Development Control (North) Committee
TUESDAY 21ST JANUARY 2014 AT 5.30p.m.
COUNCIL CHAMBER, PARK NORTH, NORTH STREET, HORSHAM

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

You are summoned to the meeting to transact the following business

Tom Crowley
Chief Executive

AGENDA

1. Apologies for absence

2. 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

3. To receive any announcements from the Chairman of the Committee or the Chief Executive

4. To consider the reports of the Head of Planning & Environmental Services on the following applications and to take such action thereon as may be necessary:

Continued/…
<table>
<thead>
<tr>
<th>Item No.</th>
<th>Ward</th>
<th>Reference Number</th>
<th>Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1</td>
<td>Broadbridge Heath</td>
<td>DC/13/1690</td>
<td>Land South of Broadbridge Heath, Old Wickhurst Lane, Broadbridge Heath</td>
</tr>
<tr>
<td>A2</td>
<td>Denne</td>
<td>DC/13/1976</td>
<td>Land East of A24, Worthing Road, Horsham</td>
</tr>
<tr>
<td>A3</td>
<td>Denne</td>
<td>DC/13/1599</td>
<td>Horsham Bowling Club, Bishopric, Horsham</td>
</tr>
</tbody>
</table>

5. 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.
TO: Development Management Committee

BY: Head of Planning and Environmental Services

DATE: 21 January 2014

DEVELOPMENT: Development of 136 residential units, including 27 affordable (20%), the creation of public and private amenity space, incidental open space, internal circulation routes, landscaping and associated works pursuant to outline application DC/09/2101 (Approval of Reserved Matters)

SITE: Land South of Broadbridge Heath Old Wickhurst Lane Broadbridge Heath West Sussex

WARD: Broadbridge Heath

APPLICATION: DC/13/1690

APPLICANT: Countryside Properties

REASON FOR INCLUSION ON THE AGENDA: Category of Development

RECOMMENDATION: It is recommended that Planning Permission be delegated for approval to the Head of Planning and Environmental Services, subject to resolution of the drainage strategy and further re-consultation with the Council’s Drainage Engineer, Southern Water and the Environment Agency, and the following conditions and informatives (and any conditions which may arise during the delegation period)

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.1 In October 2011 Outline Planning Permission was granted for the development of 57 hectares of land to the South of Broadbridge Heath which forms part of the strategic development of land as set out in the Horsham District Council: Land West of Horsham Masterplan. The Outline permission is for a development of 963 residential units, community facilities including land for a primary school, neighbourhood centre, youth and recreational facilities, formal and informal open space, landscaping and environmental works, transport and access arrangements, new east-west link road, improvements to Five Oaks roundabout, re-alignment and partial closure of existing A264 Broadbridge Heath bypass and other ancillary works (application DC/09/2101). The scheme is intended to be delivered over an approximate 7 year period with an indicative completion in 2019-2020.
1.2 The current application seeks Reserved Matters approval for the fifth residential phase of this wider development and comprises 136 residential units (118 dwellings, 18 apartments) including 27 affordable units, internal circulation routes, landscaping and associated works.

1.3 The application seeks approval for all matters, these being access, appearance, landscaping, layout and scale and is supported by the following technical documents:

- Design and Access Statement
- Planning Statement and Statement of Conformity to Masterplan
- Affordable Housing Statement
- Sustainability and Renewable Energy Statement
- Ecology Report
- Supplement Construction Environmental Management Plan
- Noise Assessment
- Landscape Strategy
- Tree Protection Plan

1.4 Detailed plans and elevations have been submitted to illustrate the proposed site layout, streetscene and floorplans of the dwellings and flats, together with access and parking arrangements. In total, 299 car parking spaces are proposed (including 72 garages) with 271 allocated car parking spaces and 28 visitor parking spaces. Parking provision will be in small parking courts for the apartments and some of the terraced dwellings, and on curtilage for the larger detached and semi-detached dwellings within garages or carports. The application also includes indicative details of hard and soft landscaping, together with the provision for refuse and recycling storage.

1.5 The residential element of the application includes the following housing mix:

<table>
<thead>
<tr>
<th>Private Units</th>
<th>Affordable Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>28 x 2 bed houses</td>
<td>9 x 1 bed apartments</td>
</tr>
<tr>
<td>69 x 3 bed houses</td>
<td>9 x 2 bed apartments</td>
</tr>
<tr>
<td>5 x 4 bed houses</td>
<td>5 x 2 bed houses</td>
</tr>
<tr>
<td>7 x 5 bed houses</td>
<td>3 x 3 bed houses</td>
</tr>
<tr>
<td>2 x FOGs</td>
<td>2 x FOGs</td>
</tr>
<tr>
<td><strong>Total: 109</strong></td>
<td><strong>Total: 27</strong></td>
</tr>
</tbody>
</table>

1.6 The scheme comprises 2 to 5 bed houses and a mix of terraced, semi-detached and detached dwellings, in addition to two apartment blocks of 1 and 2 bed apartments and 8 FOGs (flat over garage). As with earlier Countryside Properties phases of the wider Masterplan, Moat Housing is the intended partner for the delivery of the 27 affordable units. The proposed tenure mix for the affordable units is 67% social rented and 33% shared ownership:

<table>
<thead>
<tr>
<th>Affordable Rent</th>
<th>Shared Ownership</th>
</tr>
</thead>
<tbody>
<tr>
<td>9 x 1 bed apartments</td>
<td>5 x 2 bed houses</td>
</tr>
<tr>
<td>9 x 2 bed apartments</td>
<td>2 x 3 bed houses</td>
</tr>
<tr>
<td></td>
<td>2 x 2 bed FOGs</td>
</tr>
<tr>
<td><strong>Total: 18</strong></td>
<td><strong>Total: 9</strong></td>
</tr>
</tbody>
</table>

1.7 This phase of the Land South of Broadbridge Heath development will provide a small element of public open space within the application boundary and includes street landscaping. The LEAP (locally equipped area of play) within the northern portion of the site and areas of informal recreation and open space immediately to the west of the site will be brought forward as part of the approved second phase infrastructure application.
DC/12/1255. The proposed sports pitches and Broadbridge Heath Leisure Centre extension to the east of the site, including the landscape buffer contiguous with the eastern site boundary, will be brought forward as a separate planning application.

1.8 The internal circulation routes will comprise a Secondary Street that will link up with the Bovis Homes development parcel to the northwest for 320 units and an undeveloped residential parcel to the west, together with Community Streets and Green Lanes. The Secondary Street will cross Old Wickhurst Lane, which sub-divides the site into two. The Secondary Street and two of the Community Streets are proposed to be formally adopted by West Sussex County Highways.

1.9 The application before Members follows negotiation and consultation to secure the following amendments to the scheme:
- amendment to the parking layout to plots 53-55;
- increase in the garden size of plot 55 and the removal of one unit from the scheme, resulting in 136 residential units;
- re-orientation of plot 47 to create a more active frontage onto the secondary street;
- differentiation in the design approach from phase 1 with some alternative elevational treatments (to include render and greater use of horizontal timber cladding);
- an additional pedestrian access in the northeast corner of the site through to the proposed sports pitches to the east;
- amendments to the road layout to include Old Wickhurst Lane and to the design of the south and north vehicular crossing points of the secondary street at the junction of Old Wickhurst Lane;
- amendments to the design of apartment blocks 31-39 and 69-77 to incorporate local vernacular;
- the provision of 18 additional visitor parking bays and an overall increase in parking provision of 299 spaces.

DESCRIPTION OF THE SITE

1.10 The strategic allocation of land south of Broadbridge Heath comprises an area of approximately 57ha located to the west of the A24 bounded by the A264 to the northwest, the River Arun to the southwest and High Wood Hill to the southeast. The balance of the strategic allocation of Land West of Horsham is to the east of the A24 and is currently under construction by Berkeley Homes (Southern) Ltd.

1.11 The site the subject of this application is located in the southeast corner of the South Broadbridge Heath Masterplan and covers an area of 3.85 hectares. The site and surrounding area is undulating and is sub-divided by Old Wickhurst Lane and surrounding landscape. For the purposes of this application, Old Wickhurst Lane is included within the application boundary.

1.12 The southern boundary of the site abuts the new East-West Link road, which forms part of the infrastructure currently being delivered. Further to the south is the Highwood Hill Site of Nature Conservation Interest (SNCI). The eastern boundary abuts former agricultural land that will accommodate proposed sports pitches and the planned Broadbridge Heath Leisure Centre Extension Site as defined within the principal S106 Agreement. To the west is an undeveloped parcel of residential land and areas of public open space secured as part of the second phase infrastructure. To the northwest of the site is the Bovis Homes development parcel currently under construction for 320 dwellings. The site abuts two dwellings in private ownership that are excluded from the red edge and do not form part of the wider Masterplan: Wickhurst and Hares Hill. A number of farm buildings located to the south and west of Hares Hill are to be demolished as part of the proposal. The site is
located outside the River Arun floodplain as defined by the Horsham District Strategic Flood Risk Assessment.

2. **INTRODUCTION**

**STATUTORY BACKGROUND**


**RELEVANT GOVERNMENT POLICY**

2.2 National policy can be found in the National Planning Policy Framework (NPPF) published March 2012.

   - Section 4: Promoting sustainable transport
   - Section 6: Delivering a wide choice of high quality homes
   - Section 7: Requiring good design
   - Section 10: Meeting the challenge of climate change, flooding and coastal change
   - Section 11: Conserving and enhancing the natural environment
   - Section 12: Conserving and enhancing the historic environment

**RELEVANT COUNCIL POLICY**

2.3 The following Development Plan Documents (DPDs) form part of the Development Plan and are relevant to the determination of the application, the Adopted Core Strategy DPD (2007), General Development Control Policies DPD (2007) and the Adopted Proposals Map (2007).

   - **Local Development Framework: Core Strategy (2007)**
     - 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
     - CP7 – Strategic Allocation – West of Horsham
     - CP12 – Meeting Housing Need
     - CP13 – Infrastructure Requirements
     - CP19 – Managing Travel Demand and Widening Choice

   - **Local Development Framework: General Development Control Policies (2007)**
     - DC1 – Countryside Protection and Enhancement
     - DC2 – Landscape Character
     - DC5 – Biodiversity and Geology
     - DC6 – Woodland and Trees
     - DC8 – Renewable Energy and Climate Change
     - DC9 – Development Principles
     - DC10 – Archaeological Sites and Ancient Monuments
     - DC18 – Smaller Homes / Housing Mix
     - DC40 – Transport and Access

2.4 Policy CP7 of the Core Strategy outlines the key principles for the development of Land West of Horsham. Specific guidance on the ‘visions’ for the development is provided in the Land West of Horsham Masterplan Supplementary Planning Document SPD (2008) and the Land West of Horsham Design Principles and Character Areas SPD (2009) which provides guidance on design matters for developers and others preparing planning applications and for those considering applications.
2.5 The Horsham District Planning Framework (HDPF) Preferred Strategy was approved by Council for consultation on 25th July 2013. The consultation period ended on 11th October 2013 and a summary of the responses received was considered by Council at its meeting on 11th December 2013 for information. The next stage in the plan preparation, the Proposed Submission, is due to be considered by Council in April 2014. Until this time, the Preferred Strategy is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the National Planning Policy Framework, which confirms that weight can be given to policies in emerging plans following publication.

### PLANNING HISTORY

<table>
<thead>
<tr>
<th>Ref</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>DC/09/2101</td>
<td>Erection of 963 residential units, community facility including land for a primary school, neighbourhood centre, youth and recreational facilities, other formal and informal open space, landscaping and environmental works, transport and access arrangements, new east-west link road, improvements to Five-Oaks roundabout, realignment and partial closure of existing A264 Broadbridge Heath by-pass and other ancillary works (Outline)</td>
</tr>
<tr>
<td>DC/11/0079</td>
<td>Application to construct 3 No. ponds for Great Crested Newt habitat, a bat house and a reptile site in connection with application DC/09/2101</td>
</tr>
<tr>
<td>DC/11/2059</td>
<td>Details of the first phase infrastructure works pursuant to outline DC/09/2101, comprising details of new roundabout on Five Oaks Road, western part of the 40mph dual carriageway from Five Oaks Road to the new A24 junction, on site development roads to serve the first residential phases, Pegasus crossing and pedestrian/cycle crossings, new access to Newbridge Nurseries, access to Heath Barn Farm site, bus stops, foul pumping station and surface water drainage (Approval of Reserved Matters)</td>
</tr>
<tr>
<td>DC/11/2074</td>
<td>Development of 105 residential units, including 21 affordable housing units, open space, internal circulation routes, landscaping and associated works pursuant to outline permission DC/09/2101 (Approval of Reserved Matters)</td>
</tr>
<tr>
<td>DC/11/2561</td>
<td>Removal of Condition 7 (European Protected Species Licence) of DC/11/0079 (Construction of 3 No. ponds for Great Crested Newt habitat, a bat house and a reptile site)</td>
</tr>
<tr>
<td>DC/12/0814</td>
<td>Part A - Reserved Matters approval for residential development of 135 houses (consisting of 33 x 2-bed, 34 x 3-bed and 68 x 4-bed) and landscaping and: Part B - temporary approval for sales and marketing suite comprising plots 1, 2 and 3</td>
</tr>
<tr>
<td>DC/12/1255</td>
<td>Details of second phase infrastructure works pursuant to outline application DC/09/2101 comprising the eastern section of the 40mph dual carriageway from a point east of the traffic light junction (i.e. the boundary of the first phase infrastructure application) to the new A24 junction to include footpaths, grass</td>
</tr>
</tbody>
</table>
verges, acoustic treatment and planting in part of the central; refuge; the western section of the new A24 junction; on site development roads needed to serve the remaining residential phases; surface water drainage system including balancing attenuation features and below ground storage; associated foul drainage recreational open spaces, earthworks and services.

DC/12/1651 Development of 101 residential units, including 20 affordable housing units (20%), the creation of public and private amenity space, incidental public open space, internal circulation routes, landscaping and associated works (Approval of Reserved Matters)

DC/12/2202 Approval of reserved matters for the erection of 320 residential units (256 private and 64 affordable housing units) comprising 101 x 2-bed, 165 x 3-bed and 54 x 4-bed houses/flats, landscaping, highways, parking and associated works pursuant to approved outline planning application DC/09/2101 (Erection of 963 residential units and other associated development)

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

Arboricultural Officer (summarised): No Objection (previous concerns which have now been addressed are available to view on the public file):

- No objection to two trees targeted for removal (T455) Goat Willow and T542 (Weeping Willow) as these are classified as category ‘C’ trees therefore earlier objection falls away.
- Plots 3 and 4 have been moved further south away from tree T456 (category A tree). Tree is categorised as ‘C1’, in conflict with categorisation of original 2008 survey of ‘A2’. Gardens should be allotted greater distance from this tree, to resist pressure to lop, to improve light to gardens and reduce overbearance.
- Plots 62-65 are close to rear boundary hedgerow (within G31, classified as ‘B2’) with tight rear garden space. Depth of gardens is small and likely to result in pressure for excessive pruning/removal.

3.1 Design and Conservation Officer: Comment:

- Initial concerns were raised regarding certain aspects of the scheme:
- The blank brick elevational treatment of the affordable apartment blocks and lack of local vernacular incorporated into the design;
- The lack of presence of the entrance to apartment blocks 69-77 within the streetscene;
- The layout and entrance to apartment blocks 31-39: the main entrance should be on the front (south) elevation with a prominent porch feature entrance and the parking layout is cluttered with a visitor parking bay to the front of the entrance;
- Reduction in the extent of hardstanding to the rear of apartments 31-39 and increase in soft landscaping;
- Reduction in the scale / mass of the roof of apartments 31-39 to reflect the semi-rural setting of Old Wickhurst Lane and the scale of adjacent buildings.

These points are addressed at paragraphs 6.16-6.18 of the report.
3.2 **Housing Strategy and Development Manager (summarised):** Comment:

- Proposed affordable housing mix submitted for this phase (27 affordable units out of 137) is confirmed by Moat Housing and complies with S106 Agreement.
- Just under 90% of the affordable provision is in the form of 1 and 2 bed homes;
- This does not reflect the overall mix of the development. However, the Housing Options Team reports that a majority of households on the Housing Register are in need of 1 and 2 bed homes. In light of this, officers support the inclusion of smaller affordable units on this development.
- 62.5/37.5% tenure mix in favour of rented accommodation complies with S106 Agreement. The precise split between rented and shared ownership housing will be approved by Housing Services Manager and Moat Housing Association before construction.

3.3 **Landscape Architect (summarised):** No Objection (previous concerns which have now been addressed are available to view on the public file):

- Concern regarding large Oak next to plots 3 and 4, and hedgerow trees in respect of plots 61-65. Pressure to cut them back would erode their value as important landscape features. Please amend position of these plots;
- The provision of adequate communal amenity space and landscape buffer to the acoustic fence and footpath connections have been satisfactorily addressed;
- Recommend a Grampian condition regarding the provision of the landscape buffer to sports pitches (at least 3 metres wide) to be supplemented by tree planting with further understanding of the sports pitch layout;
- Tree planting along western edge of secondary street is still limited, but satisfied that shrub and intermittent tree planting along garden fence boundaries will be satisfactory;
- Satisfied overall with tree and hedgerow retention along Old Wickhurst Lane and reinforcement planting proposed.
- Extra parking should not undermine verge tree planting and other hedge / shrub planting along frontages.

The concern regarding plots 3 and 4 is addressed at paragraph 6.35 of the report by re-positioning the units further back from the tree canopy.

3.4 **Public Health and Licensing:** Comment:

- Original design approach to residential facades along East-West Link Road should not exceed 55dBLaeq. Amenity spaces should not exceed WHO criteria for Serious Annoyance in outdoor living areas.
- Proposed development is considered to be an appropriate response to noise environment of the site, subject to full implementation of recommendations detailed in Noise Report ref. 39551, dated 28 August 2013.
- Acoustic barrier and sound mitigation measures are proposed to protect first floor habitable rooms and internal layout locates majority of bedrooms away from nosiest facade. Upper storey likely to be exposed to road noise in excess of 55dBLaeq. Balconies to first and second storeys [on southern façade] will constitute poor quality amenity space and should therefore be removed.

The concern regarding the balconies has been addressed at paragraph 6.22 by re-positioning the balconies away from the south façade.

3.5 **Technical Services (Drainage):**

- The extreme rainfall event flow path (WSP Drawing no. 2876/D/604 Rev D) would appear to show the topographical nature of the existing greenfield site and not the proposed infrastructure layout of the projected development.
- Part of condition 7 of the outline consent requires details of how each phase or sub-phase has been designed for exceedence events and flood flow paths.
Further information is therefore required identifying the routes of flood pathways during extreme rainfall events.

3.6 **Strategic Planning (summarised): No objection.**
- Comparing the overall site totals to the outline, including this application, it is considered that the mix is in broad conformity with the originally agreed mix.
- Whilst there are some differences, the SHMA update (2012) highlights that demand for family housing remains strong and that on larger sites a mix should be achieved to deliver mixed communities.
- Given that there are still further phases linked to the outline permission and the flexibility recommended within the SHMA Update, Strategic Planning does not object to the proposed mix in this instance.

3.7 **Operational Services: (Verbal comments):** Plots 120-121; 122-128, 57-58 may be problematic for collection points.

OUTSIDE AGENCIES

3.8 **Gatwick Airport: No objection.**
The proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria.

3.9 **Environment Agency: No comment.**
Further information on flood flow routing has been requested. We will make further comments when these details have been submitted.

3.10 **Highways Agency: No objection.**

3.11 **Natural England (summarised): No comment.**
- Application is not likely to result in significant impacts on statutory designated sites, landscapes or species. Local Planning Authorities should seek the views of their own ecologists when determining the environmental impacts of this development.
- Natural England has published Standing Advice on protected species. You should apply our Standing Advice to this application.
- The Local Planning Authority should ensure sufficient information has been submitted to assess impacts on local wildlife sites.
- The application may provide opportunities to enhance the biodiversity of the site, in accordance with paragraph 118 of the NPPF.

3.12 **Southern Water: No comment.**
The design of the foul and surface water sewerage on site is not clear and we are therefore unable to make any recommendations.

3.13 **Sussex Police (summarised):** Comment:
- Pleased to note that the design and layout has produced outward facing dwellings, producing an active frontage, enabling residents to exercise control and self police their environment;
- Parking arrangements (on curtilage, garage and courts) will leave the street layout unobstructed;
- Rear parking courts should be overlooked by active rooms with good arcs of surveillance from surrounding dwellings;
- Clear demarcation needed for flats in the form of railings or low fencing;
- LEAP has good surveillance. It will be important to control planting and foliage.
3.14 **WSCC (Archaeology) (summarised):** No objection:

- The sustaining of condition 27 (archaeology) of the Outline permission DC/09/2101 in respect only of: i) the previously agreed outstanding on site observation by an archaeologist of pipe trench excavations to the east of Old Wickhurst Lane, and ii) the off-site archaeological works, currently underway (writing up and reporting of investigation results).

3.15 **WSCC (Ecology):** No objection:

- The appropriate implementation of the proposed ecological elements as outlined in the supporting ecological report. No substantive ecological objections to the proposed development, as it relates to conditions 17, 18 and 19 (DC/09/2101).

3.16 **WSCC (Highways Strategic Planning) (summarised):** No Objection (previous concerns which have now been addressed are available to view on the public file):

- Old Wickhurst Lane is now included within the redline and the plan indicates the lane will be upgraded to a specification to be agreed with WSCC;
- Plan includes 2 crossing points to reflect what was agreed at outline stage (northern crossing is partly outside the red edge, so assume agreement has been reached with Bovis Homes). Further details will be required at Section 38 road agreement stage to deter development traffic from using Old Wickhurst Lane (i.e. bollards, full face kerb, tight access width);
- HDC should be satisfied that the layout would not prejudice a potential future left in/left out access onto the east-west link road to serve the sports pitches;
- Vehicle swept path analysis is submitted and addresses previous points;
- Satisfied that adequate visibility would be available onto these low speed roads;
- Visitor parking has been improved.

**PUBLIC CONSULTATIONS**

3.17 **Broadbridge Heath Parish Council:** Comment (previous concerns which have now been addressed are available to view on the public file):

- Changes appear positive and pick up on some of the comments raised;
- Presumably ancient hedgerows and rural nature of Old Wickhurst Lane will be retained;
- Still uncertainty whether there will be sufficient access to the neighbouring sports pitches until clear plans are available.

3.23 1 letter of objection received from 6 Singleton Road on the following grounds:

- Massive inconvenience caused by roadworks and noise;
- Destruction of beautiful countryside;
- No need to build so many extra houses;
- Extra demands on water [consumption];
- Social issues will arise once houses occupied;
- Live under a dictatorship since advent of Europe.

