Flood Zone 1, as identified by the Environment Agency's flood map and so is therefore considered to be at a low risk from flooding. As the site lies entirely within Flood Zone 1 it complies with the Council Strategic Flood Risk Assessment.
- .
- 6.34 The Technical Guidance to the National Planning Policy Framework classifies caravans, mobile homes and park homes for intended permanent residential use as falling within the 'highly vulnerable' category and that applications for the change of use of land for the stationing of such facilities will need to satisfy the Sequential and Exception tests as applicable. The NPPF outlines the Sequential Test as aiming to steer new development to areas with the lowest probability of flooding. As stated above, the proposed development would be situated within Flood Zone 1, an area with a low probability of flooding and an

area where, as identified by Table 3 of the Technical Guidance, 'highly vulnerable' uses are appropriate. It is therefore considered that the proposal would meet the requirements of the Sequential Test, the Exception Test would not therefore be required and the development would not be at risk from flooding, in accordance with policy DC7.

- 6.35 Concern has been raised that the proposed development would result in additional surface water run-off leaving the site and causing problems of flooding in the vicinity and along West Chiltington Lane and Valewood Lane. The existing site contains a degree of hard surfacing and although it is proposed to increase this, the use of permeable surfaces can be ensured through a condition. This will ensure that the run-off rate from the proposed development is minimised.
- 6.36 There is sufficient space within the site and within the control of the applicant that foul and surface water flooding can be satisfactorily accommodated and controlled through appropriate conditions. It is therefore considered that the proposed development can be adequately controlled to ensure compliance with policy DC7.

Other matters

Personal circumstances

- 6.3 The application has been submitted by the applicant on the basis that the new pitches would be for the family of the existing residents at Greenfield Farm. However, policy H of the PPTS states that applications should be determined from all applicants, and not just those with local connections. It is considered that this is a clear indication within Government policy that the issue of whether applicants for gypsy and traveller pitches have a connection with the local area in which the application is made, can no longer be taken as material in the determination of such proposals. Policy H does however, refer to the personal circumstances of the applicant and the permission relating to the existing pitches limits the use to personal to Mrs Anita Ray (the applicant) and her immediate family.

Conclusion

- 6.37 Taking all the issues into account, it is considered that the undisputed need for additional gypsy and traveller pitches in the District and the lack of a five year supply of sites is a material consideration of significant weight. The site is an extension to the existing approved pitches at Greenfield Farm, where it has previously been considered that the site was sustainable in the wider sense. In addition the Inspector in the case of the nearby Kingfisher Farm appeal considered that the wider facets of sustainability were met with gypsy development in this location. In addition it is considered that the proposal would not cause harm to the landscape character of the surrounding area or raise other issues that would warrant refusal on that basis, it is not considered that the weight to be attributed to this need should be diminished. Therefore it is concluded that the overall merits of the proposal are such that the application should be permitted.

7. RECOMMENDATIONS

- 7.1 It is recommended that the decision be delegated to await the expiry of the consultation period and that thereafter planning permission is granted subject to the following conditions:
 - 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. This permission does not authorise use of the land as a caravan site by any persons other than Gypsies and Travellers, as defined in Annex 1 of Planning Policy for Traveller Sites (Department for Communities and Local Government 2012).

Reason: Due to the special circumstances of the case and in accordance with DC32 of the Horsham District Local Development Framework: General Development Control Policies (2007).

3. No more than 8 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (or any Act revoking or re-enacting these Acts), of which no more than 4 shall be a static caravan or mobile home, shall be stationed on the site at any time.

Reason: To avoid an overcrowded appearance and to secure satisfactory standards of space and amenity in accordance with DC1 of the Horsham District Local Development Framework: General Development Control Policies (2007).

4. The caravans hereby approved shall be sited in accordance with the submitted site plan, drawing AR 513/1.

Reason: To ensure a satisfactory disposition and grouping of the caravans, in the interests of the appearance of the area, and to accord with policy DC1 of the Horsham District Local Development Framework: General Development Control Policies (2007).

5. The touring caravans hereby approved shall not be occupied by any person at any time whilst on the application site.

Reason: To ensure the development remains of a scale appropriate to its countryside location, in accordance with policy DC1 of the Horsham District Local Development Framework: General Development Control Policies (2007)

6. No industrial, commercial or business activity of any description shall be carried on from the site, including the storage of materials.