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

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

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

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

6.1 The National Planning Policy Framework sets out the government’s planning policy. At the heart of the Framework is a presumption in favour of sustainable development. The Framework requires applications to be determined in accordance with the development plan and to approve proposals that accord with the development plan without delay. The Framework specifies core planning principles including the need to secure high quality design. The objections of the Framework have been taken into account and an assessment of the application undertaken based upon the following issues:

a) Compliance with the principles established through the parameter plans approved by virtue of the outline application;
b) Linkages with the ‘parent’ S106 Legal Agreement;
c) Design approach and compliance with advice within the Land West of Horsham Design and Character Areas Supplementary Planning Document;
d) Site layout, appearance, housing mix, access and highway safety, including car parking provision and servicing together with temporary construction arrangements;
e) Landscape strategy, open space provision and drainage;
f) Issues arising from public consultation.

Each of the issues is addressed below:

a) Compliance with the principles established through the parameter plans approved by virtue of the Outline consent

6.2 The Outline planning application established through the parameter plans and supporting technical information, the key principles relating to the location and scale of the main land uses, vehicular access and primary circulation routes, density and character, building height and landscape strategy.

6.3 The proposed development is referred to as parcels 9 and 11 and is located within Character Area 4, as defined in the Design Principles and Character Areas SPD. The development within the balance of Character Area 4 is currently being brought forward as part of the Bovis Homes development to the northwest of the application site, which granted reserved matters approval for 320 units (DC/12/2202) and as a further separate reserved matters application for an undeveloped parcel of land to the west. The proposed scheme within this particular portion of the character area will be a residential scheme at a density of 36 dwellings per hectare. Building heights will be between 2-2.5 storeys, with some accommodation provided in the roofspace. The proposed development will be served by a secondary distribution street, as defined on the parameter plans, which will link up the Bovis Homes scheme to the northwest, and the undeveloped residential parcel to the west.

6.4 With regard to density, the parameter plans established a maximum density of up to 60 dwellings per hectare. Although the proposed density is lower at 36 dwellings per ha, it should be noted that this density applies to the wider Character Area 4; parcels 9 and 11 form only a small element of this character area and, being located on the south east edge of the wider Masterplan area, the density is considered to reflect the semi-rural setting. Furthermore, this lower density is reflective of the Council’s Design Principles SPD, which established a maximum density of up to 40 dwellings per ha for this particular character area. The outline consent established a higher density than envisaged in the Design Principles SPD, as a consequence of the scheme’s viability and overarching design principles. In terms of landscaping, the proposed scheme provides the structural landscape buffer around plots in private ownership, street planting along the secondary street and the...
retention of important trees along Old Wickhurst Lane. The proposed development for this fifth phase of residential development therefore adheres to the key principles established by the parameter plans approved as part of the outline consent.

b) Linkages with the ‘parent’ S106 Legal Agreement

6.5 As a Reserved Matters application, the infrastructure and other contributions are linked to the ‘parent’ legal agreement secured in connection with the Outline planning application DC/09/2101. The S106 Legal Agreement secured amongst other matters, the provision of 20% affordable housing across the Masterplan site (193 units) with a £7.73 million financial contribution towards off site affordable housing provision. This sum is index linked and payable in tranches. It equates to 10% (96 units overall) as set within Schedule 18 of the Legal Agreement. The S106 Agreement states that unless otherwise agreed, the tenure mix for the affordable housing should be 62.5% affordable rent and 37.5% shared ownership.

6.6 The proposed scheme will deliver 27 affordable units, which equates to 20% of units overall within this phase, at a tenure split of 66% social rented units and 33% shared ownership. The level of affordable housing is consistent with the provisions contained within the Masterplan Legal Agreement and the proposed tenure split will exceed the requirements of the Legal Agreement. The Council’s Housing Strategy and Development Manager supports the delivery of 20% affordable units within this phase and the tenure mix in favour of rented accommodation, to comply with the Legal Agreement. The high proportion of smaller 1 and 2 bed affordable units, which amounts to 24 units within this phase, is supported as the Housing Register identifies a majority of households in need of 1 and 2 bed homes.

6.7 In terms of open space and landscaping, the Legal Agreement secured the delivery of open space as shown on Plan 2 (Open Space and Structural Landscape). In respect of parcels 9 and 11, the local area of play (LEAP) in the north of the site, informal recreation space to the west and the landscape buffer contiguous with the eastern boundary of the application site, are located outside the application boundary. A detailed specification for the LEAP is secured through the Legal Agreement approved with the outline consent and the delivery of this strategic infrastructure and landscaping will be brought forward through separate approved infrastructure application (DC/12/1255).

6.8 The proposed scheme includes an element of landscape planting around two dwellings in private ownership (Hares Hill and Wickhurst). The structural landscaping will abut the north, east and southern boundaries of Wickhurst, and the southern and western boundaries of Hares Hill, in order to provide screening to mitigate the impact on amenity. The provision of this buffer planting is consistent with the structural landscaping plan secured in the Legal Agreement. This structural landscape buffer is to be transferred to HDC as secured within the S106 Agreement.

6.9 The approval of this reserved matters application will bring the total number of residential units across the scheme to 797. The occupation and completion of units will trigger the delivery of further planning obligations secured under the outline consent, in terms of financial contributions and key infrastructure across the wider Masterplan; for example, the provision of outdoor sports facilities, pavilion and parish office.

c) Design approach and compliance with advice within the Land West of Horsham Design and Character Areas SPD

6.10 As noted above, the site is located within Character Area 4 as defined within the Land West of Horsham Design and Character Areas SPD, which encompasses land to the South of the Neighbourhood Centre and to the East of Mill Lane. The balance of this character area includes part of the Bovis Homes residential development for 320 residential units to the
North West and an undeveloped parcel of residential land to the west. The specific design guidance for Character Area 4 is reproduced below and annotated to demonstrate how the application is in general conformity:

<table>
<thead>
<tr>
<th>DESIGN GUIDANCE</th>
<th>COMMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Densities of up to 40-45 dwellings per ha</td>
<td>The developable area of the scheme is 3.85ha, therefore the scheme density is 36 dwellings per ha</td>
</tr>
<tr>
<td>Dwellings of 2-2.5 storeys (i.e. additional accommodation in roof space high)</td>
<td>The proposed development comprises 2-2.5 storey dwellings and 2 x 2.5 storey apartment blocks with accommodation in the roof space. The maximum height of buildings does not exceed the ridge height threshold of 11.5-12 metres established by the outline consent.</td>
</tr>
<tr>
<td>Focal point(s)/buildings or appropriate landmark features e.g. open space, green, sports pitches or ponds</td>
<td>Areas of Public Open Space to the west of the site, the LEAP in the north of the site and Old Wickhurst Lane will provide landmark features. The buildings forming book ends along the main route &amp; the flats in the north-east corner of site will act as focal buildings.</td>
</tr>
<tr>
<td>Sensitive setting of development in vicinity of Old Wickhurst Lane and Mill Lane (rights of way) to maintain/enhance character of the lanes</td>
<td>Mill Lane falls outside the application site. Dwellings adjacent to the western boundary of Old Wickhurst Lane are separated by Green Lanes and in the main, are oriented to avoid private curtilages adjoining this sensitive boundary. Existing mature trees are to be retained, with proposed landscape buffer and tree planting. The layout of the scheme has evolved to retain important trees identified in the Landscape Parameter Plan located along the Lane and prevent any encroachment into the RPA of these trees.</td>
</tr>
<tr>
<td>Less intensive development on residential streets; informal street patterns and housing layouts and increased sense of enclosure to create intimate character</td>
<td>This phase of development is 2 storeys in the main, punctuated by some 2.5 storey buildings. The scheme is at a lower density, characterised by runs of terraces with detached / semi-detached dwellings in larger plots. The street pattern is informal.</td>
</tr>
<tr>
<td>Short terraces of houses, semi-detached and detached houses, along main distributor streets</td>
<td>The scheme incorporates terraced, semi-detached and detached housing located on the Secondary Street, Community Streets and Green Lanes to reflect street hierarchies.</td>
</tr>
<tr>
<td>Continuous building forms (houses and buildings of flats) and shallow front gardens along main streets</td>
<td>Some of the dwellings benefit from shallow front gardens onto main streets with continuous building forms providing focal points along the Secondary Street.</td>
</tr>
<tr>
<td>-------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Dwellings set back from new East-West Link Road e.g. by shared access/private drives and landscaping/hedging</td>
<td>Dwellings and apartments adjacent to the southern site boundary are set back from the new East-West Link Road by a shared access/private drives and gardens, and pedestrian footpath/cyclepath. The set back will be bolstered by buffer planting, a landscaped bank and acoustic fence.</td>
</tr>
<tr>
<td>Open spaces could be designed around existing trees to ensure their long term retention is feasible and so that they contribute to local amenity</td>
<td>Areas of public open space and the LEAP within this character area are located outside the application boundary.</td>
</tr>
<tr>
<td>Roads off new A24 junction to be set down in the landscape as far as possible to help reduce visual impact</td>
<td>No roads are proposed to connect the site with the A24 junction. This falls outside the scope of this application.</td>
</tr>
<tr>
<td>Measures should be taken to mitigate the visual impact of the new East-West Link Road between new A24 junction and A264, for example by placing the road in a small cutting</td>
<td>The visual impact of the new East-West Link Road will be mitigated to a degree by a landscaped bank, and buffer planting to the acoustic fence and which has been considered as part of separate infrastructure applications.</td>
</tr>
<tr>
<td>Highways lighting to be sympathetic to countryside edge setting and designed to try to avoid any unnecessary glare Adequate planting to screen and reduce the visual impact of the new link road and the new development and help to bed it into the landscape setting i.e. views from Highwood Hill</td>
<td>Continuity of lighting between phases will be sought and assessment against impact on future residents and ecology will be considered. This will be secured by condition.</td>
</tr>
<tr>
<td>Orientate street pattern to make best advantage of public views and vistas towards Highwood Hill</td>
<td>Some views and vistas towards Highwood Hill will be possible from development located towards the southern/eastern edge of the site.</td>
</tr>
<tr>
<td>Roofscape of new development to be sympathetic to natural topography</td>
<td>The roofscape incorporates a variety of building heights and treatments with hipped, pitched, gabled roofs and chimneys. The roofscape respects the natural setting and does not impair longer distance views towards Highwood Hill.</td>
</tr>
</tbody>
</table>
Roofing materials and colour to be sympathetic to locality but not detract from innovative design

The roofscape includes grey and red roof tiles (Horsham Stone, red and orange) to reflect local vernacular. Details of roofing materials will be secured by condition.

Creation of high quality foot/cycle link between Mill Lane and Old Wickhurst Lane

The proposed layout provides a pedestrian footpath/cyclepath that runs parallel with the East-West Link Road. This will provide pedestrian access between the planned sports pitches to the east, areas of public open space to the west and Mill Lane bridleway beyond.

d) Site layout, appearance, access, housing mix and highway safety including car parking provision and servicing together with temporary construction arrangements

Layout, Scale and Appearance

Layout / Scale

6.11 The site layout is characterised by medium density residential development of detached and semi-detached dwellings in spacious plots in the western half of the site, with runs of predominantly 2-3 bed terraces and FOGS in smaller plots in the eastern half. The layout of the development takes the form of a secondary street as the main east-west axis that will cross Old Wickhurst Lane and link the Bovis Homes parcel for 320 units currently under construction and Parcel 6 to the west. The secondary street will be served by smaller community streets and green lanes, which is similar to earlier phases and reflects the design principles established in the Masterplan Design and Access Statement. The hierarchy of streets will be distinguished through variations in road treatment. Old Wickhurst Lane will sub-divide Parcels 9 and 11 and the permissive Public Right of Way will be retained and provide a link to open countryside and Highwood Hill SNCI to the south.

6.12 The site layout has evolved during the course of this application and a number of amendments made, principal of which is the inclusion of Old Wickhurst Lane into the application boundary. This will provide a more comprehensive road layout and address concerns raised by West Sussex Highways Authority regarding the crossing point(s) of the secondary street with Old Wickhurst Lane and the Landscape Officer in terms of the sensitive interface between the landscape setting of this lane and surrounding residential development.

6.13 At the time of writing, further amendments have been sought to the layout of the scheme in order to address officer concerns and those of consultees. The principle amendments include the re-orientation of plot 47 to create a more active frontage onto the secondary street; increasing the garden size to plots 54 and 55 (resulting in the removal of one plot from the scheme and a reduction in the total number of units across the site to 136); an increase in the number of visitor parking spaces across the development to 28 from 10; improvements in access for pedestrians and cyclists with the provision of a second access point through to the sports pitches to the east; and a commitment to the upgrading and integration of a cycle lane along Old Wickhurst Lane. The applicant has also reconfigured
the communal amenity space to the two apartment blocks to create more useable space (31-39; 69-77) and re-positioned the main entrance to these flats to create a more active frontage.

6.14 The proposed layout ensures that the affordable units, contained within the two apartment blocks (plots 31-39; 69-77) terraced properties and FOGs (plots 78-79; 122-128) are integrated throughout the development. The layout also takes into account the potential redevelopment of Wickhurst plot currently in private ownership, by incorporating a road between plots 52 and 53.

6.15 The form and scale of buildings varies across this phase from modest 2 storey, pitch roof terraces and FOGs, to larger detached 2-2.5 storey pitch roof dwellings, and 2.5 storey apartment blocks. The scale of buildings is consistent with the design guidance contained within the Design SPD, which allows for buildings up to 2.5 storeys in height with additional accommodation provided in the roofspace. Officers have sought revisions to the scale of the affordable apartment blocks located in the southeast corner of the site (plots 31-39) fronting onto Old Wickhurst Lane, in order to reflect the semi-rural setting of the lane and the scale of adjacent dwellings. This has resulted in a height reduction of just under half a metre (400mm).

Design

6.16 The design of the proposed development is intended to reflect traditional Sussex vernacular. Buildings will incorporate architectural features such as moulded bargeboards, decorative tile hanging, weatherboarding, render, storm porches, hipped roofs and gable features, bay windows and chimneys. The choice of roof materials is intended to mimic local Horsham stone and red roof tiles typical of historic properties in Horsham and surrounding villages. The elevations will be faced in red and orange brickwork, tile hanging and timber cladding to house types B2, E4, F2, M and L3, with brick string course as indicated on house types H and J. The FOGs take the same form as earlier phases, with gable features, balconies and a street frontage. All the units will be designed to achieve Code Level 3 of the Code for Sustainable Homes (a Code pre-assessment by a registered assessor has been submitted to demonstrate this).

6.17 The design of the dwellings as originally submitted was considered to be a replication of Phase 1 (DC/11/2074) in terms of house types. It is acknowledged that there will be some continuity between phases, but given that these parcels will deliver a further 136 residential units, a replication to the design approach was raised as a concern by officers. The applicant has therefore provided some variation in the elevational treatment of some of the dwellings (house types L3, B2, E4 and E1) with the use of white render, horizontal timber cladding and more extensive use of tile hanging.

6.18 The design quality for the two affordable apartment blocks (plots 31-39; 69-77) was also initially judged to be unacceptable by officers, owing to the bland elevation treatment of these buildings that failed to incorporate local vernacular. In response, the design of both apartment blocks has been amended by incorporating decorative ridge tiles, providing a timber canopy and dark stained timber horizontal cladding at the entrance to both the apartment blocks. Officers are now satisfied that the same quality of materials and layout is provided for both the private and affordable dwellings to ensure that the affordable units are tenure blind, indistinguishable from the private units.
Impact on Amenity

6.19 The layout allows for passive surveillance across public spaces, including the LEAP, and maintains an adequate level of private amenity (in terms of back-to-back distances between dwellings, and from an overlooking and general amenity perspective). In this particular phase, the proposed development will abut two properties in private ownership that fall outside the Masterplan: Hares Hill and Wickhurst. Wickhurst is bounded to the north, east and south by the proposed development and Hares Hill to the south and west. It is considered that the proposed layout will retain adequate separation between these properties to prevent direct overlooking or loss of privacy, as adjoining plots are oriented to be side facing in the main with a limited number of flank windows and adequate separation is retained. The impact on these properties will be further mitigated by additional landscape buffer planting (required by the Legal Agreement) details of which will be secured by planning condition.

6.20 Concern has been expressed regarding the potential impact of the proposed sports pitches on the layout of residential development within this phase. The outline consent and Legal Agreement secured the main land uses across the Masterplan site with residential development proposed to be located adjacent to the sports pitches. The Landscape Strategy provides for a landscape buffer contiguous to the eastern boundary of the application site and the submitted layout illustrates that plots are oriented to be side facing to the sports pitches in the main, with a few properties oriented to be rear facing (plots 96-99; 120-121). The final layout of the proposed sports pitches is yet to be agreed and will be submitted and determined as part of a forthcoming reserved matters application. As part of the assessment, the impact on residential amenity, having regard to the detailed layout of the sports pitches and floodlighting etc, will be a material consideration at that time.

6.21 The site is located immediately to the north of the new East-West Link Road and therefore noise associated with this road is material to the consideration of this application. The Council’s Public Health and Licensing Officer considers that the proposed development is an appropriate response to the noise environment of the site, subject to the implementation of recommendations detailed in the submitted Noise Assessment. The proposed mitigation includes acoustic fencing to small sections of the rear gardens of plots 16, 121 and 129, and acoustic glazing and trickle ventilation to properties along the southern boundary of the site to ensure acceptable noise levels to habitable rooms and private gardens.

6.22 Officers from Public Health and Licensing have raised a concern to the upper storeys of apartments 31-39. The open balconies to these flats at first and second storey on the southern façade are likely to be exposed to road noise in excess of agreed noise design criteria. The scheme has therefore been re-designed and the internal layouts reconfigured to accommodate these balconies on the east and north facades of the building. This has the added benefit of improving natural surveillance of Old Wickhurst Lane.

Housing Mix

6.23 This phase of the Masterplan proposes a mixture of 1 and 2 bed apartments, small 2 and 3 bed houses in the form of terraces with some semi-detached dwellings, and larger detached 4, 5 bed properties. The table below illustrates the proposed housing mix for parcels 9 and 11 in relation to the indicative housing mix for the wider Masterplan:

<table>
<thead>
<tr>
<th>House Type</th>
<th>Outline DAS</th>
<th>Parcels 9, 11</th>
<th>Site Wide Total (including Parcels 9, 11)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 bed flat</td>
<td>2.9%</td>
<td>9</td>
<td>16 (2%)</td>
</tr>
<tr>
<td>2 bed flat</td>
<td>6.9%</td>
<td>9</td>
<td>73 (9.1%)</td>
</tr>
</tbody>
</table>
### Access, Highway Safety and Parking

6.24 The inclusion of Parcels 9 and 11 will deliver a total of 797 dwellings across the wider Masterplan and the proposed housing mix corresponds broadly with that originally envisaged at outline stage. With regard to the concern raised by the Parish Council for 3 bed units to become 4 bed units, the small floor area of the first floor study as shown on the submitted floorplan to house type L3 (5.4 sq m) would preclude its use as a bedroom.

#### Access, Highway Safety and Parking

6.25 The internal roads and access strategy reflects the parameter plans approved as part of the outline consent with a secondary street as the main vehicular and pedestrian access into the development that will be connected by smaller community streets and green lanes. The secondary street will cross Old Wickhurst Lane and provides a 2 metre wide pedestrian footway for its full length. It will be offered up for adoption to the Highways Authority, in addition to the two community streets. The green lanes will be private roads.

6.26 The County Highways Authority has raised a number of concerns in relation to the road layout as originally submitted. One of the main concerns related to the exclusion of Old Wickhurst Lane from the application boundary and insufficient detail regarding vehicular and pedestrian crossing points with the secondary street.

6.27 The applicant has therefore amended the road layout to include Old Wickhurst Lane within the application boundary and re-designed the vehicular crossing points, to ensure that these correspond with the specification agreed at outline stage, in order to deter development traffic from using Old Wickhurst Lane. The indicative junction crossings show raised islands and directional bollards with contrasting block paved infill to the lane. The County Highways Authority is satisfied with the revised layout and requested that a detailed specification be submitted and agreed as part of the Section 38 road agreement. The pedestrian / cycle crossing at the junction of Old Wickhurst Lane is also indicatively shown with the revised road layout, and a detailed specification is to be agreed by condition. The County Highways Authority is generally satisfied that adequate visibility splays at all junctions will be available onto these low speed roads (speed limit will be 20 mph). The applicant has amended the road layout in a number of other respects to address concerns raised by County Highways Authority: full vehicle swept path analysis has been undertaken and adjustments made to the bend adjacent to plot 66, and an increase in visitor parking spaces.

6.28 The site is subject to the West Sussex Car Parking standards with the majority of units benefiting from 2 spaces per unit and the larger 4 and 5 bed houses benefiting from 3 spaces. Parking will either be on curtilage in the form of driveways, garages (double garages are provided for larger 4-5 bed units) and carports, or within small parking courts for the apartments and some of the terraces. Across the site as a whole, the level and location of visitor parking was initially considered to be inadequate by the County Highways Authority to cater for a development of this size, with insufficient visitor spaces for plots 3-6, 12-15, 57-58. An additional 18 on-street visitor parking spaces are therefore provided as...
off-set bays so as not to cause parking that will obstruct the highway. The total parking provision now amounts to 299 parking spaces (28 visitor bays and 271 allocated spaces) which compares favourably with the WSCC parking calculator. Officers now consider the level of parking provided with this development to be acceptable.

6.29 The proposed development will be served by a new bus route upon completion of the grade separated junction of the A24 and the site is also located within 5-10 minutes walking distance of local amenities at Tesco Broadbridge Heath and the future Neighbourhood Centre to the north. The proposed development provides for cycle parking within garages, and within carports and sheds for those units without a garage (garages will measure 3 x 6 metres). In the case of the apartment blocks (plots 31-39; 70-78) 24 secure cycle parking spaces will be provided in dedicated cycle storage. The provision and details of cycle storage will be secured by planning condition.

6.30 The proposed scheme has evolved to improve access for pedestrians and cyclists. An additional pedestrian access is proposed to the sports pitches in the north east corner of the site (adjacent to plot 78) to provide a link between the LEAP and sports pitches, in addition to the pedestrian/cyclist access in the southeast corner (plots 120-121). The applicant has committed to upgrading Old Wickhurst Lane to allow cycle use, in order to create an integrated cycle network between the adopted section of Old Wickhurst Lane (outside the application boundary) and the new cycleway / footpath along the northern side of the East-West Link dual carriageway link road. WSCC has agreed in principle to adopt the section of cyclepath along Old Wickhurst Lane and will enforce its use through a Traffic Regulation Order. Details of the proposed pedestrian/cycle route will be secured by planning condition.

6.31 In terms of vehicles manoeuvring within the site, swept path analysis for refuse and emergency vehicles has been undertaken to ensure vehicles can adequately manoeuvre within the site. The County Highways Authority initially expressed concern regarding the tight bend adjacent to plot 66. This has been increased and the revised road layout now demonstrates adequate turning/manoeuvring space to satisfactorily accommodate vehicles.

Temporary Construction Traffic

6.32 A site wide Construction Environment Management Plan (CEMP) was submitted by the applicant pursuant to condition 39 of the Outline consent (DC/09/2101) and approved. The applicant has submitted a supplementary CEMP for this particular phase of the development to demonstrate compliance with the site wide CEMP. A condition is recommended to secure the implementation of the supplementary CEMP.

e) Landscape strategy, open space provision and drainage

Landscape Strategy

6.33 A Landscape Strategy is submitted in support of the current application, which sets out the general principles for the proposed development. The Council’s Landscape Architect and Tree Officer have scrutinised the strategy and raised a number of concerns (summarised in paragraphs 3.1 and 3.4 of the report) which the applicant has sought to address.

6.34 The applicant has submitted an Arboricultural Impact Assessment in response to officers objections and the site layout amended to ensure the retention of important category ‘A’ trees along Old Wickhurst Lane, which form a primary landscape corridor as identified in the Masterplan and were initially shown to be removed. Following the submission of the AIA and revised Tree Protection Plan, these Category A trees are to be retained and will be subject to special protection measures during the construction phase to be secured by
condition. Two trees are shown to be removed (a Goat Willow to the rear of plot 3 and Weeping Willow adjacent to plot 133) but no objection is raised by the Council's Arboricultural Officer, as these are category 'C' trees that do not contribute significantly to the landscape character of the area.

6.35 Some outstanding concerns relate to the canopy overhang of a mature Oak Tree (identified as a Category A Tree in the Arboricultural Survey carried out with the Masterplan) to the rear of plots 3 and 4, and a group of TPO'd trees / hedgerow to the rear of plots 61-65. The applicant has re-sited plots 3 and 4 to ensure these new dwellings do not encroach into the root protection of this tree (equally plots 61-65 are sited outside the root protection area of TPO'd trees and hedgerows). The rear gardens to plots 3 and 4 have since been further increased in size and the dwellings re-sited to avoid future pressure from residents to lop/fell this mature Oak Tree. The Landscape and Tree Officers have raised a similar concern to TPO'd trees and hedgerows to the rear of plots 61-65, but there is considered to be limited scope to re-position these plots or reduce their size, owing to the constraints of the LEAP to the south of these plots. Furthermore, any reduction in the floor area of these units will provide a sub-standard level of accommodation, and the loss of anymore units within this phase will affect the overall scheme density and delivery of units across the wider Masterplan. For these reasons, it is therefore considered, on balance, that the proposal is acceptable in this regard.

6.36 The applicant has increased communal amenity space to both apartment blocks and included the landscape buffer to the east-west link road (as approved with the second phase infrastructure application DC/12/1255). The Landscape Officer is satisfied with the reinforcement planting proposed along Old Wickhurst Lane (subject to this being of a native species) and the structural landscape buffer to the properties in private ownership. In regard to additional tree planting along the secondary distribution street, there is no requirement under the Landscape Parameter Plan to provide this on the western section of the street; however, the shrub and intermittent tree planting proposed is considered to be satisfactory. In respect of the adequacy of the landscape buffer to the sports pitches contiguous with the eastern boundary of the site, a 3 metre strip of landscaping is to be provided. The Landscape Officer has recommended a Grampian condition to secure these off site landscaping works, but this is considered unreasonable and unnecessary, as this element of landscaping is to be secured via the Legal Agreement attached to the Outline consent. For clarification, a Grampian condition prevents the commencement of development until off site works are completed on land not under the ownership of the applicant.

6.37 In respect of public open space, the areas to be provided directly adjacent to the application site, comprising the informal recreation space to the west and the LEAP within the north of the site, will be secured through the Legal Agreement attached to the outline consent and the second phase infrastructure application (DC/12/1255). The landscape buffer contiguous with the eastern site boundary will be brought forward as part of a separate planning application for the proposed sports pitches and Broadbridge Heath Leisure Centre extension.

**Surface Water Drainage and Water Reduction Strategy**

6.38 The applicant has submitted drainage plans pursuant to condition 7 of the Outline consent DC/09/2101, which established the overarching principles for the Masterplan area. The strategy outlines the surface water and foul water drainage strategy for the wider Masterplan site and is supported by a series of technical drawings.

6.39 The applicant has submitted further details at the request of Southern Water, the Environment Agency and the Council's Drainage Engineer for the design of foul and surface water sewerage on site. At the time of writing, the applicant has not adequately
demonstrated to the satisfaction of internal and statutory consultees that the current proposal within these Parcels (9, 11) complies with these overarching principles. It is therefore requested that should this proposal be supported, the application be delegated for approval to seek further information in this respect to ensure the acceptability of the drainage strategy.

Ecology

6.40 The reserved matters application is supported by an ecological survey to demonstrate that the proposed scheme conforms with the site wide ecological mitigation strategy and surveys, submitted pursuant to the conditions attached to the Outline consent. The County Ecologist and Natural England have considered the application and raise no substantive objection to the proposal, subject to continued compliance with the approved mitigation measures.

f) Issues arising from public consultation

6.41 In respect of the Parish Council’s comments, these issues have been largely addressed by the applicant through negotiation and are addressed in the main body of the report. To reiterate, the proximity of some properties in the southern half of the site to the East-West Link Road is addressed by the submitted noise assessment and mitigation measures are proposed to be secured by planning condition.

6.42 In connection with the lower housing density, the cumulative total of housing delivered across the Masterplan, incorporating Parcels 9 and 11, will be 797 units, with two further undeveloped parcels. The housing projection is therefore on target to achieve up to 963 residential units, as approved by the outline consent, although it is understood at this stage that the developer may not build the full 963 units granted outline permission. It should be noted that the planning permission is for up to 963 units and there is no requirement for the completion of a Planning Permission. The site achieves the indicative housing mix, as envisaged at outline stage (refer to paragraph 6.23) and a public house is not proposed within this phase.

6.43 The application boundary has been amended to include Old Wickhurst Lane in order to fully assess the impact of the development on the landscape setting of the lane. This includes retaining category ‘A’ trees. An additional pedestrian access to the sports pitches is incorporated into the layout. The sports pitches will be considered as a separate planning application and the impact on parcels 9 and 11 will be material to the consideration of this application.

6.44 In respect of concerns regarding noise disturbance, construction traffic and hazards during construction, the wider Masterplan area is subject to a site wide Construction and Environmental Management Plan (CEMP) with enforceable measures to mitigate the impact of construction traffic, noise, vibration etc on local residents. This phase of the development will be subject to a supplementary CEMP to further control and, where necessary, enforce measures to limit the impacts of construction activity on local residents.

6.45 In terms of the loss of and despoliation of the countryside through increased house building, the principle of a mixed use development on Land West of Horsham forms part of the strategic allocation of housing land to provide 2000 new homes by 2018, and has been established through due process with the outline consent.
With regard to water consumption, all residential units will be required to meet Code Level 3 of the Code for Sustainable Homes. The applicant has submitted a Code for Sustainable Homes pre-assessment by a registered assessor to demonstrate that this can be achieved. Measures to reduce water consumption, such as rainwater harvesting and water efficient sanitary products, will be integrated into all homes.

7. RECOMMENDATIONS

It is recommended that Planning Permission be delegated for approval to the Head of Planning and Environmental Services subject to resolution of the drainage strategy and further re-consultation with the Council’s Drainage Engineer, Southern Water and the Environment Agency, and the following conditions and informatives (and any conditions which may arise during the delegation period):

1. Notwithstanding the submitted information, prior to commencement of development (or such other date or stage in development as may be agreed in writing with the Local Planning Authority) a schedule of materials and samples of materials and finishes, and colours to be used for external walls, and roofs of the proposed building(s) shall have been submitted to and approved in writing by the Local Planning Authority. A statement of detail shall be submitted setting out details of proposed windows and doors, carports, balcony treatments and gate features. The materials and statement of details so approved shall be used in the construction of the buildings. Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

2. D6 – Finished Floor Levels

3. Prior to commencement of development (or such other date or stage in development as may be agreed in writing with the Local Planning Authority) details of boundary treatments shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and no dwellings/flats shall be occupied until such boundary treatments associated with them have been erected. Thereafter, the boundary treatments shall be retained as approved and maintained in accordance with the approved details. Reason: In the interests of amenity in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

4. Notwithstanding the submitted landscape strategy, prior to commencement of development (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), full details of hard and soft landscaped works shall be submitted to and approved in writing by the Local Planning Authority. These details shall be submitted concurrently as a complete scheme, unless otherwise agreed with the Local Planning Authority, and shall comprise:
   - A detailed plan and specification for top soil stripping, storage and re-use on the site in accordance with recognised codes of best practice;
   - Planting and seeding plans and schedules specifying species, planting size, densities and plant numbers
   - Tree pit and staking/underground guying details
   - A written specification (National Building Specification compliant) of hard works and planting (including ground preparation, cultivation and other operations associated with planting and grass establishment)
- Existing and proposed levels, contours and cross / long sections for all earthworks
- Hard surfacing materials: layout, colour, size, texture, coursing and levels
- Walls, fencing and railings: location, type, heights and materials
- Minor artefacts and structures – location, size and colour of signage, refuse units and lighting columns and lanterns

The approved scheme shall be implemented in full accordance with these details. Planting shall be carried out according to a timetable to be agreed in writing with the Local Planning Authority prior to commencement of development. Any plants which within a period of 5 years die, are removed or become seriously damaged and diseased shall be replaced in the next planting season with others of similar size and species. **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)**

5. Prior to the commencement of development details of all underground trenching requirements for services, including the positions of soakaways, service ducts, foul, grey and storm water systems and all other underground service facilities, and required ground excavations there for, shall be submitted to and approved by the Local Planning Authority in writing. These details shall demonstrate effective coordination with the landscape scheme submitted pursuant to condition [4], and with existing trees on the site. All such underground services shall be installed in accordance with the approved details. **Reason: To protect roots of important trees and hedgerows on the site in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).**

6. L2a - Protection of trees and hedgerows

7. No trenches or pipe runs for services, drains, or any other reason shall be excavated anywhere within the root protection area of any tree or hedge targeted for retention on or off the site without the prior written approval of the Local Planning Authority. **Reason: To protect roots of important trees and hedgerows on the site in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).**

8. All works shall be executed in full accordance with the supplementary Arboricultural Report Statement (ref. 1013-1402 Rev 3) dated November 2013. **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).**

9. Prior to the commencement of development, a detailed long term Landscape Management and Maintenance Plan for all landscape areas shall be submitted to and approved by the Local Planning Authority in writing. The plan shall include:

- Aims and Objectives
- A description of Landscape Components
- Management Prescriptions
- Details of maintenance operations and their timing
- Details of the parties/organisations who will be maintain and manage the site, to include a plan delineating the areas that they will be responsible for
The plan shall demonstrate full integration of landscape, biodiversity and arboreccultural considerations. The areas of planting shall thereafter be retained and maintained in perpetuity in accordance with the approved Landscape Management and Maintenance Plan, unless any variation is approved in writing by the LPA. 

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

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

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

11. The development hereby permitted shall not be occupied unless and until provision for the storage of refuse/recycling bins has been made within the site in accordance with the hereby approved plans. 

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

12. Notwithstanding the submitted information, prior to commencement of works (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a refuse strategy shall be submitted and approved in writing by the Local Planning Authority and shall include details of collection points for each dwelling and shall demonstrate effective coordination with the landscape scheme submitted pursuant to condition [] together with construction details of the carriageway to ensure appropriate construction to withstand regular use by refuse collection vehicles. 

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

13. The development hereby permitted shall not be occupied unless the provision of facilities for the parking of cycles has been made within the site in accordance with the hereby approved plan and the facilities so provided shall be retained thereafter 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).


16. V5 – No extensions

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order amending or revoking and re-enacting that Order with or without modification) all garages hereby approved shall be retained for the parking of vehicles and for no other purpose whatsoever, and retained as such thereafter.
Reason: In the interests of highway safety and convenience for all highway users in accordance with policy DC40 of the Horsham District Local Development Framework: General Development Control Policies (2007).

18. O1 - Hours of working

19. L6 – No Burning of Materials

20. The development hereby approved shall be carried out in accordance with the submitted ecological surveys and mitigation strategies (AECOM Environment Reserved Matters Ecology Report: Broadbridge Heath Phases 9 & 11, November 2013 v. 3.0, as amended). Reason: To safeguard the ecology and biodiversity of the area in accordance with policy DC5 of the Horsham District Local Development Framework: General Development Control Policies (2007), and in the interests of protected species as listed under the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000, to ensure that a habitat remains for them during and after development.


22. The development hereby approved shall be carried out in continued compliance with the Scheme of Archaeological Resource Management for Phases 1 and 2 submitted pursuant to condition 27 of Outline planning permission DC/09/2101 in respect only of: i) the previously agreed outstanding on-site observation by an archaeologist of pipe trench excavations to the east of Old Wickhurst Lane; and ii) the off-site works currently under way (the writing up and reporting of investigation results). Reason: The site is potentially of archaeological interest and therefore the safeguards indicated in policy DC10 of the Horsham District Local Development Framework: General Development Control Policies (2007) should be implemented.

23. Notwithstanding the details hereby approved, prior to commencement of development (or such other date or stage in development as may be agreed in writing with the Local Planning Authority) a scheme of works to reduce the intrusion of noise from the East-West link road, in accordance with the mitigation measures identified in the Noise Assessment by WSP dated 4 September 2013, shall have been submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented prior to the first occupation of the development and retained as such thereafter. Reason: In the interests of residential amenity by ensuring an acceptable level of noise for occupants, in accordance with policy DC9 of the Horsham District Council Local Development Framework: General Development Control Policies (2007).

24. The development hereby permitted shall achieve a Code Level 3 (unless Government requirements have imposed higher levels at the commencement of development, in which case the higher levels should be achieved) in accordance with the requirements of the Code for Sustainable Homes: Technical Guidance (or
such national measures of sustainability for house design that replaces that scheme). No flat(s) or dwelling(s) shall be occupied until a Final Code Certificate has been issued to the Local Planning Authority and approved in writing to certify that Code Level 3 has been achieved. **Reason:** To accord with the terms of the application as set out within the Design & Access Statement, and to ensure the dwelling makes the most efficient use of energy efficiency, renewable energy and related sustainability measures to comply with policy DC8 of the Horsham District Local Development Framework: General Development Control Policies (2007) and the National Planning Policy Framework.

25. Prior to the first occupation of the development hereby permitted the footpath/ cycle links as illustrated on drawing no. 1934/320 rev D Site Plan, shall have been provided and constructed to a standard to be agreed in writing by the Local Planning Authority. The exact location of the footpath / cyclepath(s) linking the application site with the adjacent sports pitches, adjacent to plots 78 and 119, shall be confirmed in writing and constructed to a standard to be submitted and agreed in writing by the Local Planning Authority. The footpath/ cycle links shall thereafter be retained solely for that purpose. **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).

26. Prior to commencement of development, a detailed design specification, to include a timetable for delivery, of the two vehicular junction crossings and the pedestrian junction crossing at Old Wickhurst Lane, as illustrated on drawing no. 11233/5002 P7 (Section 38 Adoption Plan) have been submitted to and approved in writing by the Local Planning Authority. The junctions shall be implemented in accordance with the agreed details and retained as such thereafter. **Reason:** To ensure a satisfactory means of access has been provided to serve the development and in the interests of highway safety, to comply with policy DC40 of the Horsham District Local Development Framework: General Development Control Policies (2007).

27. The access roads hereby permitted, as indicated on drawing no. 11233/5002 P7 (Section 38 Adoption Plan) shall be designed, laid out, constructed and drained in accordance with a detailed specification to be submitted to and approved in writing by the Local Planning Authority. The access roads shall be implemented in accordance with the agreed details and retained as such thereafter. **Reason:** To ensure a satisfactory means of access has been provided to serve the development and in the interests of highway safety, to comply with policy DC40 of the Horsham District Local Development Framework: General Development Control Policies (2007).

28. **Drainage conditions to form part of delegation process.**

29. The development hereby permitted shall be carried out in accordance with the approved plans and documents listed in the schedule below. **Reason:** For the avoidance of doubt and in the interest of proper planning.

**Schedule of plans/documents:**

- **Informatives:**

  1. The applicant is reminded that the current application is to be read in the context of the conditions attached to the outline planning permission DC/09/2101 and obligations contained within the Legal Agreement dated 3rd October 2011.
2. The applicant will be required to obtain technical approval from West Sussex County Highways Authority for the new access roads and cycle path along Old Wickhurst Lane and the community streets as part of the Section 38 road agreement process.

3. The applicant is requested to contact the Council’s Operational Services Department to agree the size and type of bins required for the blocks of flats.

Positive & Proactive Statement

Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to recommend the grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Background Papers: DC/09/2101
Case Officer: Katherine Rawlins
DC/13/1690
Land South of Broadbridge Heath

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Organisation: Horsham District Council
Department: 
Comments: O/S EXTRACT
Date: 07 January 2014
SLA Number: 100023865
DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee North
BY: Head of Planning and Environmental Services
DATE: 21 January 2014
DEVELOPMENT: Erection of 69 residential units (Phase 3b) with associated access, parking and landscape works pursuant to outline planning permission DC/09/2138 (as amended by DC/11/2004) (Approval of reserved matters)
SITE: Land East of A24 Worthing Road Horsham West Sussex
WARD: Denne
APPLICATION: DC/13/1976
APPLICANT: Berkeley Homes (Southern) Ltd

REASON FOR INCLUSION ON THE AGENDA: Category of development

RECOMMENDATION: It is recommended that Planning Permission be granted, subject to the conditions and informatives set out below.

1. THE PURPOSE OF THIS REPORT
To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.1 In August 2010, outline planning permission was granted for the development of 48.20 hectares of land to the east of the A24. The outline permission is for a development of up to 1044 dwellings, including provision of employment floorspace, fire station, community centre and expanded school facilities with associated highways infrastructure, public footpaths, landscaping, recreational and community facilities (DC/09/2138). The scheme is to be delivered as 8 phases over a 12-13 year timescale, completing in 2022/23. Application DC/11/2004 approved an amendment to the scheme (relating to bus-stops) and is therefore the most up to date Outline permission for the Masterplan.

1.2 The current application seeks Reserved Matters approval for Phase 3b of this wider development and comprises 69 residential units (47 apartments and 22 dwellings) access, parking and landscaping works.

1.3 The application seeks approval for all matters, these being access, appearance, landscaping, scale and layout, and is supported by the following technical documents:

- Design and Access Statement;
- Planning Statement and Statement of Conformity to Masterplan;
• Transport Statement and Stage 1 Safety Audit;
• Noise Assessment;
• Arboricultural Impact Assessment;
• Phase 3B Landscape Masterplan;
• Drainage Strategy;
• Ecological Reports.

1.4 Detailed plans and elevations have been submitted to illustrate the proposed site layout, streetscene and floorplans of the flats and dwellings, together with access and parking arrangements. A total of 139 car parking spaces are proposed (including 8 garages associated with the single dwellinghouses) of which 120 are allocated spaces and 19 visitor parking spaces. The parking provision for all the dwellings will either be on curtilage in garages and hardstandings, or in a parking court in the northeast corner of the site with timber car barn to serve plots 9-16. A basement car park is proposed for both apartment blocks (A and B) with ramped vehicular access onto the main Primary Street. The application also includes an indicative Landscape Masterplan for the site, and provision for refuse and recycling.

1.5 The scheme as submitted comprises a mix of 2, 3 and 4 bed terraced, semi-detached and detached dwellings, in addition to two apartment blocks of 1 and 2 bed flats. No affordable housing is provided within this phase, to reflect the Legal Agreement approved with the Outline consent. The residential element of the application includes the following housing mix:

Private Units:
13 x 1 bed flats
34 x 2 bed flats
3 x 2 bed house
18 x 3 bed house
1 x 4 bed house

Total: 69

1.6 The red edge of the application boundary includes part of the proposed vehicular ramped access onto the new grade separated junction of the A24. This will extend 150 metres eastwards to converge with the main north-south spine road or Primary Street and Arrival Square. The Primary Street will form the main spine road through the development, connecting Phase 3b with Phase 1 in the north and ultimately development in the southern section of the wider masterplan.

1.7 Planning permission was granted in 2013 for the main highway works for the access ramp from the A24, the arrival square (piazza) and north-south spine road as part of the second phase infrastructure application (DC/12/2022). That permission included temporary surfacing works for the north-south spine road and piazza. The current application therefore seeks consent for the permanent design solution for the Arrival Square (piazza) and Primary Street as it relates to the red edge.

1.8 The application before Members follows negotiation and consultation to secure the following amendments to the scheme:
- Re-design of the entrance square;
- Reconfiguration of the parking layout to improve access to visitor parking and increase parking provision for plots 9-16;
- Increase in the width of the main pedestrian/cycleway linking the Riverside Corridor;
- Removal of the first set of gates to the parking courtyard;
- Amendments to the design of the balconies to the apartments;
- Additional windows overlooking the parking court in the northeast corner of the site to improve natural surveillance

DESCRIPTION OF THE SITE

1.9 The strategic allocated site is located approximately 1.5km from Horsham Town Centre and is bordered by the A24 on its western boundary, the London/Bognor Regis mainline railway to the south, Tanbridge House School to the north and Hills Farm Way, Henderson Way and Windrum Close to the east. The land to the west of the A24 also forms part of the wider strategic allocated site to the West of Horsham and was granted outline planning permission for 963 dwellings in 2011 (DC/09/2101).

1.10 The site the subject of this application is known as Phase 3b and is located in the northern section of the wider development site. The site area is 1.148 ha. The site is located at the bottom of the grade separated junction and ramped access from the A24, which, when built, will form the main vehicular access into the site from the west. The temporary access to the site will be from Hills Farm Lane to the east and through Phase 1 until completion of the A24 grade separated junction, which is required prior to the occupation of the 470th dwelling. The site is enclosed by the main north-south spine road to the west and by new residential development to the north, south and east, approved under reserved matters application for Phase 3a (DC/12/2389). The A24 by-pass lies further west and the River Arun corridor to the east.