Reason: In the interests of the character and amenity of the locality and in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

7. No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.

Reason: In the interests of the character and amenity of the locality and in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

8. No external lighting fixtures shall be erected or placed on the land, without the prior written approval of the Local Planning Authority.

Reason: In the interests of the character and amenity of the locality and in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

9. 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 additional gates, fences, walls, or other means of enclosure shall be erected or constructed on the site unless prior written permission has been granted by the Local Planning Authority.

Reason: In the interests of the character and amenity of the locality and in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

10. The additional caravans hereby approved shall not be brought onto site until details of foul and surface water drainage to serve the increased number of caravans have been submitted to and approved by the Local Planning Authority in writing, and the approved systems shall be implemented prior to occupation of the additional caravans and maintained in accordance with the approved details thereafter.

Reason: In the interests of the amenity in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

11. No works or development shall take place until full details of all hard and soft landscaping works, including fences or any other means of enclosure, have been approved in writing by the Local Planning Authority. All such works shall be carried out in accordance with the approved details. Any plants which within a period of 5 years from the time of planting die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development and in the interests of amenity in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

12. No work for the implementation of the development hereby permitted shall be undertaken on the site except between the hours of 08.00 and 18.00 on Mondays to Fridays inclusive and 08.00 hours and 13.00 hours on Saturdays, and no work shall be undertaken on Sundays, Bank and Public Holidays unless otherwise agreed in writing by the Local Planning Authority. No deliveries shall be received outside the above hours.

Reason: To safeguard the amenities of nearby residents in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

13. No burning of materials shall take place on the site

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

14. No development shall commence until the vehicular access serving the proposed use has been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety.

15. No part of the development shall be first occupied until provision has been made within the site in accordance with plans and details to be submitted to and approved by the Local Planning Authority to prevent surface water draining onto the public highway.

Reason: In the interests of road safety.

16. No part of the development shall be first occupied until visibility splays of 2.4 metres by 210 metres have been provided at the proposed site vehicular access onto West Chiltington Lane in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety.

17. No development shall take place until details of storage provision for refuse and recycling have been submitted to and approved, in writing, by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the occupation of the pitches.

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

18. No development shall take place until a plan is submitted to and approved by the Local Planning Authority showing the accurate position of the public water distribution main in the immediate vicinity of the site in relation to the site layout. All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works. No excavation, mounding or tree planting should be carried out within 3 metres of the public water main. The development shall be completed in accordance with the approved details.

Reason : to safeguard the public water mean in the vicinity of the site in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

Note to Applicant:

The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this.

Note to Applicant:

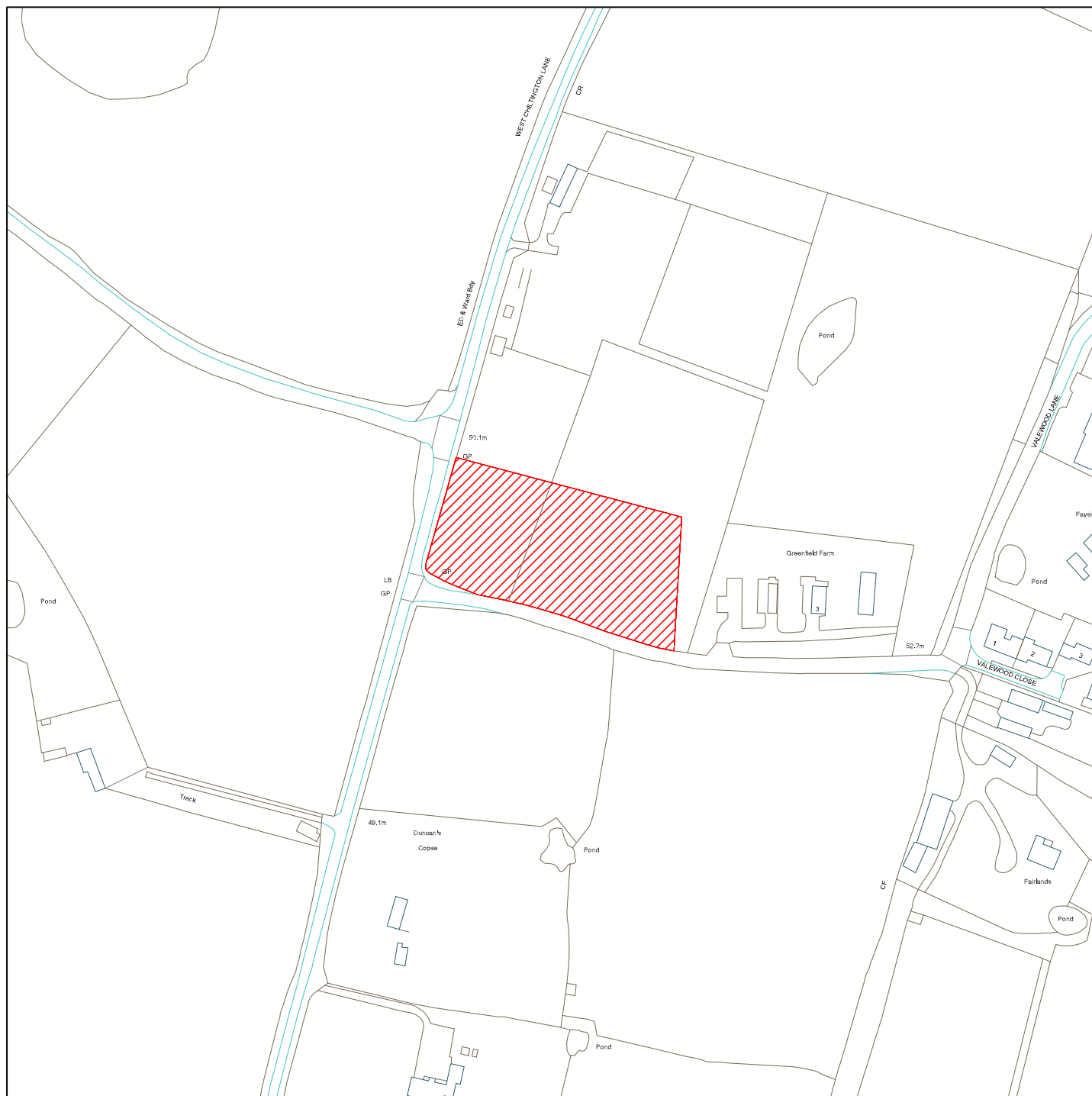
The applicant is advised to contact the Environment Agency direct regarding the use of a septic tank drainage which disposes of effluent to sub-soil irrigation. The owner of the septic tank will need to maintain the septic tank to ensure its long term effectiveness.

Note to Applicant:

The site licence will need to be amended to include the new caravans.

DC/13/2457

Greenfield Farm



Scale : 1:2500

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Organisation	Horsham District Council
Department	
Comments	O/S EXTRACT
Date	02 May 2014
SLA Number	100023865



**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee North

BY: Head of Planning and Environmental Services

DATE: 13th May 2014

DEVELOPMENT: Proposed change of use from rifle range to Gymnasium (Class D2) and associated external works including new entrance lobby, new fire escape door, new windows, three No. Glazed roof lights and 3 No. Wall mounted external air conditioners.

SITE: The Holbrook Club North Heath Lane Horsham West Sussex

WARD: Holbrook East

APPLICATION: DC/14/0270

APPLICANT: Mr Paul Felgate

REASON FOR INCLUSION ON THE AGENDA:

RECOMMENDATION: To Grant Planning Permission

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application proposes the change of use of the existing rifle range to Gymnasium (Class D2) together with associated external works to include a new entrance lobby, new fire escape door on the northern elevation, new windows on the front elevation, with three glazed roof lights and 3 wall mounted external air conditioning units on the rear elevation.
- 1.2 The extension and internal alterations to the existing building would provide; An Entrance Lobby, Treatment Room, Consultation Area, Cardio and Resistant Machines and a Free Weight Zone
- 1.3 The application also indicates in the Design and Access Statement submitted with the application, that two parking spaces would be lost although these would not be disabled bays. Currently the site provides 92 individual parking spaces including two disabled bays. Further spaces could be provided by using the verge area within the car park. However, this would be considered engineering works which would require the submission of a separate application in that respect.