2. INTRODUCTION

STATUTORY BACKGROUND


RELEVANT GOVERNMENT POLICY

2.2 National policy can be found in the National Planning Policy Framework (NPPF) published in March 2012.

Section 4: Promoting sustainable transport
Section 6: Delivering a wide choice of high quality homes
Section 7: Requiring good design
Section 10: Meeting the challenge of climate change, flooding and coastal change
Section 11: Conserving and enhancing the natural environment
Section 12: Conserving and enhancing the historic environment

RELEVANT COUNCIL POLICY

2.3 The following Development Plan Documents (DPDs) form part of the Development Plan and are relevant to the determination of the application, the Adopted Core Strategy DPD (2007), General Development Control Policies DPD (2007) and the Adopted Proposals Map (2007).

Local Development Framework: Core Strategy (2007)
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
Policy CP7 of the Core Strategy outlines the key principles for the development of Land West of Horsham. Specific guidance on the ‘visions’ for the development is provided in the Land West of Horsham Supplementary Planning Document SPD (2008) and the Land West of Horsham Design Principles and Character Area SPD (2009) which provides guidance on design matters for developers and others preparing planning applications and for those considering applications.

The Horsham District Planning Framework (HDPF) Preferred Strategy was approved by Council for consultation on 25th July 2013. The consultation period ended on 11th October 2013 and a summary of the responses received is to be considered by Council at its meeting on 11th December 2013 for information. The next stage in the plan preparation, the Proposed Submission, was considered by Council in April 2014. Until this time, the Preferred Strategy is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the National Planning Policy Framework, which confirms that weight can be given to policies in emerging plans following publication.

PLANNING HISTORY

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

DC/10/0006 Erection of 196 dwellings, comprising phase 1 of the comprehensive development of Land East of A24, West Horsham, for primarily residential purposes. Creation of a new vehicular/pedestrian/cycle access from Hills Farm Lane, together with the internal highway network, footpaths and drainage works. Formation of the related landscaping, open space and recreation facilities, including additional facilities for Tanbridge House School
DC/11/2004 Variation of Condition 32 of DC/09/2138 (Outline permission for development of up to 1044 dwellings) to be revised as follows: "The provision of a northbound bus stop adjacent to the Hills Farm Lane (north) access, raised kerbing and shelter; provision of a south bound bus stop and raised kerbing together with a scheme for the provision of an additional bus stop and/or shelter to be submitted and approved in writing by the Local Planning Authority"

DC/11/2243 Erection of 35 dwellings (27 x 3-bed and 8 x 4-bed) Phase 1A of outline permission DC/09/2138 (1044 dwellings) on land West of Windrum Close, Horsham (Approval of Reserved Matters)

DC/12/1259 Approval of reserved matters for 46 dwellings (Phase 2) pursuant to planning permission DC/11/2004 as originally approved under DC/09/2138

DC/12/1737 Provision of detention basin 5 with associated earth/landscape works (Approval of Reserved Matters)

DC/12/1814 Approval of Reserved Matters relating to the provision of public art (Phase 1)

DC/12/2022 Infrastructure application to include access ramp from A24, piazza junction, commercial access road, north/south spine road, levelling groundworks, surface water detention basin 2, BMX track and associated landscape works (Approval of Reserved Matters)

DC/12/2298 Construction of an extra care facility (C2 Use class) to include 105 apartments (43 x 1-bed, 62 x 2-bed) and communal facilities to include fully serviced restaurant, living/activity room, therapy/hairdressing suite, staff facilities with associated access, car parking and landscape works

DC/12/2389 Erection of 42 dwellings Phase 3A (comprising 12 x 2-bed, 11 x 3-bed, 13 x 4-bed and 6 x 5-bed dwellings/flats) including landscaping works - approval of reserved matters pursuant to outline planning permission DC/09/2138 (as amended by DC/11/2004 - Development of up to 1044 dwellings)

DC/12/2396 Approval of reserved matters details pursuant to DC/09/2138 (as amended by DC/11/2004) - to include provision of A24 junction, cycle/pedestrian bridge over A24 and landscaping works
3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

3.1 Arboricultural Officer: No objection (previous concerns which have now been addressed are available to view on the public file):
- To the addition of two car parking spaces within the RPA of the large oak tree;
- Para 11 of the revised Arboricultural Impact Assessment states that minor surface works in the open space area 'will all take place at or above ground level', in compliance with BS5837 (2012) Trees in relation to design, demolition and construction.
- Please use standard conditions L2a, L3a and L10.

3.2 Design and Conservation Officer (summarised): Comment:
- The over dominance of the water without softening of planting is unlikely to read as a square (piazza);
- The parking court to the rear lacks surveillance and further windows, including oriel windows, on the side elevations of plots 12 and 13 will provide natural surveillance;
- The gates to the courtyard include an unnecessary gate. It should form part of the wider connectivity and permeability of the site (the gating of the second courtyard tucked away without any buildings fronting it is acceptable);
- A simpler balcony design for the apartments is preferred (metal crosses clutter the elevations);
- Preference for each bag hoist to remain a single coloured weatherboarding;
- Details of windows, doors, full height glazing and materials can be controlled by condition.
These initial concerns are addressed at paragraph 6.12 of the report.

3.3 Landscape Architect (summarised): No objection (previous concerns which have now been addressed are available to view on the public file):
- Extent of the 'mill pond' features has not been taken on board;
- [The applicant] has responded in respect of a larger entrance space overall extending southwards;
- Improving the visual and physical connection of the east-west pedestrian access;
- Showing the intention of a unified shared space with unity of materials (there will be a lot of vehicle movement in the area and there will need to be defined slight kerb edges between 'road' and 'pavement').
These initial concerns are addressed at paragraphs 6.27 and 6.28 of the report.

3.4 Leisure Services:
- Question the value of HDC adopting land associated with the Oak Tree (T15).

3.5 Public Health and Licensing: No objection:
- The letter from WSP (9 September 2013) details appropriate mitigation for development given the marginal exceedance of agreed noise design criteria;
- Final details of the glazing and ventilation scheme should be submitted for approval as the development progresses;
- With respect to ground contamination, support the comments of GESL detailed in letter (ref. GE7123/GR2/131015 15 October 2013).
3.6 **Technical Services (Drainage):** No Objection (previous concerns which have now been addressed are available to view on the public file):
- Please add the normal pre-commencement drainage conditions normally imposed on a reserved matters phase like this.

3.7 **Strategic Planning:** No objection:
- The proposed development for 69 residential units forms part of the West of Horsham Strategic Development, and the outline application for this part of the site was accompanied by an EIA, which identified the likely environmental impacts arising from the development. Whilst the proposed phase of the West of Horsham development may have some environmental impacts, including those on noise and archaeology, these do not raise additional significant environmental impacts over and above those identified in the Environmental Statement, which accompanied the outline application DC/09/2138 as amended by DC/11/2004. It is therefore considered that there is no change of extension of development listed in Schedule 2 where that development is already authorised, executed or in the process of being executed and further Environmental Impact Assessment is not required.

3.8 **Operational Services:** There is insufficient space to reverse into the bin storage area adjacent to plot 12.
This point is addressed at paragraph 6.18 of the report. A full swept path analysis has been undertaken, which demonstrates sufficient manoeuvring for emergency and refuse vehicles.

**OUTSIDE AGENCIES**

3.9 **Gatwick Airport:** No objection from an aerodrome safeguarding perspective.

3.11 **Environment Agency:** No objection in principle to the proposal as submitted.

3.12 **Highways Agency:** No objection.

3.13 **Natural England:** No objection:
- Based upon the information provided, the proposal is unlikely to affect any statutorily protected sites or landscapes;
- This application may provide opportunities to incorporate features into the design, which are beneficial to wildlife.

3.14 **Southern Water:** No objection.

3.15 **Sussex Police:**
- Pleased to note that the DAS refers to Secure by Design Principles across the development;
- Housing is outward facing in the main and parking is on curtilage, in garages and overlooked parking courts.
- Pleased to see gates on larger parking courts;
- Vehicle and pedestrian access into the basement must be gated. Access to stairways and lifts to upper floors must also be controlled ensuring authorised access only;
- Defensible planting or low railings or fencing is to be applied around blocks A and B to provide demarcation lines indicating public and private space;
- Lighting throughout the development, including the basement car park, should conform to BS5489-13.
3.16 **WSCC (Archaeology): No objection:**
- No objection on archaeological grounds subject to the continued compliance with the written scheme of archaeological investigation for Phase 3 development, previously approved in connection with Phase 3a reserved matters (DC/12/2389).
- If the large, temporary mound, present within the southern part of Phase 3b earlier in 2013, is still present, arrangements should be made by the applicant to involve their archaeological consultants in providing advice about its removal, at levels close to the pre-existing ground surface, to enable optimal ground conditions for the outstanding archaeological investigation.

3.17 **WSCC (Ecology):** No objection.
- There is no ecological objection to the proposed development.

3.18 **WSCC (Highways Strategic Planning):** No objection:
- Road layout accords with the Masterplan and is acceptable;
- Cycle provision and servicing provision would appear to be adequate;
- Need for continuous footways/cycleways across vehicular access points on the east side of the road, rather than giving priority to private accesses;
- There is concern regarding the relationship between visitor parking to the apartment blocks and the risk of on-street parking in the square causing obstructions for vehicles entering and leaving the development – especially when the new service is introduced.

PUBLIC CONSULTATIONS

3.19 **Denne Parish Council (summarised):** No Objection (previous concerns which have now been addressed are available to view on the public file):
- Having studied the revised plans, we are satisfied with the new arrangements incorporating additional spaces and the removal of a set of gates.
- Objection is therefore withdrawn.

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

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

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

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

6. **PLANNING ASSESSMENTS**

6.1 The National Planning Policy Framework sets out the government’s planning policy. At the heart of the Framework is a presumption in favour of sustainable development. The Framework requires applications to be determined in accordance with the development plan and to approve proposals that accord with the development plan without delay. The Framework specifies core planning principles including the need to secure high quality design. The objections of the Framework have been taken into account and an assessment of the application undertaken based upon the following issues:
a) Compliance with the principles established through the parameter plans approved by virtue of the outline application;
b) Linkages with the ‘parent’ S106 Agreement
c) Design approach and compliance with advice contained within the Land West of Horsham Design and Character Area Supplementary Planning Document
d) Site layout, appearance, access and highway safety, including car parking provision and temporary construction arrangements;
e) Landscape strategy and drainage;
f) Issues arising from public consultation.

Each of the issues is addressed below:

**a) Compliance with the principles established through the parameter plans approved by the outline planning application**

6.2 The Outline planning application established through the parameter plans and supporting technical information, the key principles relating to the location and scale of the main land uses, vehicular access and primary circulation routes, density and character, building height and landscape strategy.

6.3 The proposed development is referred to as Phase 3b and is located within Character Area 1, as defined in the Design Principles and Character Areas SPD. The development within the balance of Phase 3 includes the extra care facility to include 105 apartments to the east of the planned commercial site (DC/12/2298) and an undeveloped parcel of land to the northwest of the site.

6.4 In terms of land use, the proposed scheme is residential, with building heights of 3 storeys and 4 storey feature gables for the two apartment blocks (at a maximum height of 17.6 metres to the ridge) and 2-2.5 storeys for the dwellings (10.5 metres maximum height). The scheme layout will result in a density of 60.1 dwellings per ha, which reflects the site’s strategic entrance at the centre of the development, adjacent to the grade separated junction of the A24. The proposed development will be served by a ramped access from the A24 junction leading to an entrance piazza, with a Primary Street (north-south boulevard) and pedestrian and cycle routes linking through to adjacent phases. It is therefore considered that the proposed development adheres to the key principles established by the parameter plans.

**b) Linkages with the ‘parent’ S106 Agreement**

6.5 As a reserved matters application, the infrastructure and other contributions are linked to the ‘parent’ Legal Agreement secured with the outline consent (DC/09/2138 as amended by DC/11/2004). The principal elements of the Legal Agreement applicable to this phase are contained within Schedule 15, Part 1 and Schedule 26, Table B, which specifies the affordable housing requirement for the wider Masterplan. In relation to Phase 3b, there is no affordable housing to be provided as part of the development, in line with the Legal Agreement approved.

6.6 As indicated by the table below, the approval of this reserved matters application will bring the total number of residential units across the Masterplan to 458. The occupation and completion of units will trigger the delivery of further planning obligations secured under the outline consent, in terms of financial contributions and key infrastructure across the Masterplan.
APPENDIX A/2-10

<table>
<thead>
<tr>
<th>PHASE</th>
<th>NO. OF UNITS</th>
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<tbody>
<tr>
<td>Phase 1</td>
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<td>Extra Care</td>
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<td>Phase 2</td>
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<td>Phase 3a</td>
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<td>Phase 3b</td>
<td>69</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>458</strong></td>
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</table>

c) The design approach and compliance with advice within the Land West of Horsham Design and Character Areas Supplementary Planning Document

6.7 The site is located within Character Area 1 as defined within the Land West of Horsham Design and Character Areas SPD, which encompasses land between Tanbridge House School and the River Arun. The specific design guidance for Character Area 1 is reproduced below and annotated to demonstrate conformity with the proposed scheme:

<table>
<thead>
<tr>
<th>DESIGN GUIDANCE</th>
<th>COMMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Densities of about 40-50 dwellings per ha</td>
<td>This applies to the entire northern section of the Masterplan east of the A24. The density parameter plan approved with the outline permission established the principle of higher densities in this location, to reflect the site’s strategic position at the entrance to the development from the A24. The scheme density is 61 dph.</td>
</tr>
<tr>
<td>Lower densities in the western portion and the vicinity of the watercourses</td>
<td>The site is located in the eastern portion of site at the main access off the grade the separated junction of A24. The site is not within the western section of the site or in the vicinity of watercourses.</td>
</tr>
<tr>
<td>Dwellings 2-2.5 storeys high</td>
<td>The proposed scheme includes dwellings up to 2.5 storeys in height.</td>
</tr>
<tr>
<td>3-4 storey dwellings or apartments in the vicinity of the new junction onto the A24</td>
<td>The two apartment blocks will be predominantly 3 storeys with 4 storey feature gables. These will be feature buildings at the Arrival Square or main piazza, opposite the new junction onto the A24.</td>
</tr>
<tr>
<td>Mainly terraced and semi-detached dwellings and small apartment blocks with potential for a small amount of detached housing to soften densities</td>
<td>This comment relates to the wider character area. Within this phase, the scheme comprises 4 rows of terraces, 6 semi-detached dwellings and 1 link detached dwelling, in addition to the 3 / 4 storey apartment blocks.</td>
</tr>
<tr>
<td>Dwellings arranged to front public areas including streets, footpaths and the watercourses/informal open space</td>
<td>The development is designed to be Manual for Streets and Secure by Design compliant with properties fronting the street, the pedestrian walkway connecting Phase 3a to the east and the parking court.</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Key focal points or landmark buildings Provision of space for planting to soften streetscene</td>
<td>The two apartment buildings will be focal landmark buildings within this phase as a collection of mill buildings surrounded by a mill race (water feature) fronting the arrival square. These buildings will be timber clad with sack hoist enclosures at the roof apex.</td>
</tr>
<tr>
<td>Retention and enhancement of existing right of way (FP1633)</td>
<td>The right of way FP1633 has been diverted with the outline consent. It is to be reinstated once development is complete. A temporary diversion (permissive right of way) is in place within the southern part of the site.</td>
</tr>
<tr>
<td>Retention/reinstatement of the foot/cycle path from the A24 footbridge to the bridge over Boldings Brook</td>
<td>Boldings Brook and foot/cycle path is located outside the application site.</td>
</tr>
<tr>
<td>Variety in design including roof form and materials, colouring should be sympathetic to locality but not detract from innovative design</td>
<td>The scheme incorporates 3 separate character areas: the Arrival Square with feature mill buildings; mill inspired housing in the rear courtyard; and transitional housing along the Primary Street or boulevard. The elevational treatment of these buildings incorporates timber cladding, brickwork and tile hanging. The roof form will be at a 40 degree pitch or more, covered in plain clay or slate grey tiles. Gable ends will have feature barge boards with sack hoist enclosures at the roof apexes on the apartments.</td>
</tr>
<tr>
<td>Unallocated parking for some smaller units e.g. in overlooked communal courts</td>
<td>A total of 19 unallocated parking spaces are proposed, 14 of which will be located within communal parking courts in the northeast corner of the site.</td>
</tr>
<tr>
<td>Open spaces could be designed around existing trees to ensure their long term retention is feasible and so that they contribute to local amenity</td>
<td>A prominent, mature Oak Tree is to be retained as part of the landscape strategy. This will be surrounded by communal open space.</td>
</tr>
<tr>
<td>Road off new A24 junction to be set down in the landscape as far as possible to help reduce visual impact. Sympathetic earthworks could be designed to help localise views of the junction and alleviate some of the road noise.</td>
<td>The Primary Street (north-south spine road) will be set permanently lower than the new A24 junction.</td>
</tr>
<tr>
<td>Adequate planting to screen and reduce the visual impact of the new road junction and development as perceived from off site views, including views from Highwood Hill and the A24</td>
<td>The proposed landscape buffers are secured by the outline consent.</td>
</tr>
<tr>
<td>Highways lighting to be sympathetic to countryside edge setting and design to try and avoid any unnecessary glare</td>
<td>A lighting strategy is to be agreed with West Sussex County Council and the applicant in liaison with the Local Planning Authority (to be secured by condition). HDC are seeking continuity between phases.</td>
</tr>
<tr>
<td>Potential buffer planting between the new road junction and the proposed housing to help reduce the impact of the road junction on individual properties</td>
<td>This area is outside the application boundary.</td>
</tr>
<tr>
<td>Exploit natural low lying and undulating topography to advantage; i.e. sympathetic roofscapes and judicial use of tree planting to help visually contain the built form</td>
<td>The proposed scheme is at its highest at the centre, gently sloping away to the River Arun to the south and east. The scheme will maintain existing levels where possible, particularly in the vicinity of the retained tree and alongside boundaries.</td>
</tr>
<tr>
<td>Landscape enhancement of the open space adjacent to the River Corridor and Boldings Brook</td>
<td>The River Corridor and Boldings Brook are located outside the application site.</td>
</tr>
<tr>
<td>Retention of the WW11 pillbox</td>
<td>The WW11 pillbox is located outside the application site.</td>
</tr>
</tbody>
</table>

d) Site layout, appearance, access, highway safety, including car parking provision and servicing, and temporary construction traffic

**Layout, Scale and Appearance**

6.8 The current scheme follows pre-application discussions with the applicant, in order to ensure a high quality of design and layout. The concept design for this phase has been informed by reference to historic watermills of Sussex and the wider site’s association with a fulling mill previously located in the vicinity of the proposed development.
6.9 The scheme layout is therefore broken into three main components:

- The *arrival square* at the foot of the ramped vehicular access from the grade separated junction of the A24 onto the north-south spine road. This will take the form of a group of feature ‘mill’ buildings fronting onto a ‘piazza’ with a mill race enclosing the western edge of the spine road. The focal point of the square will be two timber clad mill buildings of three storeys, rising to four storeys in height, with feature gables and sack hoists with mill inspired buildings attached (plots 20-66).

- *Transitional housing* along the main north-south spine road or Primary Street comprising a mix of semi-detached, link detached and terraced dwellings fronting the Primary Street of 2-2.5 storeys in height. The Design and Access Statement submitted with the application states that these buildings will be of a similar design approach to earlier phases and will create a transition in terms of their form, scale and design to this phase and surrounding sub-phases (plots 1-8; 67-69).

- The continuation of the mill inspired theme with a group of two storey *mill workers cottages and managers houses* located in a rear courtyard to the northeast and pedestrian link on the eastern edge of the site (plots 9-12; 13-18).

6.10 The layout within this phase provides a pedestrian route that will traverse the water feature (mill race) from the Primary Street (north-south spine road) across a bridge through the park link between the apartment blocks, to provide pedestrian access to plots 17-19, Phase 3a and the river corridor, to the east.

6.11 The Council’s Design Officer is broadly supportive of the proposed scale, design and layout of development within this phase, which reflects the principles agreed at outline stage. The scale of development, in particular the four storey apartment blocks, albeit with basement level, is in the spirit of the approved parameter plans. The mill concept is considered to be an appropriate design response, and the layout of the buildings and their relationship with each other, together with the creation of pedestrian and cycle linkages from the Primary Street through the development to the riverside corridor, is considered to be successful in creating a legible and permeable layout. The form and detailing of the apartment blocks, with the use of weatherboarding, brick and stone cills, and architectural details such as sack hoists, balconies and gables, is considered to achieve a legible entrance gateway into this prominent phase of the Masterplan. The hierarchy of this phase is played out in the architectural design of the surrounding houses, reflecting a story of mill worker cottages: plots 9-12, 13-18 arranged around a central courtyard are generally acceptable, as is the layout and architectural detailing of plots 5-8, 17-19 and 67-69.

6.12 Officers raised concerns in respect of a number of aspects of the proposed design and layout of the scheme. Of particular concern is the design of the entrance piazza and the proposed water feature, which reads as a parallel, linear street, rather than a square. Also of concern is the lack of natural surveillance of the gated parking court in the northeast corner of the site, and the provision of secondary gates to the southern courtyard (to the front of plots 9-12; 13-16) which precludes connectivity and permeability to the wider site, contrary to the aims of best practice guidance in Manual for Streets and restricts access for emergency vehicles and visitor parking to the parking court. For clarification, Manual for Streets is Government guidance on street design incorporating advice on how street design can create better places with local distinctiveness and identity. In response, the applicant has amended the scheme by:

- removing the first set of vehicular and pedestrian gates to the main parking court to improve circulation;
• inserting additional windows in the flank elevations to plots 12 and 13 to improve natural surveillance of the second parking court;
• removing the metal crossed elevations to the balconies and replacing them with glass;
• ensuring that the colour of the gable and bag hoists on the apartment blocks remain as a single colour weatherboarding (the precise colour treatment may be controlled by planning condition).

With regard to the design of the arrival square, this is discussed in further detail at paragraph 6.27 below.

6.13 The Parish Council raised as a concern the limited provision of private green space associated with the apartments. For clarification, although there is no policy requirement for the provision of private or communal amenity space for flats, 20 of the apartments have some form of private amenity space in the form of a balcony or garden, with residents of Apartment block B also benefitting from access to an enclosed, communal garden to the rear of this block. Occupants will have access to informal recreation and public open space to the east along the River Corridor and, in the longer term, to communal sports pitches to the south. With regard to the internal layout of the apartments, there is no specific local authority standard, nevertheless, the submitted plans illustrate that the flats would be of a reasonable size with a good outlook and daylight levels, with 24 of the flats dual or triple aspect.

6.14 With regard to the proposed dwellings, the submitted layout indicates an acceptable relationship and separation distance between properties to ensure no adverse overlooking, overshadowing or loss of privacy to surrounding development on adjoining phases, with adequate provision of garden space for each dwelling. In terms of crime prevention, Sussex Police supports the commitment to achieve Secure by Design. The proposed layout ensures that housing is outward facing to create active frontages, with parking provided on curtilage, in garages or overlooked parking courts. It is recommended that the vehicular/pedestrian access into the basement carpark is gated and that planting / low railings or fencing is erected around the apartment blocks, in order to create defensible space. Details of the vehicular gate to the basement carpark and boundary treatments will be secured by planning condition.

6.15 Given the site’s location at the bottom of the main vehicular access onto the grade separated junction with the A24, the application is supported by a noise assessment. The proposed layout and configuration of the flats and apartments is such that the ground floor residential units will be exposed to less road noise than upper storeys, owing to the screening provided by the surrounding topography. The design of the apartment blocks locates open side balconies and gardens to the eastern, northern and southern facades of the building(s) away from the more noise sensitive western façade. The upper storeys of the apartments, and in particular the western façade of the apartment blocks at third floor level (plots 43 and 64) are identified as being exposed to noise levels marginally exceeding noise design criteria and will therefore require mitigation in the form of appropriate glazing and acoustic ventilation to provide an acceptable noise level to habitable rooms. The Council’s Public Health and Licensing Officer is satisfied with the proposed mitigation measures.

Access and Highway Safety

6.16 The application is supported by a Transport Statement, which details the transport and highway implications associated with this phase of the development. The main access into Phase 3b will eventually be taken from the new grade separated junction on the A24, to be completed upon occupation of the 470th dwelling. The access ramp from the grade separated junction will converge with the proposed arrival square (piazza) and Primary
Street (boulevard) which will form the main north-south spine road linking this phase with the wider Masterplan. The Primary Street will form part of the bus route for the wider development. Plots 17, 18 and 19 will be served with a dedicated pedestrian access accessible from Phase 3a. Temporary vehicular access into Phase 3b will be taken from Hills Farm Lane and through Phase 1, until the completion of the grade separated junction. The proposed road layout reflects the key principles of internal access and circulation established by the Illustrative Masterplan.

6.17 The proposed road layout will comprise a range of different street types from formal public open spaces (piazza and primary street) to informal parking mews, and is designed to be Manual for Streets compliant (i.e. guidance on street design to accommodate the needs of pedestrians, cyclists and public transport, in addition to private cars, and be attractive spaces). The arrival square (piazza) will be distinguished by varying materials, textures, planting and street furniture to calm traffic, with the parking for the apartments located below ground level in a basement carpark. The Primary Street or north-south spine road (boulevard) will be 5.5 metres in width, increasing to 6 metres width to the south. It will be flanked by a 3 metre wide footway/cyclepath on its western side and 2 metre footpath on the eastern side. The shared footpath/cyclepath will extend from the southern half of the Masterplan through Phase 3b and into Phase 1 in the north, to reflect the pedestrian/cycle strategy approved with the Illustrative Masterplan.

6.18 The apartments and houses fronting the Primary Street (plots 1-8; 67-69; 20-66) will be serviced from this road and plots 9-19 serviced from the private access road and turning head in the parking court. Swept path analysis for refuse and emergency vehicles has been undertaken and this adequately demonstrates sufficient turning and manoeuvring for vehicles within this phase of development.

6.19 The County Highways Authority has been consulted on the proposal and raises no objection in principle to the road layout and access and servicing arrangements. One observation relates to the need to provide a continuous footway/cycleway across the vehicular access points on the east side of the north-south spine road, rather than giving priority to private accesses. A detailed specification of the road layout, pedestrian routes, street furniture and planting will be secured by planning condition.

Parking

6.20 In total, 139 parking spaces are proposed within this phase (including 8 garages) of which 120 are allocated spaces and 19 visitor parking spaces. The parking provision will either be on curtilage, in garages and hardstandings, or in a parking court in the northeast corner of the site with timber car barn to serve plots 9-16. A basement carpark is proposed for both apartment blocks (A and B plots 22-66) with tandem parking spaces and ramped vehicular access onto the main Primary Street. The ramp will be two way, accommodating 3 metre wide lanes, separated by a central 600mm strip. The surface parking spaces and those within the car barn and basement carpark will measure 2.4 by 4.8 metres.

6.21 Overall, the level of parking now provided within this phase is compliant with WSCC parking standards, which identifies a total parking requirement of 139 spaces. Officers and the Parish Council expressed initial concerns in relation to a number of aspects of the parking layout as originally submitted. This included the remote location of visitor parking spaces for the apartment blocks, as only 3 spaces were shown in proximity with the majority of visitor spaces in gated parking courts in the northeast corner of the site, and the inconsistent allocation of spaces; for example, plots 9-16 (3 bed units) were allocated 1 space per unit in the car barn.
6.22 The applicant has therefore reconfigured the parking layout to enable easier access to visitor parking and increased provision for the 3 bed units. In total, 19 unallocated spaces are provided throughout the development with 11 visitor spaces now provided in the first parking court. The gates to this parking court have been removed to allow easier access. The second parking court containing the car barn will provide 2 allocated parking spaces for plots 9-16 with only 3 visitor spaces available for both visitors and residents. The gates to the second parking court will be sensor controlled and will open automatically upon entry. The parking spaces for apartments 48, 49, 52, 55, 56, 59, 61 and 62, contained within apartment block B in the southern half of the site, have also been relocated to ensure that, so far as possible, parking is closer to these flats. The amendments to the parking layout has resulted in an increase of 10 additional parking spaces overall from the original submission.

6.23 In terms of sustainable modes of transport, the north-south spine road will form part of the main bus route that will serve the wider Masterplan and the Countryside development to the west of the A24 (the Design and Access Statement indicates the provision of bus stops within this phase). The bus service is to be provided upon completion of the grade separated junction of the A24. Cycle parking will be provided for the apartments within the basement carpark totalling 60 spaces and on plot within garages or dedicated cycle storage for the dwellings with access from rear gardens. The garages will measure 3 x 6 metres, which is sufficient size to accommodate cycle parking. The provision of cycle storage will be secured by planning condition. A Green Travel Plan for the entire Masterplan has been approved under condition 33 of the outline consent.

**Temporary Construction Traffic**

6.24 The Design and Access Statement submitted with the application states that a Construction and Environmental Management Plan (CEMP) will be adopted and the proposed development registered under the Considerate Constructor’s Scheme, which seeks to limit the effect of construction on the wider community and the environment. This reflects the requirements of condition 35 of the outline consent, which requires the submission of a CEMP prior to the commencement of development on each phase. Construction traffic will continue to use the temporary route from the A24.

e) **Landscape strategy and drainage**

**Landscape Strategy**

6.25 The submitted Landscape Strategy reflects the Landscape Parameter Plans approved with the Illustrative Masterplan by incorporating a mature Oak Tree in the northern part of the site. The tree possesses significant visual amenity value and will be retained and its setting enhanced as part of the landscape strategy within an area of public open space. The Council’s Arboricultural Officer is satisfied that built development within this phase is located outside the root protection area of this tree, in accordance with BS5837 (Trees in Relation to Construction 2012) as summarised in the submitted Arboricultural Impact Assessment (AIA). Minor surface works, including a footpath and two off-set parking bays, would be sited within the RPA of this tree. These works will take place at or above ground level, in compliance with the current British Standard, using a ‘no dig’ system. With regard to the pedestrian footway associated with the north-south spine road to the west, this would also encroach into the RPA of this tree to a minor and acceptable degree. The laying of underground services is raised as a concern by the Tree Officer, therefore a condition is recommended to prevent the encroachment of service runs into the RPA of the Oak Tree. Conditions are also recommended for tree protection and compliance with the submitted AIA.
6.26 In addition to the public open space in the northern section of the site containing the mature Oak Tree, the illustrative landscaping scheme proposes the following elements: main approach gateway from the access ramp of the A24 junction, comprising a pair of Oak Trees, curved drystone wall with water flowing into a curved rill that will be lit at night; the mill race to be sited in front of the mill inspired landmark apartment buildings in the form of a water feature with two timber bridges leading to the apartment block entrances A and B; and the park link, a linear space leading to a pedestrian route and connecting the park to the west. The park link will be located between the apartment blocks and will incorporate raised seating shrub beds and trees framed by water rills, with a piece of feature mill inspired artwork in the form of kinetic water sculptures (the mill inspired artwork will form part of the Public Art Strategy approved with the illustrative Masterplan).

6.27 The Council’s Landscape Architect has considered the submitted scheme and is broadly supportive of the overall landscape concept, subject to a number of issues, which the applicant has sought to address. The first concern relates to the form and layout of the ‘piazza’, and whether this space would function as a pedestrian dominant and comfortable square given its linear form and position on the main access into the site (this issue is also raised by the Design Officer). The applicant has amended the layout by creating a larger entrance space extending southwards and a more unified space with a unity of materials (that will incorporate a raised kerb edge to distinguish between road and pavement). As a consequence, this gives the impression of a larger, more coherent space at the main entrance to the development. Precise details of the surfacing materials, street furniture and planting will be secured by condition.

6.28 Secondly, concern was raised regarding the narrow width of the walkway bridge for pedestrians crossing the mill race to the park link. The bridge link leading to the park link has been increased in width and a tree removed, in order to improve pedestrian access and circulation, and the visual connection to the east-west pedestrian access. The main approach gateway at the bottom of the vehicular ramp to the A24 is shown indicatively and precise details will be secured through conditions attached to the extra care scheme (DC/12/2298) and phase directly to the north not yet submitted for approval. Other aspects of the proposed landscaping scheme will be addressed by planning condition (for example; the distinction between street trees, piazza trees; maintenance arrangements for the water feature; the use of Horsham stone for the raised planter walls).

Drainage

6.29 The Design and Access Statement submitted with the application states that surface water drainage strategy will be based upon sustainable drainage principles (SUDs) and include such features as rainwater harvesting and permeable pavements, with final run-off controlled by detention basins. The majority of phase 3b will drain to detention basin 1 approved as part of the reserved matters for phase 1 (DC/10/0006). A small part of the site will drain to detention basin 2, located on the western periphery of the riverside corridor and approved as part of first infrastructure application (DC/12/2022). In respect of foul water, the proposed development will connect to trunk foul sewer parallel to Boldings Brook along the east edge of the development.

6.30 The Council’s Drainage Engineer has advised that the submitted information outlines the broad strategy to surface and foul water drainage. Following further discussion with the applicant, the detailed design of the foul and surface water drainage for this phase may be secured by planning condition.
Ecology

6.31 The applicant has submitted a series of Ecological Surveys to demonstrate compliance with the approved surveys submitted pursuant to the Outline planning permission. The County Ecologist and Natural England are satisfied with the submitted information and raise no objection, subject to the continued compliance with the mitigation strategies.

Archaeology

6.32 A scheme of Archaeological Works was previously submitted and approved for the reserved matters application for Phase 3a (DC/12/2389) and full planning application for Extra Care (DC/12/2298) that incorporates all of Phase 3. The County Archaeologist has advised that an exploratory trench has uncovered an archaeological feature (either a drainage ditch or a watercourse) extending into Phase 3b, close to a large, temporary spoil mound. The applicant is advised to engage early with their archaeological consultant, in order to ensure that the removal of the spoil mound maintains optimal ground conditions for the ongoing archaeological investigation. The County Archaeologist raises no objection to the current proposal, subject to the continued compliance with the written scheme of archaeological investigation and recording for Phase 3, and a condition is recommended to this effect.

Sustainability

6.33 The proposed scheme has been designed to achieve a minimum Level 3 of the Code for Sustainable Homes to provide a 10% reduction of carbon emissions. This reflects the approach taken across the wider Masterplan. However, a Final Code Certificate to confirm that the buildings are designed and built to achieve Code Level 3, will be secured by planning condition.

f) Issues arising from public consultation

6.34 In respect of the comments raised by Denne Parish Council (summarised in paragraph 3.21) the applicant has reviewed some of the key issues raised through the consultation process and provided the following response:-

i. The architectural style of Sussex water mills that these buildings evoke is organic and asymmetrical by design and nature, therefore the current arrangement is in keeping with this approach. The colour of the timber boarding will be controlled by means of a planning condition.

ii. There are a significant number of balconies and patio areas serving both apartment blocks. Furthermore, apartment block B has a large residents garden to the rear, in excess of 350 sq m. The spaces to the rear of plots 22 and 23 are private gardens to those apartments.

iii. It is in the applicant’s interest that the water feature does not cause a nuisance to residents. As for hours of operation, no decision has been made at the time of writing.

iv. Refuse collection points have now been added to plots 67-69.

v. In respect of the car barn, there is a back wall which will also serve as an attractive garden wall to properties to the east along River Walk (phase 3a). With regard to unallocated parking spaces in the barn, there will be a management company in place to ensure that ‘unsuitable storage’ does not occur.
vi. The gates to the main parking court have now been removed, but remain to the car barn. These unallocated spaces will be for both residents and visitors.

7. **RECOMMENDATIONS**

It is recommended that Planning Permission be granted, subject to the following conditions and informatives:

1. Notwithstanding the submitted information, prior to commencement of development (or such other date or stage in development as may be agreed in writing with the Local Planning Authority) a schedule of materials and samples of materials and finishes, and colours to be used for external walls, and roofs of the proposed building(s) shall have been submitted to and approved in writing by the Local Planning Authority. A statement of detail shall be submitted setting out details of proposed windows and doors, full height glazing, sack hoists and balcony treatments. The materials and statement of details so approved shall be used in the construction of the buildings. **Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).**

2. D6 – Finished Floor Levels

3. Prior to commencement of development (or such other date or stage in development as may be agreed in writing with the Local Planning Authority) details of boundary treatments shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and no dwellings/flats shall be occupied until such boundary treatments associated with them have been erected. Thereafter, the boundary treatments shall be retained as approved and maintained in accordance with the approved details. **Reason: In the interests of amenity in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).**

4. Notwithstanding the submitted landscape masterplan, prior to commencement of development (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), full details of hard and soft landscaped works shall be submitted to and approved in writing by the Local Planning Authority. These details shall be submitted concurrently as a complete scheme, unless otherwise agreed in writing by the Local Planning Authority, and shall comprise:

- A detailed plan and specification for topsoil stripping, storage and re-use on the site in accordance with recognised codes of best practice
- Planting and seeding plans and schedules specifying species, planting size, densities and plant numbers
- Tree pit and stalking/underground guying details
- A written specification (National Building Specification compliant) of hard works and planting (including ground preparation, cultivation and other operations associated with plant and grass establishment)
- Existing and proposed levels, contours and cross / long sections for all earthworks
- Hard surfacing materials: layout, colour, size, texture, coursing and levels
- Walls, fencing and railings: location, type, heights and materials
- Minor artefacts and structures – location, size and colour of signage, refuse units and lighting columns and lanterns
The approved scheme shall be implemented in full accordance with these details. Planting shall be carried out according to a timetable to be agreed in writing with the Local Planning Authority prior to commencement of development. Any plants which within a period of 5 years die, are removed or become seriously damaged and diseased shall be replaced in the next planting season with others of similar size and species. **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)**

5. Prior to the commencement of development details of all underground trenching requirements for services, including the positions of soakaways, service ducts, foul, grey and storm water systems and all other underground service facilities, and required ground excavations there for, shall be submitted to and approved by the Local Planning Authority in writing. These details shall demonstrate effective coordination with the landscape scheme submitted pursuant to condition [4], and with existing trees on the site. All such underground services shall be installed in accordance with the approved details. **Reason: To protect roots of important trees and hedgerows on the site in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).**

6. L2a - Protection of trees and hedgerows – not inspected

7. No trenches or pipe runs for services, drains, or any other reason shall be excavated anywhere within the root protection area of any tree or hedge targeted for retention on or off the site without the prior written approval of the Local Planning Authority. **Reason: To protect roots of important trees and hedgerows on the site in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).**

8. Prior to the commencement of development (or such other date or stage in development as may be agreed in writing with the Local Planning Authority) a detailed long term Landscape Management and Maintenance Plan for all landscape areas shall be submitted to and approved by the Local Planning Authority in writing. The plan shall include:

- Aims and Objectives
- A description of Landscape Components
- Management Prescriptions
- Details of maintenance operations and their timing
- Details of the parties/organisations who will be maintain and manage the site, to include a plan delineating the areas that they will be responsible for

The plan shall demonstrate full integration of landscape, biodiversity and arboricultural considerations. The areas of planting shall thereafter be retained and maintained in perpetuity in accordance with the approved Landscape Management and Maintenance Plan, unless any variation is approved in writing by the LPA. **Reason: To ensure a satisfactory development and in the interests of amenity and nature conservation in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).**

9. All works shall be executed in full accordance with the submitted Aboricultural Method Statement (ref. IJK/7761/3b/ik) dated October 2013, as amended. **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).**
10. The development hereby permitted shall not be occupied until the parking, turning and access facilities have been provided in accordance with the plans hereby approved (or in accordance with plans submitted to and approved in writing by the Local Planning Authority) and the parking, turning and access facilities shall be retained as such thereafter and retained solely for that purpose (and solely in connection with the development). *Reason: To ensure adequate parking, turning and access is available to serve the development in accordance with policy DC40 of the Horsham District Local Development Framework: General Development Control Policies (2007).*

11. The development hereby permitted shall not be occupied unless and until the provision of facilities for the parking of cycles has been made within the site, in accordance with the plans hereby permitted, and retained as such thereafter. *Reason: To ensure 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).*

12. The development hereby permitted shall not be occupied unless and until provision for the storage of refuse/recycling bins has been made within the site in accordance with the hereby approved plans and retained as such thereafter. *Reason: To ensure the adequate provision of refuse/recycling facilities in accordance with policy CP2 of the Horsham District Local Development Framework: Core Strategy (2007).*


14. D5 – Removal of permitted development – windows

15. V5 – Removal of permitted development – extensions

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any amending or revoking and re-enacting that Order with or without modification) all garages hereby approved shall be retained for the parking of vehicles and for no other purpose whatsoever, and retained as such thereafter. *Reason: In the interests of highway safety and convenience for all highway users in accordance with policy DC40 of the Horsham District Local Development Framework: General Development Control Policies (2007).*

17. O1 – Hours of working

18. L6 - No burning of materials

19. The development hereby approved shall be carried out in continued compliance with the Written Scheme of Archaeological Investigation, dated August 2012, approved under phase 3a (reserved matters application DC/12/2358) and Extra Care (full planning application DC/12/2298). *Reason: To enable items of archaeological interest to be recorded in accordance with the policy DC10 of the Horsham District Local Development Framework: General Development Control Policies (2007).*

20. The development hereby permitted shall be carried out in accordance with the submitted ecological surveys and mitigation strategies. *Reason: To safeguard the ecology and biodiversity of the area in accordance with policy DC5 of the Horsham District Local Development Framework: General Development Control Policies (2007), and in the interests of protected species as listed under the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000, to ensure that a habitat remains for them during and after development.*
21. The development hereby permitted shall achieve a Code Level 3 (unless Government requirements have imposed higher levels at the commencement of development, in which case the higher levels should be achieved) in accordance with the requirements of the Code for Sustainable Homes: Technical Guidance (or such national measures of sustainability for house design that replaces that scheme). No flat(s) or dwelling(s) shall be occupied until a Final Code Certificate has been issued to the Local Planning Authority and approved in writing to certify that Code Level 3 has been achieved. **Reason:** To accord with the terms of the application as set out within the Design & Access Statement, and to ensure the dwelling makes the most efficient use of energy efficiency, renewable energy and related sustainability measures to comply with policy DC8 of the Horsham District Local Development Framework: General Development Control Policies (2007) and the National Planning Policy Framework.

22. Prior to the commencement of the development a Water Reduction Strategy shall be submitted to and agreed in writing by the Local Planning Authority (in accordance with the recommendations in the Environmental Statement (ES)) to minimise water consumption and contribute towards achievement of the relevant Code for Sustainable Homes. **Reason:** To achieve planned reductions in water usage referred to in Chapter 15 paragraph 15.5.50 of the Environmental Statement.

23. Notwithstanding the details hereby approved, no development shall commence until a scheme of works to reduce the intrusion of external noise, to include details for glazing and ventilation scheme, in accordance with the mitigation measures identified in the Noise Assessment by WSP Acoustics, dated 9 September 2013, has been submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented prior to the first occupation of the development and retained as such thereafter. **Reason:** In the interests of residential amenity by ensuring an acceptable level of noise for occupants, in accordance with policy DC9 of the Horsham District Council Local Development Framework: General Development Control Policies (2007).

24. Prior to the first occupation of the development hereby permitted, an access gate to the basement carpark shall be provided, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The gates shall be retained as such thereafter. **Reason:** To ensure a satisfactory development in the interests of visual amenity and crime prevention, in accordance with policy DC9 of the Horsham District Local Development Framework: General Development and paragraph 58 of the National Planning Policy Framework (2012).

25. No development shall commence until details of the proposed means of foul sewerage disposal and surface water drainage have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The development shall be constructed in accordance with the agreed details and retained as such thereafter. **Reason:** To ensure the development is properly drained and to prevent the risk of flooding in accordance with policies DC7 and DC9 of the Horsham District Council Local Development Framework: General Development Control Policies (2007).

26. Prior to the first occupation of the development hereby permitted, the footpaths / cycle link, as illustrated on drawing no. P101 rev B and 1271/038 rev H shall be provided and constructed to a standard to be agreed in writing by the Local Planning Authority. The footpaths/cycle link shall thereafter be retained as such solely for that purpose. **Reason:** To ensure a satisfactory development in the interests of amenity in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).
27. The development hereby permitted shall be carried out in accordance with the approved plans and documents listed in the schedule below. *Reason: For the avoidance of doubt and in the interests of proper planning.*

*Schedule of plans/documents:*

**Informatives**

1. The applicant is reminded that the current application is to be read in context of the conditions attached to the outline planning permission DC/11/2004 and obligations as contained within the Legal Agreement dated 13th August 2010.

2. The applicant is advised to engage early with their archaeological consultant, in order to ensure that the removal of the temporary spoil mound maintains optimal ground conditions for the ongoing archaeological investigation required by condition 19.

3. The applicant’s attention is drawn to the advice of Sussex Police with regard to adopting Secure by Design accreditation.

4. The applicant will be required to obtain technical approval from West Sussex County Highways Authority for the new access road as part of the Section 38 road agreement process.

5. The applicant is requested to contact the Council’s Operational Services Department to agree the size and type of bins required for the blocks of flats.