DESCRIPTION OF THE SITE

- 1.4 The Holbrook Club is located on the east side of North Heath lane in the built up area of Horsham. The site comprises a number of buildings in association with its leisure use and also provides; fitness classes, racket and other sports as well as business and event venue spaces.
- 1.5 The application refers to the building to the north of the main clubhouse building itself. It is a long narrow flat roof building currently located to the north of the main building. To the front of the building is a car parking area and there are a number of trees along the road frontage. The area is predominantly residential; however here is an industrial estate on the opposite side of the road to the west.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 National Planning Policy Framework –

Para 14 - The presumption in favour of sustainable development

Para 7 - Requiring good design

National Planning Policy Guidance – Open space, sports and recreation facilities, public rights of way, and local green spaces

RELEVANT COUNCIL POLICY

- 2.3 The following policies of the Horsham District Council Local Development Framework Core Strategy are relevant in the assessment of this application: CP1 – Landscape and Townscape Character; CP2 Environmental Quality; CP3 – Improving the Quality of New Development; CP13 – Infrastructure Requirements; CP14 – Protection and Enhancement of Community Facilities and Services and CP9 – Managing Travel demand and widening the choice of transport.
- 2.4 The following policies of the Horsham District Council Local Development Framework General Development Control Policies are relevant to this application: DC9 – Development Principles, DC21 – Protection of existing open space, sport and recreation facilities. DC22 – New open space, sport and recreation and DC40 access.

PLANNING HISTORY

There is extensive history for the site but more recently are the following applications

NH/222/02	Extension to fitness gymnasium building Site: Sunallon (Horsham) Club North Heath Lane Horsham	PER
DC/08/0734	Formation of new football ground with associated development including creation of car parking, hard surfacing, erection of stands, entrance and toilet block and floodlighting, ground levelling and re-arrangement of tennis courts and part interior of existing sports hall with access via existing entrance off North Heath Lane	REF
DC/09/1292	Renewal of existing tennis courts surround fencing and installation of underground floodlight ducting and sockets for floodlight columns	PER
DC/10/1728	Erection of free standing hoarding (Advertisement Consent)	WDN
DC/13/2346	Erection of 3 No. 8m high floodlight masts and 3 No. 6m high wall mounted floodlights	PCO
DC/14/0394	Proposed change of playing surface on tennis courts 1 and 2 from standard Tarmacadam to artificial grass and the subsequent change of use from exclusively tennis courts to multi-use games areas	PCO

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

Public Health and Licensing – will be reported at the Committee

OUTSIDE AGENCIES

West Sussex County Council – no concerns would be raised from a highway point of view

PUBLIC CONSULTATIONS

North Horsham Parish Council – No objection

Neighbouring occupiers

Members of the rifle club

16 letters received objecting

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 development

- 6.1 The application site is located within the built-up-area of Horsham. The site is located within a sustainable location. One of the core principles of the NPPF is to 'take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services, to meet local needs. In addition Section 8 of the NPPF seeks to 'deliver social, recreational facilities and service the community needs'. Although a gym is not strictly a community use, it would provide a valuable service for adults, children and families, in a sustainable location.
- 6.2 Policy CP14 is supportive of developments which enhance/upgrade community facilities, and with regard to the provision of sport and recreation facilities states that these should be approved provided the development is in keeping with the character and amenity of the area and is located within reach of residential communities. In this case the change of use of the existing leisure building (with limited community use) to provide a Gymnasium, that would have a broader community interest and located within a settlement is therefore considered acceptable.
- 6.3 A number of objections have been received relating to the loss of the rifle club. The concerns go on to state that an alternative will be hard to find and the creation of a new range would be expensive. The loss of the rifle range is not a material planning consideration. An application for a change of use has been submitted and it needs to be determined on its planning merits.
- 6.4 As the site is within a sustainable location, within walking distance from the centre of Horsham and well served by public transport, the principle of the development is considered to accord with the relevant sections of the National Planning Policy Framework and Policies CP14 and CP16 of the Core Strategy (2007).

Impact on character of the Area

- 6.5 LDF General Development Control Policy DC9 states that the development will only be approved if it has an acceptable design and does not have a detrimental impact on the character of the area.
- 6.6 The proposed extension is to be formed on the western side of the existing building to create a lobby, together with alterations to the western elevation to create 5no full height windows. The lobby extension to provide enhanced facilities and space is relatively minor and would not have a significant detrimental impact on the character of the area. The development would also be well set back from the public realm to the west. It is considered that the extension and alterations would be subservient to the host building and would assimilate well into the existing building and the character of the area.
- 6.7 As the design of the extensions are considered acceptable, this element of the development is considered to accord with Policies CP3 of the Core Strategy (2007) and DC9 of the LFD General Development Control Policies.