**Positive & Proactive Statement**

Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating with the Applicant acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Background Papers: DC/09/2138 and DC/11/2004  
Case Officer: Katherine Rawlins
Organisation | Horsham District Council
Department
Comments | O/S EXTRACT
Date | 07 January 2014
SLA Number | 100023865

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DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee  
BY: Head of Planning and Environmental Services  
DATE: 21st January 2014  

DEVELOPMENT: Demolition of existing buildings and redevelopment for retail purposes within Use Class A1, including car parking and undercroft parking, revised accesses, landscaping, improvements to public realm along Albion Way, Bishopric and to the Albion Way/Bishopric junction  
SITE: Horsham Bowling Club Bishopric Horsham West Sussex  
WARD: Denne  
APPLICATION: DC/13/1599  
APPLICANT: Westrock  

REASON FOR INCLUSION ON THE AGENDA: Category of development  
RECOMMENDATION: That subject to the referral of the application to the Secretary of State under the Town and Country Planning (Consultation) (England) Direction 2009, planning permission be delegated for approval to the Head of Planning and Environmental Services, subject to appropriate conditions and securing a S106 Legal Agreement.  

1. THE PURPOSE OF THIS REPORT  
To consider the planning application.  

DESCRIPTION OF THE APPLICATION  

1.1 The application seeks full planning permission for the demolition of the existing buildings and the redevelopment of the site for retail purposes. It is proposed to demolish the bowling club clubhouse, all the existing vehicle showroom, garage and workshop buildings and remove the bowling green, car parking and hardstanding areas within the application site.  

1.2 The proposed redevelopment of the site would comprise the construction of a retail (Use Class A1) building encompassing both food (convenience retail) and non-food (comparison retail) elements. It is proposed that the food retail section would comprise an area of 4779 square metres and the non-food retail section would comprise up to 3 No. units with a total floor area of up to 6726 square metres, split across the ground floor and a potential full mezzanine level. In addition to the main retail units building, it is proposed to create both ‘at grade’ and undercroft car parking areas, undertake works to form a separate service access, provide cycle parking, landscaping, public realm enhancements and highway works.
1.3 The proposed retail units would be set towards the western side of the site and would display a slightly curved and staggered frontage facing towards the east. The building would be set approximately 84m back from the edge of Albion Way at the northern part of the site and approximately 35m back from the edge of the Tanbridge Retail Park roundabout at the southern part of the site.

1.4 The food retail section of the building would be situated to the southern end and would have a greater depth than the non-food retail section to the northern part of the building. The food retail section would have a maximum depth of approximately 68m with the non-food retail section having a maximum depth of 48m. Due to the differences in ground level across the site, the lower ground floor level would be visible from the southern portion of the site but would be concealed by the upper level car parking area from the northern portion of the site. The eastern elevation of the building is proposed to be clad with stone and with curtain wall glazing to the lower ground floor level, be largely glazed at ground floor level and with perforated metal cladding above this, except for a central glazed area which would form the main entrance area to all units. The northern, southern and western elevations of the building would be clad with mid grey steel faced panels.

1.5 The southern section of the building, the food retail area, would have a height of approximately 13.3m, including the lower ground floor level parking area, with the proposed metal cladding protruding a further 1m above this. The northern section would display a height of 9.6m above the upper level car parking area, with the metal cladding again protruding a further 1m above this. The plant for the retail units would be situated to the roof of the building, with this largely enclosed within a 1.3m high fenced off area, but with a plant room positioned towards the rear centre of the roof and measuring 6m by 10.5m and with a height of 2.6m above the roof level. This plant room would be set back 34m from the frontage of the building.

1.6 The proposed development would utilise the two existing vehicular accesses leading into the site. The main vehicular access would lead from the Tanbridge Retail Park roundabout and this would give access to both the surface and undercroft car parking areas, together with the accessible parking spaces and the drop off lay-by. The access from this roundabout would be widened as part of the proposed development. The proposal would provide a total of 401 No. car parking spaces, including 29 No. accessible spaces, and provision would be made for a total of 48 No. cycle parking spaces. The main vehicular access from the Tanbridge Retail Park roundabout would lead directly to the lower level car parking area, with the access road splitting to allow access to the undercroft parking area to the western part of the site (under the proposed retail units) and to the surface level car park to the immediate north of the access. Due to the change in ground levels, this surface level car park becomes an undercroft parking area when moving towards the north of the site, with additional parking provided above. The higher level car parking would be accessed from a proposed ramp situated towards the northern boundary of the site. This higher parking area would provide both ramped and stepped pedestrian access to and from Albion Way.

1.7 The existing vehicular access from the Bishopric, serving Lifestyle Ford, would be utilised to create a separate service entrance to the proposed development. This entrance would lead along the western boundary of the site to a service yard area with vehicle docking bays serving the proposed retail units, a waste storage area and turning space.

1.8 The upper level car parking area would include a wide shared surface leading from the store entrance across the car park to the pedestrian access points from Albion Way. This area would be enclosed by planting along the southern edge of the upper level and would include 16 No. of the accessible parking spaces. It would be visually separated from the
main upper level car park by a strip of planting accommodated within a raised planter and
would utilise different surface materials to indicate its differing shared vehicular and
pedestrian function.

1.9 Leading from this shared surface access across the upper level car parking area would be
a sweeping ramped access to Albion Way which would lead pedestrians along the western
side of Albion Way towards the north and to the existing crossing point of Albion Way at the
junction with the Bishopric. The application proposes to upgrade the existing surface
treatments along this western side of Albion Way and to widen sections of this footway.
The existing pedestrian crossing of Albion Way at the junction with the Bishopric is
proposed to be changed to a single phase crossing and the traffic signals at this junction
are to be altered to include a MOVA control system. The proposal also makes provision for
enhancement works to the pedestrianised eastern end of the Bishopric, however, full
details of these works would be determined at a subsequent date.

DESCRIPTION OF THE SITE

1.6 The bulk of the site is situated to the south west of the Bishopric and to the north west of
Albion Way and comprises the existing Lifestyle Ford car showrooms and associated
workshops and garages, the existing Horsham Bowling Club and a car park serving
Bishops Weald House. In addition, the application site includes the stretch of Albion Way
running from outside the southern end of the Kings Gate development down to outside the
existing service yard serving Bishops Weald House, and the stretch of the Bishopric
running from outside Freshwater Parade and along into the pedestrianised section up to
outside The Lynd Cross PH.

1.7 The current Lifestyle Ford and Horsham Bowling Club sites are accessed from the
Bishopric with a vehicular access positioned between No. 51 and No. 53 Bishopric. The car
park serving Bishops Weald House is accessed from the existing roundabout leading to the
Tanbridge Retail Park.

1.8 The Lifestyle Ford site comprises a number of buildings with a flat roofed brick and tile clad
two storey car showroom and office building fronting onto the Bishopric and largely single
storey workshops and garages set further within the site. The existing buildings are in
varying states of repair. The remaining area around these buildings is generally laid to
hardstanding although the very southernmost section adjacent to the River Arun is
vegetated with a number of mature trees and undergrowth. In addition, there are a row of
mature trees along the western boundary adjacent to Waverley Court and Gilligan Close.
The ground level of this part of the site slopes gently downwards towards the south west
and the River Arun.

1.9 Horsham Bowling Club occupies the central part of the site and consists of the bowling
green, a single storey clubhouse building and two small sheds. The bowling green is to the
centre of this part of the site with hardstanding running around it to the north, south and
western sides. The clubhouse, a timber clad building, is set to the east of the green. This
part of the site is enclosed by a brick wall to approximately 3m in height along the north
eastern boundary.

1.10 The Bishops Weald House Car park comprises the eastern part of the site adjacent to
Albion Way. The existing car park is at surface level and is separated from Albion Way by a
low red brick wall with railings. In addition, there are a number of trees and some lower
level vegetation situated between the wall and the edge of the footpath. The level of the car
parking reduces gradually down towards its access point from the Tanbridge Retail Park
roundabout.
2. **INTRODUCTION**

**STATUTORY BACKGROUND**


**RELEVANT GOVERNMENT POLICY**


- Section 1: Building a strong, competitive economy
- Section 2: Ensuring the vitality of town centres
- Section 4: Promoting sustainable transport
- 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

**RELEVANT COUNCIL POLICY**

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

- CP1: Landscape and Townscape Character
- CP2: Environmental Quality
- CP3: Improving the Quality of New Development
- CP5: Built-Up Areas and Previously Developed Land
- CP11: Employment Sites and Premises
- CP13: Infrastructure Requirements
- CP14: Protection and Enhancement of Community facilities and Services
- CP16: Inclusive Communities
- CP17: Vitality and Viability of Existing Centres
- CP19: Managing Travel Demand and Widening Choice of Transport

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

- DC2: Landscape Character
- DC5: Biodiversity and Geology
- DC7: Flooding
- DC8: Renewable Energy and Climate Change
- DC9: Development Principles
- DC10: Archaeological Sites and Ancient Monuments
- DC21: Protection of Existing Open Space, Sport and Recreation Facilities
- DC34: New Retail Development Within the Defined Town and Village Centres
- DC40: Transport and Access
- DC41: Protection of Car Parks

2.4 Local Development Framework: Site Specific Allocations of Land Development Plan Document (2007) (subsequently referred to as the Land Allocations DPD) policies:

- AL1: Previously Developed Land
- AL2: Lifestyle Ford, Bishopric, Horsham

2.5 Local Development Framework: Proposals Map (2007)
2.6 Local Development Framework: Supplementary Planning Documents:

- Horsham Town Plan (2012)
- Planning Obligations (2007)

2.7 The Horsham District Planning Framework (HDPF) Preferred Strategy was approved by Council for consultation on 25th July 2013. The consultation period ended on 11th October 2013 and a summary of the responses received was considered by Council at its meeting on 11th December 2013 for information.

The next stage in the plan preparation, the Proposed Submission, is due to be considered by Council in April 2014. Until this time, the Preferred Strategy is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the National Planning Policy Framework, which confirms that weight can be given to policies in emerging plans following publication.

PLANNING HISTORY

**Horsham Bowling Club**
HU/47/97 Extension to changing room PER

**Lifestyle Ford**
HU/230/94 Renewal of permission for used car sales area, fencing and surfacing PER
HU/28/00 Extension to existing air ducts PER
DC/07/0521 Refurbishment of existing building to accommodate motor dealership PER
DC/07/1785 Proposed 3 No. vehicle dry valeting bay PER

**Bishops Weald House car park**
HU/101/94 Erection of 10 No. lighting columns PER

**Albion Way / Bishopric**
HU/43/94 Phase 2b of new highway linking Bishopric, Springfield Park Road, Springfield Road & Albion Way, Horsham PER
HU/21/95 Pedestrianisation scheme, tree planting, soft landscaping, repaving West Street PER

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

3.2 **Access Forum (summarised):** Comment

Bus stops appear to be between 220m and 320m from the site. Providing busses going into the complex would assist customers and reduce the distance they need to walk. The proposed number of accessible/disabled parking bays should be increased by one to meet the recommended 6% target for shopping areas.
Arboricultural Officer (summarised): No objection subject to conditions
I am of the view that, although this proposal will result in some noticeable loss of trees, none required to be removed are considered irreplaceable or of particular or especial merit. The proposals for the protection of trees to be retained are satisfactory.

Building Control (summarised): No objection
Preliminary advice on compliance with building regulations can be provided to the applicants.

Community Safety Partnership (summarised): Comment
It is recommended that at least one public space CCTV camera be installed to cover the proposed development. The installation of a camera within this development would meet a need to not only reduce crime in the town centre but to provide a realistic opportunity to prevent crime and reassure the community. A camera mounted on a 9m high wide based column would allow for views over the front of the stores, the car park and north and south along Albion Way. Landscaping around the area would need to be carefully considered, along with the provision of appropriate street lighting.

Design and Conservation Officer (summarised): Objection
In principle, the redevelopment of the site for retail with car parking is welcome. However, cumulatively, the location of the store and the proposed connectivity solutions to the town centre are considered to still fall short of the desire for the site to be a western extension to the town centre as required by the Horsham Town Plan SPD: General Guidance 1; Site Specific Guidance 1 (Albion Way) and 4 (Bishopric). To this effect, the proposals would also be in conflict with policy DC9 and the NPPF Section 7: Requiring good design.

Environmental Health (summarised): No objection subject to conditions
- There are concerns that evening and night-time noise from the delivery yard may adversely affect the nearest residential properties. However, the level of local amenity could be safeguarded by restricting delivery, loading and unloading activities to 7.00 to 19.00;
- In addition, noise from mechanical plant and during demolition/preparation and construction phases should be controlled by conditions;
- It is recommended that a low emission strategy or detailed Travel Plan be provided to help ensure that the development is sustainable in terms of transport emissions;
- The findings of the submitted Initial Environmental Review provide a satisfactory account of likely contamination across the site and makes recommendations to deal with any contamination found. These recommendations should be secured by condition.

Landscape Architect (summarised): Objection
Whilst the principle is accepted in landscape/townscape terms, and the aspirations for a retail western extension of the town centre are appreciated, the Landscape Architect queries the ability of the proposal to meet the landscape and townscape objectives of the Horsham Town SPD and raises the following concerns:
- The amended drawings showing a more generous width (semi-pedestrianised) link from the store to Albion Way are an improvement but do not overcome the other issues identified here;
- The siting, scale and massing of the proposed stores would adversely impact on the landscape character and visual amenity of the riverside corridor, especially in winter;
- The bulk, mass and scale of the proposed predominantly grey coloured shed like building, together with the unbroken areas of car parking to the front, would create an adverse landscape and townscape impact from Albion Way;
- The development would have poor connectivity with the town centre with the link
along Albion Way, both physically and visually, being very weak, despite signage/markers and improvements to the public realm along the eastern part of the Bishopric;

- The aspirational masterplan to provide an alternative link to Worthing Road and boulevard tree planting to Albion Way cannot be secured through this application;
- There would be poor connectivity to both the riverside path to the south and the western part of the Bishopric, to the north;
- There would be inadequate provision of green infrastructure, i.e. no green space or green roofs/walls delivered.

**Strategic Planning (summarised):** No objection

- The NPPF has a presumption in favour of sustainable development and development should be directed towards more sustainable locations, such as those in the built-up areas;
- Planning should operate to encourage and not act as an impediment to sustainable growth and significant weight should be placed on the need to support economic growth through the planning system;
- The proposal represents a significant contribution to the economic development of the District, so in principle is supported by both the NPPF and, in terms of economic development, the Development Plan;
- Policy CP17 and policy DC34 identify Horsham as the main shopping centre in the District and the scale of development proposed is therefore only appropriate in Horsham;
- Although the application site is allocated in the Land Allocations DPD for mixed use development including residential, it is identified for a potential retail extension to the town centre through the Horsham Town Plan SPD;
- The site is not considered to be deliverable for residential development in the short term;
- The 2010 GVA Grimley Retail Needs Study sets out that there is a capacity for additional retail floorspace up to 2026, this would be met by the proposed development in the short term;
- The NPPF sets out the sequential and impact tests for retail developments, with town centre locations to be considered first and then edge of centre locations;
- The proposal provides for linkages to the town centre and is in close proximity to the defined Primary Shopping Area;

The proposal represents a significant contribution to the economic development of the District so in principal is supported by both the NPPF and the adopted Development Plan. The Horsham Town SPD encourages development in this location to improve the gateway environment and enhance the quality and safety of the connections across Albion Way.

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

No objections to the proposed drainage strategy, however, further opportunities exist to improve the local surface water system over the minimum proposed. The drainage design does not adhere to all the objectives of SuDS. Detailed drainage design information should therefore be conditioned.

**Town Centre Manager (summarised):** Comment

Some concerns relating to connectivity, particularly given the lack of direct visibility from town to the new site and the traffic volume along Albion Way.

Provision for specific promotion of the town centre and its events, together with town centre maps, will be sought within the lobby of the proposed development, along with the provision of a changing places facility (for use by parents and older disabled children and adults).
APPENDIX A/3 - 8

OUTSIDE AGENCIES

**Environment Agency (summarised):** No objection subject to condition
The submitted Flood Risk Assessment (FRA) states that the development falls within Flood Zone 1, that attenuation measures are proposed to reduce site run-off levels and decrease the risk of surface water flooding. Condition recommended ensuring compliance with the submitted FRA.

**Horsham District Cycling Forum (summarised):** Objection
- The proposal would exacerbate existing problems of access and connectivity between the Bishopric and the town centre;
- There is no information as to how the proposed changes to the Bishopric/Albion Way junction and crossing would effect cyclists;
- It would fail to meet the requirements for promoting sustainable transport as no significant measures to promote sustainable transport, or mitigate against the negative effects of the development are proposed;
- The development would actually worsen the conditions for cycling and sustainable transport by increasing traffic along Albion Way;
- Insufficient car parking provision will discourage customers from walking into the town centre, leading to a greater reliance on the car;
- Changes to the Bishopric could be bettered by the creation of a cycle route along Bishopric, across Albion Way and through the pedestrianised section of the Bishopric, without needing to remove the existing vegetation and waterfall;
- The new stores would draw trade away from the existing town centre at a time when high street retail is under pressure;
- Cycle routes around the town centre are fragmented and the site would not be easily reached by cycle;
- Insufficient information is provided in respect of the proposed cycle parking provision.

**Horsham Society (summarised):** Objection
The Society welcomes the principle of a larger Waitrose in central Horsham, but does not consider the application acceptable in its current form.
- The proposal does not satisfy the tests set out in the Horsham Town Plan SPD for this area;
- The site does not include Bishopric Court or the shops fronting Bishopric and as such is prevented from successfully reinvigorating this substandard shopping area;
- The site should also include the Bishops Weald House site on the eastern side of Albion Way in order to provide better integration with the town centre;
- The proposal fails to meet the tests set out in the Horsham Town Plan SPD and the proposal should therefore be refused and the development reassessed;
- The proposal is an overdevelopment of the site in terms of the Horsham Town Plan SPD, its parking provision and its proximity to the River Arun;
- Whilst the applicant appears to have understood the problems of connectivity of the site with the town centre, without prior endorsement of the creation of a link through to Worthing Road, there can be no confidence in its delivery;
- There is no evidence to show that a second crossing of Albion Way would be supported by WSCC and therefore the creation of steps down to Albion Way in this location is undesirable;
- The trees and shrubbery to the eastern part of the Bishopric should be retained and investment in this area could be used to improve the Lynd Cross and remove the Shelley Fountain;
- The design, scale and position of the building in relation to the riverside walk would make it overbearing and necessitate the loss of mature trees;
- The scale of the building would also appear unduly fussy and overbearing from its
frontage towards Albion Way;

- The proposal would not provide car parking at the level recommended by the WSCC guidance and therefore there are concerns that there will be traffic congestion and insufficient space to encourage linked trips with elsewhere in the town centre;
- The main access to the site is likely to become congested and there is concern that the service access would be problematic with the width of, and parking along, the Bishopric;
- The Society supports the recommendations of WSCC’s Archaeologist

**Southern Water (summarised):** No objection subject to conditions
An existing public foul sewer runs across the site (north west to south east) under the existing bowling green and vehicle workshop buildings. A surface water sewer also runs along the western boundary of the site. The exact position of public sewers on the site must be determined by the applicant and any necessary diversions paid for at the developer’s expense. There is currently insufficient capacity in the local network to provide a water supply or foul sewage disposal for the development. Improvements or additional capacity would therefore be required to service the development. Recommends conditions and informatives to the applicant.

**Sussex Police Crime Prevention Design Advisor (summarised):** No objection
The submitted Design and Access Statement indicates that the core principles of Secured by Design will be adopted.

**WSCC Archaeology (summarised):** No objection subject to condition
There is a possibility for buried archaeological remains to be present within the parts of the site not previously subject to substantial landscaping works, and particularly the area close to the River Arun. Provision should be made for archaeological investigation and recording within the site before, and where necessary during the course of, redevelopment. This can be ensured through an appropriate condition.

**WSCC Ecology (summarised):** No objection subject to conditions
Surveys for protected species, including bats, have been undertaken in accordance with Natural England’s Standing Advice and following best practice guidelines. No bats are recorded as using the buildings and no other protected species are expected to be directly affected.

**WSCC Strategic Planning (summarised):** No objection subject to conditions
The Highways Authority has no objections to the principle of the development. It is in a sustainable location and the traffic generated could be satisfactorily accommodated on the highway network, subject to the upgrading of the Albion Way/Bishopric junction. In this respect the Highways Authority strongly favour retaining a dual phase crossing but with improvements to assist pedestrians in crossing Albion Way more quickly. The level of car parking proposed is well below the maximum standard, which could lead to congestion within the site or parking migrating to other locations, however, the access and internal parking layout has generally been designed to prevent such congestion. The proposed secondary pedestrian access point emerging onto Albion Way may encourage pedestrians to attempt to cross Albion Way at a point where no formal crossing exists. Recommend conditions.
APPENDIX A

PUBLIC CONSULTATIONS

**Denne Neighbourhood Council (summarised):** Objection

- The site’s location to the edge of the town centre may divide the town;
- Whilst the curved footprint to the building and use of undercroft parking and the creation of the more open approach to the main entrance, are welcomed, the stores should be positioned to front onto Albion Way;
- There is concern that the extent of the metal cladding would have a negative visual impact and that the plain grey cladding towards the riverside walk would be unattractive;
- The opening up of the pedestrianised section of the Bishopric is welcomed;
- The proposed highway treatment with a change in surface colour could act as a deterrent for pedestrians;
- A second crossing of Albion Way would improve connectivity with the town centre and bus station, but this is only aspirational and any impacts on traffic flow along Albion Way need to be carefully considered;
- The proposed widening of the pavement and narrowing of carriageway lanes along Albion Way are welcomed, but there is concern that changes could lead to accidents;
- There are fears that there may be congestion at the Tanbridge Retail Park roundabout with customers entering the site;
- The difficult turn into Tanbridge Retail Park should be considered in any assessment of Albion Way;
- There is a lack of detail on how car parking would be managed;
- The scheme fails to create a crossing of Albion Way north of the Bishopric, and also fails to remove/replace the defunct Shelley Fountain, both of which represent missed opportunities.

A total of 56 No. letters declaring support for the proposal have been received, these make the following comments:

- The development will provide a boost for Horsham;
- It will bring employment opportunities;
- It will act as a magnet for other retailers and maintain the town’s viability;
- The proposal will improve facilities and encourage trade in the town;
- The likely occupiers would be active in the local community;
- A bigger Waitrose store with improved parking is needed;
- Car parking should be regulated and charged for longer stays;
- The design would complement the town;
- The proposal would regenerate the west end of the town centre;
- It will lead to additional congestion, this could be worsened by works to Albion Way;
- Albion Way acts as a visual and noise barrier to pedestrians coming from the town centre;
- A bridge or underpass crossing of Albion Way would increase footfall from the town centre;
- The proposed removal of the water feature to the eastern end of Bishopric is unnecessary.