Impact on residential amenity

- 6.8 LDF General Development Control Policy DC9 states that; planning permission will be approved if it does not have a detrimental impact on the amenity of the neighbouring residents in terms of noise, privacy and overbearing impact. This policy is also used to assess the impacts on the future residents within the proposed development. Furthermore, paragraph 123 of the NPPF states that development should not have a significant impact upon the health and quality of life, and should specifically avoid noise conflict.
- 6.9 It is not anticipated that the change of use or the modest extension, would have an adverse impact upon the amenity of any residents as the leisure facility is already well established and is within an existing complex of recreation/community. The site currently houses other similar developments, including open space, pitches and tennis courts. The change of use would not significantly intensify this use so would not have an adverse impact on the amenity of the neighbouring residents.
- 6.10 The proposal also includes air conditioning units that would be located along the rear (eastern) elevation of the building and would be screened from any views by the clubs timber store rooms and are located a sufficient distance from the neighbouring residents as to not create a significant amenity issue.
- 6.11 It is therefore considered that based on the information provided, the proposed development would not have a significant detriment impact on the amenity and privacy of the neighbouring properties. It is therefore considered that the proposed development accords with Policy DC9 of the General Development Control Policies and the NPPF

Access Traffic and Parking

- 6.12 LDF General Development Control Policy (2007) DC9 states that development should provide adequate access and parking and should not result in a generation of traffic that would have an adverse impact on the surrounding highway network
- 6.13 The site is located within a sustainable location within walking distance of public car parks and has close links to the public transport network. The enlargement of the gym facilities at the site would not be anticipated to generate an increase in vehicle numbers with respect to the existing use by members of the rifle club. The site currently has 92no parking spaces two of which are disabled parking bays. The proposed lobby extension would result in the loss of two of these existing spaces. However, consideration has been given to increasing the parking provision within the site by converting the verge within the car park. However, this would be considered an engineering works requiring planning permission and therefore the submission of a separate application in that respect would be required.
- 6.14 Overall, it is considered that the proposed development would not have a significant detrimental impact on the highway network. No objections have been received from WSCC Highways Authority. It is therefore considered that the proposed development would accord with Policy DC9 and DC40 of the LDF General Development Control Policies.

Conclusion

- 6.15 Overall the improvements of the sports facilities within communities are to be supported and the development will enhance the existing facilities for the benefit of the wider community. The site is an existing recreational facility and the use of the site as a sports centre is well established and located in an area accessible for the existing settlement, and will have no adverse impacts on neighbouring properties or the surrounding land uses.
- 6.16 It is noted that there have been a number of objections received from members of the rifle club relating to the loss of the rifle club/facilities. However, whilst the comments of the rifle club members have been noted, the issues raised are not planning considerations and should be dealt with by the clubs internal formal process' which includes making written objections/concerns/requests to The Holbrook Club Executives Committee. It is understood that the members have been given ample notice of the proposed development, from the Holbrook Club Committed since August 2013.

7. RECOMMENDATIONS

7.1 Permit

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 County Planning Act 1990

- 2 The Premises shall not be open for trade or business except between the hours of 06:00 and 22.00 Monday to Friday inclusive, Saturdays 07:00 to 21:00 and Sundays 09:00 to 21:00. Outside of these hours there shall be no external illumination or operation of air conditioning units at the premises.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007)

- 3 All external windows and doors shall be kept closed whilst amplified sound equipment is in operation

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007)

- 4 No development shall be commenced until there has been submitted to and approved in writing by the Local Planning Authority a plan showing the layout of the proposed development and the provision of car parking spaces to serve the development. The areas of land so provided shall not thereafter be used for any other purpose other than the parking of vehicles

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of all highways in accordance with Policy DC40 of the Horsham District Local Development Framework: General Development Control Policies (2007)

Background Papers: DC/14/0270

Case Officer: Pauline Ollive

DC/14/0270

The Holbrook Club



Scale : 1:1250

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Organisation	Horsham District Council
Department	
Comments	O/S EXTRACT
Date	02 May 2014
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