Three letters of representation have been received, which raise the following summarised concerns/comments:

- The principle of the development is welcomed;
- There is concern that the proposal is not well connected to the town centre and could operate as a ‘stand alone’ facility diverting spend away from the existing retail offer of the town centre;
- The position of the retail units to the rear of the site with car parking in front would
result in no direct visual connection to the eastern end of the Bishopric;
- There is insufficient information to establish if the proposed ‘nodal points’ and ‘visual anchors’ would provide adequate connectivity;
- The revised pedestrian crossing and traffic calming measures need to be fully considered and a priority;
- Insufficient information is provided to give certainty that the proposed works to the public realm would be of a high quality;
- The proposed public realm enhancements and connectivity with the town centre do not accord with local policy or with the NPPF;
- The car park should be operated in a comparable way to existing town centre car parks and should allow for linked trips between the site and the town centre;
- The proposed development would have an overbearing impact on the riverside walk;
- The development should be adequately screened to maintain the rural aspect of the riverside walk;
- Materials used to the elevation towards the riverside walk should be in keeping with the surrounding environment;
- Only trees that are necessary to be removed should be removed, and new mature trees should be planted quickly to replace those lost;
- The river needs to be suitably protected during and after the development and adequate controls must be in place to prevent pollution.

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

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

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

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

6. PLANNING ASSESSMENTS

6.1 The key issues for consideration in the determination of this proposal are:

- The principle of the development
- Impact on the character, appearance and vitality of the surrounding area
- Impact upon the amenities of nearby residents
- Highway impacts and parking
- Drainage, ecology and archaeology issues
- Environmental Impact Assessment (EIA)
- Environmental considerations
- Legal 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. 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
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granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or policies of the NPPF indicate otherwise. In addition, the NPPF has a strong emphasis on supporting economic growth, with paragraph 19 stating:

‘The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.’

6.3 The site lies within the Horsham town centre boundary, as defined by the Horsham District Local Development Framework: Proposals Map (2007), but outside the identified Primary Shopping Area and Shopping Frontages. The Lifestyle Ford part of the site was identified within the Land Allocations DPD (2007), under policy AL2, as a site for residential, commercial and open space use, following the indication of the current occupier that they were seeking to relocate. The allocation of this site sought the provision of around 105 No. residential units with commercial premises fronting the Bishopric and open space provided to the southern section, adjacent to the River Arun. As the Land Allocations DPD forms part of the adopted Development Plan and as the current proposal does not seek to provide a largely residential development of the site, the application must therefore be considered as a departure from the Development Plan and has duly been advertised accordingly.

6.4 Subsequent to the adoption of the Land Allocations DPD, the Horsham Town Plan SPD (2012) was produced to provide guidance for the future retail, commercial and leisure development of Horsham town centre. This SPD has been guided by the recommendations of the 2010 Retail Needs Study and by the NPPF and identifies the application site, under Site Specific Guidance 4, as a potential development site to offer a retail led western extension to the town centre. The SPD identifies that there is a need for a greater mix of large and small retail units to maintain the historic grain of the town whilst opening up opportunities for modern retailer requirements, and advises, at General Guidance 1, that ‘new retail development, including larger retail units and more flexible retail units, are encouraged but should be concentrated in the key redevelopment opportunity areas’, including Bishopric and Albion Way.

6.5 The current proposal for the creation of both food and non-food retail floorspace across the site is recognised as not being in accordance with the allocation of part of the site for largely residential development. However, despite this allocation back in 2007, the site has not subsequently come forward for residential redevelopment, and indeed it is highlighted within the most recent Horsham District Annual Monitoring Report April 2012 – March 2013 (December 2013) as not likely to have any residential completions until after 2018. Given this anticipated delay in any residential development of the site, it cannot be considered as ‘deliverable’ (as required by footnote 11 on page 12 of the NPPF) and therefore, whilst the site remains allocated for a target number of 105 No. residential units it does not form part of the Council’s identified land for the supply of housing over the next 5 years. The site’s non-delivery for this purpose would not therefore exacerbate the current situation with regard to the District’s 5 year supply of housing land.

6.6 The Land Allocations DPD, adopted in 2007, pre-dates the publication of the NPPF and does not allocate specific sites for retail development. However, subsequent to the Land Allocations DPD, the Council’s 2010 Retail Needs Study was completed in order to support the creation of the Local Development Framework documents. This Retail Needs Study concluded that Horsham town centre was the dominant centre within the District and that it was performing well against higher order centres, such as Crawley. The Study also estimated floorspace capacity forecasts based on existing retailers and average sales densities, with table 6.3 of the Retail Needs Study, indicating that there is capacity for an additional 4,822 sqm of convenience goods retail floorspace (net) in Horsham town centre.
by 2026 and table 6.10 of the Study indicating a capacity for an additional 24,144 sqm of comparison goods retail floorspace (net) by 2026. These figures should be considered as conservative estimates of capacity. The proposed development would provide 4,779 square metres of convenience goods floorspace and up to 6,726 square metres of comparison goods floorspace. The proposal would therefore provide the majority of the identified capacity for convenience goods retail (food) and a significant proportion of the identified capacity for comparison goods retail (non-food) within Horsham town centre. It is considered that this would further cement the role of Horsham town centre as the primary centre for shopping within the District and improve the range and quality of the retail area, in accordance with criterion c) and d) of policy DC34 of the Horsham District Local Development Framework: General Development Control Policies (2007).

6.7 The Retail Needs Study was used to inform the Horsham Town Plan SPD (2012), which seeks to identify the broad locations for development within the town, and includes the identification of the application site as a potential site to provide a high quality western extension to the town centre. The application site, together with buildings along the Bishopric frontage, the Bishops Weald House site and the existing library are identified as potential development locations to refresh the town centre’s retail offer. Therefore, whilst the application site is not allocated for retail development, it has been previously identified as a suitable location for such a purpose.

6.8 The NPPF states, at paragraph 24, that local planning authorities ‘should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan’. It then goes on to state that they ‘should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered.’ As stated above (paragraph 6.3), the application site lies outside the identified Primary Shopping Area, but within the identified town centre boundary.

6.9 Within the Primary Shopping Area there are not considered to be any available sites of a comparable size to that which this application relates, nor are there considered to be potential development sites of a size that could accommodate substantial retail stores, for which the Retail Needs Study has identified there is a capacity for. Therefore, it is appropriate to consider sites outside this Primary Shopping Area, but still within the town centre boundary. The application site lies to the western edge of the identified town centre, in an area recognised, through the Horsham Town Plan SPD, as having the potential for retail led redevelopment.

6.10 The NPPF sets out, in its glossary, the definition of edge of centre as being, for retail purposes, a location that is well connected and up to 300 metres from the Primary Shopping Area. The application site lies approximately 250m from the nearest part of the identified Primary Shopping Area and whilst the issue of connectivity is discussed below in paragraphs 6.23 to 6.33, it is considered that the site is positioned in an edge of centre location and therefore satisfies the sequential test. The NPPF goes on to set out an impact test, at paragraph 26, however this needs only to be applied to applications for retail developments outside of town centres. Therefore, given the situation of the application site, the proposal does not need to be assessed in relation to this additional test.

6.11 Whilst it is considered that the proposal accords with the aims of criterion c) and d) of policy DC34 of the General Development Control Policies (2007), it is recognised that the total floorspace proposed would exceed the 2,500 sqm limit set out in criterion a) of this policy, and also in criterion b) of policy CP17 of the Core Strategy (2007). However, given that the NPPF places no restrictions on the scale of retail developments that are not outside town centres, it is considered that these criteria of policy DC34 and policy CP17 are inconsistent with the NPPF and accordingly should not be afforded any significant weight, as set out in
paragraph 215 of the NPPF. Notwithstanding this, it is considered that the proposal accords with the aims of both policies DC34 and CP17, which seek to maintain and enhance the existing retail centres of the District and permit appropriate new retail developments, in line with the strong emphasis towards sustainable economic growth set out within the NPPF.

6.12 Although not adopted, policies of the Horsham District Planning Framework: Preferred Strategy can be given some weight at this stage of its preparation and it is therefore worth noting those of relevance to this proposal. Draft Policy 4 (Horsham Town) seeks to promote the prosperity of Horsham town, maintaining and strengthening its role as the primary economic and cultural centre within the District. Draft Policy 10 (Vitality and Viability of Existing Retail Centres) states that positive measures to improve Horsham town centre will be encouraged in order to sustain its role in meeting, amongst others, retail needs. Draft Policy 12 (Town Centre Uses) states that main town centre uses will be encouraged within defined town centres, in accordance with the ‘Town Centre First’ strategy, provided that they: are of an appropriate scale to the centre; complement the vitality and viability of the centre; are accessible and well connected to the defined Primary Shopping Area; and, improve the character, quality and function of the centre as a whole. As mentioned above, the issue of connectivity is discussed below in paragraphs 6.23 to 6.33, however, notwithstanding this, it is considered that the proposal is in accordance with these emerging policies.

6.13 Separately, the proposed retail development of the application site would result in the loss of the existing Horsham Bowling Club facility in this location. The bowling green and facilities are considered to constitute a community facility and as such the proposal should be considered in relation to policy CP14 of the Core Strategy (2007), policy DC21 of the General Development Control Policies (2007) and paragraph 74 of the NPPF. Paragraph 74 of the NPPF states that existing ‘open space, sports and recreational buildings and land, including playing fields, should not be built on unless’ ‘the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location’. Policy CP14 also states that the loss of community facilities will be resisted, but similarly states that this may be considered acceptable provided that an alternative facility of equivalent or better quality and scale will be provided at an equally accessible location. Although the bowling club would be removed from its current location, planning permission has already been secured and implemented for a replacement green (DC/13/1213) and clubhouse (DC/13/1432) at Holbrook. Whilst policy DC21 does not promote the re-provision of facilities at a different location, it is therefore considered that the removal of the bowling green from the current application site would not result in an overall loss of this community facility within Horsham, and that therefore the current proposal can be considered to accord with policy CP14 and the requirements of the NPPF.

6.14 In summary, the NPPF promotes sustainable economic growth and states that significant weight should be placed on the need to support such growth. The proposed development would provide considerable economic growth for Horsham through the provision of both convenience and comparison goods retail floorspace, for which there is an identified local capacity. The application site does not meet the criteria of the NPPF in terms of its potential deliverability as a location for residential development and its use for retail purposes would not result in the loss of land identified for the supply of housing over the next 5 years. Furthermore, the site is identified as a location for a retail led western extension to the town centre in the Horsham Town Plan SPD and it is considered that the requirements of the NPPF’s sequential test are met as the site is in a sustainable ‘edge of centre’ location. Therefore, in this instance, it is considered that the departure from the Land Allocations DPD, insofar as the site would not be used for residential development, and its use for the proposed retail development is acceptable in principle, subject to all other material considerations.
Impact on the character, appearance and vitality of the surrounding area

6.15 The existing site and its uses display a largely inactive frontage onto Albion Way, with this boundary being formed by a line of trees, low level shrubbery and a red brick wall with railings. Behind this existing boundary treatment, parts of the Bishops Weald House car park and the upper elements of the existing vehicle workshop buildings and bowling club clubhouse can be viewed.

6.16 The proposed development, incorporating a substantial food retail store and up to 3 No. non-food retail units, would be accommodated within one building set towards the western side of the application site. The proposed building would be of a considerable scale with a height of approximately 14m above the lower ground level and approximately 11m above the upper ground level. Whilst the proposed structure would be set back from the edge of Albion Way, to the rear of a car parking area, it would be significantly more visually apparent within the street scene of Albion Way then the existing buildings on the site. However, given that the principle of a retail development in this location to act as an extension to the town centre is considered to be acceptable, a greater visual prominence than that of the existing buildings on the site is desirable.

6.17 When viewed from Albion Way, the existing site does not appear as part of the town centre, but rather appears as a somewhat nondescript private car park with the buildings of Lifestyle Ford and the Horsham Bowling Club not immediately registering their presence. The proposed development would open up the frontage of the site and this, combined with the scale of the proposed structure, would result in a new, clearly publicly accessible, retail space. Although this would be a fundamental change to the existing situation, it is considered that in terms of the appearance of the street scene, the proposed development would provide a townscape that would not be inappropriate in this edge of centre location adjacent to existing retail units.

6.18 The front of the proposed building has been designed to display a broadly curved form as a response to the shape of the site. This curved form is proposed to utilise a stone clad exterior at the lower ground level, a largely glazed exterior to the upper ground floor level and be broken up into roughly three sections above this, with cladding to either end section and full height glazing to the central section, which would form the main entrance area to all the retail units. The cladding proposed, two colours of metal sheeting with a perforated pattern, would act as a screen to the front of the building providing a degree of visual break across the width of the structure and allowing for some lighting to penetrate through. Whilst the proposed building would have a modern design that would not directly replicate or copy other buildings in the locality, it is considered that the general approach to the treatment of the front of the building would ensure that the structure does not appear overly ‘heavy’ or dominating, and although of a considerable scale, would be readable in distinct segments, thereby breaking up its overall form. It is considered that this aspect of the proposal therefore accords with the design requirements of policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

6.19 The rear, northern and southern elevations of the proposed building would have a more subdued appearance with engineering bricks and mesh ventilation screens at the lower ground level and simple metal cladding above. Given the location of the site and the situation of the proposed building within this site, the rear and northern elevations of the building would be largely unseen from public vantage points. The southern part of the building would extend towards the River Arun, which forms the southern boundary of the site, and the elevation to this side would therefore be partially visible from the riverside walk which runs along the southern bank of the river.
6.20 The proposed building would extend to a position approximately 5.5m from the northern edge of the River Arun, at its closest point. A position which would necessitate the removal of a number of existing trees along the riverbank. Although some of these trees are relatively sizeable, they are not protected by a Tree Preservation Order or considered to be of particular merit in themselves. The application proposes replacement tree planting along this boundary of the site and the Council’s Arboriculturalist has not raised any objections to these proposed works. The proposed replacement planting is shown to include both deciduous and evergreen species with these to be of a extra heavy standard at the time of planting (i.e. likely to be in region of 4m in height).

6.21 Concern has been raised that the scale of the proposed building and its proximity to the northern bank of the River Arun would adversely impact upon the amenity of the riverside walk. It is acknowledged that the proposed structure would be larger than the existing buildings across the Lifestyle Ford site, that it would be situated closer to the edge of the River Arun and that it would be partially visible from the riverside walk. However, it is considered that the plain façade to this side of the building along with the existing and replacement planting, and the existing vegetation to the southern bank of the river, would ensure that the building does not appear visually overbearing or unduly dominant within views from the riverside walk. It is considered that the proposed building would be partially visible but not ‘eye-catching’ and that the overall level of amenity experienced by those using the riverside walk would not be significantly affected. In addition, it is recognised that as the replacement planting becomes more established, views towards the site will diminish.

6.22 The site lies in close proximity to the grade II listed buildings at No. 12 and No. 16 Bishopric. Whilst the proposed works could alter the setting of these listed properties, it is not considered that these alterations would be harmful. The exact detailing of the proposed works to the western end of the Bishopric can be satisfactorily controlled to ensure that these are appropriate within the setting of No. 12. Whilst the site also extends towards the West Street Conservation Area, it is considered that the development would have a neutral effect upon this.

6.23 As discussed above, the site lies within the identified town centre boundary but outside the Primary Shopping Area and meets the proximity test of the NPPF’s definition of an edge of centre location (see paragraph 6.10) in that the distance from the site to the Primary Shopping Area is less than 300m. However, in order to satisfy the second element of this test, and thereby meet the sequential test, the site should be well connected to the existing town centre. This requirement is reiterated within criterion b) of policy DC34 and within the Horsham Town Plan SPD, specifically in Site Specific Guidance 4: Bishopric.

6.24 The main entrance to the proposed retail units would be situated approximately 250m from the edge of the Primary Shopping Area, with this distance being formed of the western section of the Bishopric, crossing of Albion Way, a stretch along the side of Albion Way and then a traverse of the proposed car parking area to the front of the stores. It is accepted that Albion Way forms a significant barrier to pedestrian movement around the edge of the Horsham town centre, however, the potential to downgrade this section of Albion Way and reposition it in a location further to the west along the Bishopric would not be feasible, as the revised route would prove convoluted and unlikely to remove significant traffic from the existing route. Given this situation, measures to improve pedestrian connectivity across Albion Way in its current form are considered critical to the acceptability of the proposed scheme.
6.25 In order to address this issue, the application proposes improvements to the public realm along the western part of the Bishopric, alterations to the pedestrian crossing of Albion Way, a widened footway to the western side of Albion Way and a pedestrian priority link across the upper level car parking area to the main store entrance point. The proposed works to the western end of the Bishopric are shown to include the formation of a visual anchor point adjacent to the Albion Way/Bishopric junction with a matching feature also proposed to the Albion Way edge of the upper car parking level, in order to create a visual link between the two spaces.

6.26 It is proposed to alter the existing staggered pedestrian crossing of Albion Way (at the Albion Way/Bishopric junction) to form a single phase crossing. The highway and traffic flow implications of this are considered separately below in paragraph 6.44. The alteration of this from a dual or staggered crossing to a single phase crossing will give an emphasis to pedestrians of a greater priority and will enable quicker pedestrian movements across Albion Way. Visitors to the proposed development would then be directed, by means of upgraded surface treatments and a widened footway, along the western side of Albion Way to the visual anchor point referred to above. At this point, a shallow gradient slope would lead visitors towards a wide space which traverses the upper car parking level to the store entrance.

6.27 The wide space to the front of the proposed stores is shown to be partially separated from the main upper level car park by a raised planter, to include a line of trees and lower level planting, to provide screening of the car park and a visual separation from it. The southern side of this space would be formed by the edge of the upper level and a planted screen is also proposed here. This space, to measure 18.5m in width, would include 16 No. disabled parking spaces to the southern side with vehicular access points for these to either end of the traverse. This space would be segregated from the remainder of the upper level car park by a change of hard surface materials, levels and signage.

6.28 Whilst it is regrettable that this wide entrance space leading to the proposed stores would not be fully pedestrianised, it is acknowledged that the provision of accessible parking spaces, which require a greater footprint than standardised parking spaces, are an important requirement for such a development. The proposal has been amended from its original form to create this wider space at a slightly raised level and it is considered that provided that the space is visually separated from the main parking area, such that it conveys a sense of pedestrian priority rather than vehicle priority, that this area should function well and encourage pedestrians to move across the site either to or from Albion Way and subsequently, the town centre. It is also envisaged that suitable measures to assist both physically and visually impaired people to safely utilise this space can be achieved. These can be ensured through appropriate landscaping conditions.

6.29 The proposal also includes the creation of a stepped access leading from the proposed wide space in front of the stores down to Albion Way. This access will lead visitors to the footway along Albion Way in a position opposite the existing car parking area to the south of Bishops Weald House. In addition to the proposed works outlined above, the applicant has confirmed that they will pay a contribution towards the undertaking of a route assessment study of Albion Way to consider further enhancements to the public realm, traffic control and pedestrian connectivity. This study would consider the feasibility of a second pedestrian crossing of Albion Way in a location adjacent to the aforementioned proposed stepped access, and subsequent to and dependant upon this study, provide a contribution towards the provision of such a crossing and a further connectivity contribution which could be used towards the creation of a linking route between Albion Way and Worthing Road. These contributions would be secured through a legal obligation under Section 106 of the Town and Country Planning Act. It is accepted that these additional
works have the potential to improve the connectivity of the site and development to the existing town centre. However, the application must be considered and determined on the basis of the proposals for which deliverability can be confirmed at this stage.

6.30 Concerns relating to the connectivity of the current proposal with the town centre have been raised, however, these must be weighed in the balance against other material considerations. Whilst there is the potential for connectivity to be improved through additional works, should these be feasible, it is considered that the level of connectivity to the existing town centre that the current proposal would provide is sufficient to enable it to be considered as an edge of centre development. Therefore, taking this conclusion, it is considered that the proposed development meets the requirements of the sequential test for town centre uses set out in paragraph 24 of the NPPF.

6.31 In addition, as the sequential test is considered to be met by the proposed development, and as set out above in paragraph 6.10, there is not a requirement for the proposal to be subject to the impact test. The purpose of the impact test set out in the NPPF is to ensure that developments do not detract from the existing vitality and viability of town centres. The proposed development is not considered to be disparate from the existing town centre as it is located within the identified Horsham town centre boundary, the extent of which is defined on the adopted Proposals Map (2007), as required by paragraph 23 of the NPPF, in order to assist in ensuring the vitality of town centres. This paragraph of the NPPF also states that Local Planning Authorities should ‘promote competitive town centres that provide customer choice and a diverse retail offer’ and indicates that edge of centre sites should be utilised for main town centre uses where suitable and viable town centre sites are not available.

6.32 The strong drive of the NPPF towards the promotion of development that would result in economic growth (which forms one of the core planning principles identified in paragraph 17) should be afforded significant weight. Given this emphasis on supporting proposals which provide economic growth, it is considered that the level of connectivity that would exist between the proposed development and the existing town centre can be viewed as acceptable. It is considered that the development would be accessible to visitors of the town centre and would allow for linked trips between the town centre and the site. It is therefore considered that the development would not lead to an adverse impact on the Primary Shopping Area of the town centre. The proposal therefore accords with this aspect of Site Specific Guidance 4 of the Horsham Town Plan SPD.

6.33 To summarise, the general scale and appearance of the proposed development is considered to be appropriate to this edge of centre location and would not cause harm to the character of the surrounding townscape. It is recognised that the building would be partially visible from the riverside walk to the southern side of the River Arun, however, it is not considered that these views of the building would result in any significant impact to the level of amenity experienced by users of this riverside walk. It is also considered that the proposed development, in its current form, would provide, on balance, a satisfactory level of connectivity with the town centre, that can be considered acceptable in accordance with policy DC34 and Site Specific Guidance 4 of the Horsham Town Plan SPD. Whilst there is the potential for connectivity to be improved it is not considered that this should be an impediment to the development, which will provide significant economic growth benefits to the town through the provision of substantial retail floorspace in a location which has been identified for redevelopment along these broad lines.
Impact upon the amenities of nearby residents

6.34 As the site is situated to the edge of the town centre it is surrounded by other existing developments and the potential impacts of the proposed development on the amenities of occupiers of these surrounding sites needs to be considered. The nearest residential properties to the application site are those comprising Bishopric Court to the north, Waverley Court and Gilligan Close to the west and Tanbridge Park to the south. Bishopric Court, accessed from the Bishopric, but situated adjacent to Albion Way is a four storey block of apartments. These apartments have a number of windows which currently overlook the application site and the existing car parking, bowling green and vehicular workshop uses. The proposed development would place the upper level car parking area and its access ramp to the south of Bishopric Court. Whilst some new planting is proposed along the boundary between the site and Bishopric Court, it is accepted that some views towards the proposed car parking area would be afforded. However, it is not considered that these views, or the proximity of the development would cause any significant impact upon the amenities of these residents.

6.35 The three storey properties within Waverley Court and Gilligan Close, to the west of the site, would be situated to the rear of the proposed development. The nearest properties in Waverley Court would be located approximately 9.5m from the edge of the application site and those within Gilligan Close would be approximately 5.5m. The adjacent part of the site to Waverley Court would form the rear service and delivery yard, whereas Gilligan Close would lie adjacent to the rear of the building. There is an existing line of mature conifers along the boundary to Waverley Court and a number of mature trees to the Gilligan Close boundary, which are proposed to be retained. In addition, the application proposes to erect a solid 3m high acoustic barrier around the edge of the delivery yard. It is not considered that the proposed development would cause harm to the visual amenities of residents of these properties as there are no windows facing towards the site within the closest elevations. However, some concern has been raised by the Environmental Health Officer that noise within the delivery yard in the evening and during the night could cause disturbance to residents. It is therefore recommended that delivery times be scheduled outside certain hours to ensure that the amenities of these residents are preserved. This can be satisfactorily controlled by a suitable condition.

6.36 The neighbouring properties within Tanbridge Park to the south of the site would be situated to the opposite side of the River Arun to the proposed development and it is considered that the separation distance in combination with the existing and proposed screening to this southern boundary, will ensure that the amenities of these residents would not be adversely impacted upon. The exact positioning and levels of external light sources to serve the proposed development have not been submitted, however, it is considered that these can be satisfactorily controlled by condition to ensure that the amenities of nearby residents are respected. The other surrounding sites are in occupation for commercial uses and it is not considered that these would be affected by the proposed development. Therefore it is considered that, subject to appropriate conditions, the proposed development would not cause any significant harm to the amenities of nearby residents and would accord with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

Highway impacts and parking

6.37 The site lies to the western side of Albion Way and the proposed development would be primarily accessed from the existing roundabout serving Tanbridge Retail Park. The applicant has submitted a Transport Assessment (TA) in respect of the proposed development, which includes an assessment of the existing highway conditions in the
locality; the likely net traffic impact of the proposed development; the effect of the
development on the local highway network; and, an assessment of parking provision.

6.38 The submitted TA establishes the likely net increase in traffic at the access and on the
surrounding highway network, but acknowledges that vehicle trips generated by retail
developments will not be comprised of entirely new trips, but rather will be made up of a
combination of ‘new’, ‘linked’, ‘pass-by’, ‘diverted’ and ‘transferred’ trips, many of which will
already be on the local highway network. In respect of the proposed food retail unit it is
accepted that most of the trips will be made up of either ‘pass-by’ (trips already present on
the network directly adjacent to the site access), ‘diverted’ (trips already present on the
network, but not the roads adjacent to the access) or ‘transferred’ (trips already present on
the network accessing existing sites in close proximity that have the potential to be
transferred) trips. However, the non-food retail unit(s) would be likely to generate 20-30%
‘new’ trips, 30-40% ‘pass-by’ and ‘diverted’ trips and around 40% ‘linked’ (trips with multiple
destinations) trips.

6.39 The predicted traffic flows generated by the proposed development have been established
using the TRICS database and using assessments of a combination of town centre, edge
of centre and suburban sites. It is considered that this approach and the anticipated traffic
flows provide a robust analysis of the proposal. Using the TRICS database it is anticipated
that the busiest periods for the proposed development would be the weekday morning
(08.00-09.00) and evening (17.00-18.00) periods and around midday on Saturday (12.00-
13.00). Albeit that the morning peak would be relatively light.

6.40 The TA assesses the predicted total maximum two way trips generated by the proposed
development to be 895 during the Saturday peak period and 762 during the Friday evening
peak period. Whilst these are relatively high figures, the TA has made these predictions
based partially on other existing suburban stores, where trip generations would be likely to
be considerably greater due to their lack of accessibility by modes of transport other than
the private motor vehicle, and includes all of the proposed floorspace, including the
mezzanine level, as ground floor space for the purposes of the calculation. Mezzanine
floorspace is accepted as generally giving rise to a lower trip generation than typical ground
floor level retail space. In addition, these figures count trips to individual stores and do not
account for linked trips between the proposed food retail unit and the non-food retail unit(s),
which are estimated to be approximately 40% of trips. There is therefore likely to be an
element of double counting in these figures. Based on the information provided within the
submitted TA the Highways Authority at WSCC have not raised any objections to the
proposed scheme on the basis of trip generation or capacity of the highway network, but
have noted that the capacity at the Albion Way/Bishopric junction would be marginal.

6.41 The application proposes to widen the existing access from the Tanbridge Retail Park
roundabout to create two lanes of traffic exiting the site. It is also proposed to upgrade the
traffic signal controls at the Albion Way/Bishopric junction to use the MOVA
(Microprocessor Optimised Vehicle Actuation) system; to widen part of the footway to the
western side of Albion Way just south of its junction with the Bishopric; to apply surface
treatments to Albion Way and part of the Bishopric; and, to replace the existing staggered
pedestrian crossing of Albion Way, at the junction with the Bishopric, with a single phased
crossing.

6.42 The proposed upgrading of the traffic signals at the Albion Way/Bishopric junction to a
MOVA system would enable an optimisation of the signal timings using data collected from
vehicle movements over sensors positioned on each of the junction approaches. This
allows for the cycle times of signals for movements in each direction to be automatically
altered accounting for traffic flows. The introduction of the MOVA traffic signalising
equipment would increase the operational capacity of this junction and ensure that the
proposed development would be satisfactorily accommodated within the local highway network. WSCC have confirmed that this, along with the proposed service access from the Bishopric, are acceptable.

6.43 The proposed widening of the footway would be to the western side of Albion Way, along a stretch running south from the Bishopric junction for approximately 74m. This proposed footway widening, of up to approximately 2m additional width, would necessitate a reduction in the width of the existing central reservation along this stretch of Albion Way. These proposed works would only result in a minimal narrowing (up to a maximum of 0.5m across two lanes) of the existing traffic lanes along Albion Way, and would not cause any reduction in the number of these lanes. It is also proposed to install an alternative surface treatment along the stretch of Albion Way between the Tanbridge Retail Park roundabout and the junction with the Bishopric. It is proposed that this surface treatment would act to define a visual gateway and assist with the linkage of the proposed development to the town centre, as discussed above in paragraphs 6.23 to 6.33. The Highways Authority have raised no objections to these proposed works.

6.44 The development proposes the replacement of the existing dual phase pedestrian crossing of Albion Way, at the junction of the Bishopric, with a single phase crossing. The proposed creation of a single phase crossing rather than the existing staggered crossing is advocated by the applicant as it would improve the pedestrian connectivity of the site with the town centre, as discussed above. The overall width of Albion Way would be reduced in this position, through the widening of the western footway and the narrowing of the central reservation, and a single phase crossing with a change in surface treatment is therefore proposed. The single phase crossing would allow pedestrians to cross Albion Way in one go rather than waiting in a central area for a second set of traffic signals to change. WSCC have advised that they would strongly favour the retention of the existing staggered crossing, as single phase crossings can lead to pedestrians with mobility problems feeling more vulnerable, and due to the overall future capacity of the junction being limited by these works. However, despite these views, WSCC have not objected to the introduction of a single phase crossing in this location and the submitted TA states that it would not give rise to highway safety matters or reduce the capacity of the junction below commonly accepted parameters. It is considered that, given the importance of maximising the pedestrian connectivity between the site and the existing town centre, as discussed above, the creation of a single phase crossing in this location is acceptable.

6.45 The introduction of the MOVA traffic signalising system to the Albion Way/Bishopric junction, the alterations to the access, the works along Albion Way and the altered pedestrian crossing of Albion Way would all be secured through a Section 278 agreement with the County Council as Highways Authority. The undertaking of these works to upgrade and improve the adjacent highway network, along with the implementation of a Travel Plan with the objective of reducing private vehicle trips, which can be adequately controlled through an appropriate condition, would ensure that the proposed development accords with criterion a), b) and f) of policy DC40 of the Horsham District Local Development Framework: General Development Control Policies (2007).

6.46 In terms of car parking provision the application proposes a total of 401 No. parking spaces, with 142 No. of these situated underneath the proposed stores, 34 No. spaces open area spaces at the lower level, 117 No. spaces within the lower undercroft section and 108 No. spaces to the upper level. Within these spaces a total of 24 No. would be provided as disabled spaces and 5 No. as parent/child spaces, this represents 6% of the total number of spaces being provided as disabled spaces, this accords with building regulations and BS 8300: ‘Design of buildings and their approaches to meet the needs of disabled people – Code of Practice’. These accessible spaces would be provided in three groups, 16 No. to the upper level, 3 No. within the undercroft area and 10 No. underneath the stores. Those located at the lower level would be within close proximity of the lifts.
providing access to the interior of the building. In addition, 4 No. of the total number of spaces are stated to include electric vehicle charging facilities and it is anticipated that this number can be reviewed through a Green Travel Plan.

6.47 The adopted WSCC parking standards sets out that the maximum provision of car parking spaces should be 1 No. space per 14sqm of floorspace for a food retail unit and 1 No. space per 20sqm of floorspace for a non-food retail unit. Using these standards the proposed development would attract a maximum provision of 677 No. spaces (341 No. for the food retail unit and 336 for the non-food retail unit(s)). The proposed provision of 401 No. spaces is considerably lower than this maximum standard.

6.48 However, the standards set out within the WSCC guidance are based on maximums and do not set minimum levels of provision for car parking. In addition, these maximum standards do not take into account the location or accessibility of the proposed retail development and indeed it is stated, on page 7 of the WSCC guidance, that ‘parking provision should be reduced below that permitted by the maximum standard in accessible locations where appropriate’.

6.49 The submitted TA and supplementary Technical Note on Parking provide an assessment of parking accumulation based upon the daily trip profile of food and non-food retail units from the widely used TRICS evidence base. This accumulation assessment indicates that the peak parking demand for the proposed stores would be 287 No. spaces during a weekday and 335 No. spaces during a Saturday. Using these figures the proposed 401 No. spaces would show a peak occupancy of 72% and 84% for weekdays and Saturdays respectively. WSCC have commented that the internal arrangements and parking layout have generally been designed to prevent congestion.

6.50 The location of the proposed development will allow for customers to visit the proposed stores by other means and to link visits with other town centre locations and from other existing car parking areas. The management and charging regime for the proposed car parking would therefore need to be both appropriate for the development itself, but also allow for customers to make linked trips into the town centre. It is envisaged that a charging regime not dissimilar to other existing car parks around the town centre would be needed. This can be satisfactorily controlled through planning conditions.

6.51 Although the proposed provision of car parking spaces would fall short of the maximum set out in the WSCC guidance, the evidence of the applicant indicates that it would meet the anticipated levels of car parking demand for the proposed stores. As discussed above, the application site is considered to be in a sustainable edge of centre location which is accessible by means of transport other than the private motor vehicle and as such a reduced provision of parking spaces should be considered in order to promote these other forms of transportation. The NPPF states, at paragraph 39, that in relation to local parking standards, account should be taken of: ‘the accessibility of the development; the availability of and opportunities for public transport; and an overall need to reduce the use of high-emission vehicles’ amongst others. On the basis of the information provided relating to parking accumulation, the evidence base of which is not contested by the Highways Authority, it is considered that the lower level of car parking proposed is sufficient and that the development would accord with the requirements of the NPPF and policy DC40.

6.52 The proposed development would include a total of 48 No. cycle parking spaces, which would be covered and provide for the secure parking of cycles. These cycle parking spaces would be situated across both the upper and lower levels of the car parking area. Based on the floorspace of the proposed stores the WSCC parking standards seek a minimum provision of 230 No. cycle parking spaces, for use by both employees and customers. The proposed number of 48 No. spaces is clearly significantly below this level, however,
particularly given the proposed food retail use, it is not anticipated that there would be a realistic demand for such a high number of cycle parking spaces. In addition, given the likely capacity constraints of undertaking food shopping by cycle, it is envisaged that such trips would generally be for short durations with cyclists likely to move their cycle and re-park in other locations around town if they are linking trips, thereby resulting in a higher turnover per space.

6.53 As the application site incorporates part of the existing car park serving Bishops Weald House, it is necessary to consider the implications of the proposed loss of this parking provision. The application site currently includes 135 No. car parking spaces to serve Bishops Weald House, situated to the opposite side of Albion Way. There are a further 17 No. spaces also serving Bishops Weald House to the eastern side of Albion Way and outside the extent of this current application.

6.54 Whilst there is a current application under consideration for the redevelopment of Bishops Weald House, that proposal does not have planning permission and as such an assessment can only be made in respect of the existing uses of that site. The Bishops Weald House building currently comprises a restaurant use (Class A3/A5) and retail uses (Class A1) at ground floor level with office accommodation (Class B1) above. Based on the existing internal floorspaces of both the retail and office space within Bishops Weald House the current car parking provision across both sides of Albion Way is below the maximum level set out in the WSCC parking standards. The loss of 135 No. spaces would inevitably reduce the provision notably further.

6.55 However, as noted in paragraph 6.48 above, the WSCC parking standards should be taken as a maximum and where sites are situated in accessible locations, these should be reduced. Furthermore, paragraph 13.21 of the adopted Planning Obligations SPD discusses when contributions will be required in relation to car parking as part of the County Council Total Access Demand (TAD) contribution. Whilst this proposal is not required to make a TAD contribution as other highway works are to be secured, this paragraph indicates that developments in or near to Horsham town centre may be acceptable with no parking provision.

6.56 This site is adequately connected to the main bus station, to other town centre uses and existing public car parks throughout the town centre and both employees and visitors therefore have alternative options to access the site other than by private motor vehicle. It is therefore considered that, given the accessible and sustainable location of Bishops Weald House within the town centre where the retail/restaurant uses form part of the identified primary shopping frontages, a reduced provision of car parking is acceptable.

6.57 In summary, whilst an increase in vehicular movements in the locality of the site is anticipated in association with the development the Highways Authority have not raised any objections to the proposed scheme on the basis of trip generation or local highway network capacity. The impact of the proposed development on the highway capacity at the Albion Way/Bishopric junction is considered to be marginal, however, the proposal includes the upgrading of the traffic signals to this junction to utilise a MOVA system, which will increase operational capacity. This is acceptable to WSCC. The proposal also involves the alteration of the existing staggered pedestrian crossing of Albion Way to create a single phase crossing. Whilst the Highways Authority would prefer the retention of a staggered crossing, in terms of future capacity, they do not object to the proposed alteration.

6.58 Although the proposal would provide less car parking spaces than the maximum WSCC standard, it is acknowledged that the standards do not take into account the location of proposed developments and their accessibility by means of transport other than the private car. In addition, the parking accumulation information submitted indicates that the proposed
401 No. spaces would provide sufficient capacity to service the development and the management of the car park can be controlled by condition. The proposed car parking would provide the required level of disabled access spaces and a level of cycle parking that is considered appropriate for the nature of the development.

**Drainage, ecology and archaeology issues**

6.59 The site lies predominantly within Flood Zone 1, as identified by the Environment Agency’s flood map, however the very southern edge of the site, adjacent to the River Arun lies within Flood Zones 2 and 3. Where Flood Zone 3 has a high probability of flooding, Zone 2 a medium probability and Zone 1 a low probability. Flood Zone 1 represents all land outside Zones 2 and 3.

6.60 Although the southernmost section of the application site lies within Flood Zones 2 and 3, the natural topography of the site is such that these do not extend far into the site. The NPPF outlines the Sequential Test which aims to steer new development to areas with the lowest probability of flooding. The submitted Flood Risk Assessment (FRA) states that the proposed development would be entirely sited within Flood Zone 1 and therefore complies with this sequential test and with the Council’s Strategic Flood Risk Assessment. The Environment Agency do not object to the proposed scheme, but recommend that a condition be attached to any approval requiring the development to be carried out in accordance with the details submitted within the FRA.

6.61 Existing foul and surface water sewers run within the application site and Southern Water have confirmed that the applicant would need to make separate and specific applications to Southern Water in order to divert either of these. In addition, the applicant or developer would also need to ensure that there is sufficient capacity within the local network to both serve and drain the development. These issues fall under legislation outside the remit of planning and these will therefore be covered under the Water Industry Act 1991.

6.62 The submitted FRA includes a preliminary surface water drainage design to allow for surface water run-off from the site to be limited to the pre-development rates plus an allowance of 30% for climate change. It is proposed that surface water will be restricted through the use of on-site storage tanks and hydrobrakes. The detailed design of the drainage strategy can be controlled through conditions.

6.63 The application has been submitted with an Ecology Report produced by Applied Ecology Ltd, which encompassing the findings of a Phase 2 Habitat. This report concludes that the majority of the site is dominated by habitats of a low ecological and biodiversity value, but that the River Arun corridor along the southern extent of the site has a greater value. It is stated that the River Arun provides a wildlife corridor and is used by a number of common species of bats for foraging and commuting.

6.64 However, the report also states that the proposed construction of the retail units would be unlikely to result in significant adverse biodiversity impacts and that the proposed removal of trees adjacent to the river bank would be unlikely to impact upon its function as a wildlife corridor, provided that this area remains free of lighting and undisturbed by users of the proposed development. The County Council’s Ecologist has not raised any objections to the proposed development and is content with the methods and findings of the survey work undertaken. It is therefore considered that there are unlikely to be any significant impacts upon the biodiversity or ecological interests of the site and that satisfactory mitigation and enhancement measures can be appropriately controlled through conditions.
6.65 The site lies within a location which formed a backland area to the Archbishop of Canterbury’s medieval ‘suburb’ of Horsham, known as Bishopric. Buried archaeological features connected with this former use are most likely to have existed close to the Bishopric/West Street frontages. In addition, the site area may have been formerly used for tanning, given its riverside and historically edge of town location, and it is possible that ancient archaeological occupation could have occurred on other parts of the site.

6.66 Whilst the historic uses of the site may well have led to archaeological features across the site, the more recent uses and development are likely to have resulted in significant land disturbance across the majority of the site. However, there are possibilities that archaeological deposits in good condition remain in the area below the Edwardian bowling green and in the area closest to the River Arun. It is therefore considered reasonable and appropriate that a programme of archaeological works be undertaken prior to the commencement of any works on site. This can be ensured through an appropriate condition.

Environmental Impact Assessment (EIA)

6.67 The proposed development was screened by the Council’s Environmental Officer prior to the submission of this planning application, following a formal request for a screening opinion from the applicant. The proposed demolition works and redevelopment of the site are considered to fall within the description of development category 10(b) ‘Urban Development Projects’ of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and the site area would exceed the indicative threshold of 0.5 hectares.

6.68 However, falling within this category of development and exceeding the site area threshold does not automatically necessitate a need for an EIA. The proposed development was subsequently assessed with regard to the criteria set out in Schedule 3 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, specifically with attention to the development characteristics, location and nature of the potential impacts. Whilst some potential impacts were identified, it was not considered that these would be so significant so as to warrant further explicit assessment outside the normal planning processes. Therefore, a formal screening opinion was issued stating that an EIA was not required.

Environmental considerations

6.69 Given the existing and longstanding use of a large part of the application site for motor vehicle repairs and servicing for a period in excess of 50 years, there is a possibility that the site may be subject to petroleum based ground contamination. In addition, the submitted Initial Environmental Review indicates that there are currently above ground level oil tanks and chemical storage and that there are 3 No. decommissioned and slurry filled 2,000 gallon underground fuel tanks beneath the Lifestyle Ford buildings.

6.70 The applicant’s submitted Initial Environmental Review recommends that, given the historical and current uses of the site, a further Phase II Environmental and Geotechnical Investigation is undertaken prior to any development commencing at the site. It is stated that this investigation could be adequately controlled by a condition to any planning approval, and this approach is accepted by the Council’s Environmental Health Officer and would allow for appropriate assessment and, where necessary, remediation works.
6.71 It is acknowledged that the proposed development will result in an increase in the number of vehicular movements associated with the site and that this will, in turn, lead to an increase in vehicle pollution emissions levels with a subsequent potential impact upon local levels of air quality. The Environmental Health Officer has advised that suitable mitigation measures to offset these potential impacts upon air quality can be satisfactorily controlled through a planning condition requiring the submission and implementation of a green travel plan for the development.

Legal obligations

6.72 As discussed above, the means of linking the proposed development with the existing town centre are recognised as being limited and as such the applicant has proposed to make a number of contributions towards improving these links and the overall connectivity of the site. It is proposed to secure a contribution towards carrying out a route assessment study of Albion Way to consider further enhancements to the public realm, traffic control and pedestrian connectivity, including the potential for a second pedestrian crossing. Should a second crossing prove feasible, additional contributions towards the provision of this second crossing and towards creating a link through from Albion Way to Worthing Road, would also be provided. These contributions can be secured through a legal obligation under Section 106 of the Town and Country Planning Act.

6.73 In addition, the development proposes a number of highway alterations and improvement works and whilst contributions towards these works could be sought through a legal agreement under Section 106, WSCC as Highways Authority have advised that it would be preferable for the developer to undertake the works themselves to WSCC standards. Therefore, it is proposed that these works would be implemented under a Section 278 agreement directly with the County Council. The requirement to enter into this Section 278 agreement will be made through the Section 106 obligation.

6.74 The scale of the proposed development is such that it is required, through the Planning Obligations SPD, to either provide on-site public art or to make a contribution towards such provision in another location. The applicant has stated their intention is to provide public art within the application site and therefore this will be ensured through the legal obligation.

6.75 It is considered that the aforementioned contributions and requirements relating to this proposed development are in accordance with policy CP13 of the Horsham District Local Development Framework: Core Strategy (2007) and with the Planning Obligations SPD (2007). It is also considered that the above elements accord with the tests of the Community Infrastructure Levy Regulations. The exact figures for the proposed contributions are yet to be confirmed and discussions with WSCC are ongoing in this respect, therefore the Section 106 obligation is currently being drafted and the recommendation therefore accounts for this.

Conclusions

6.76 In conclusion, whilst the proposal would comprise a departure from the adopted Land Allocations DPD, insofar as it would not be used for residential development, it is considered that its use for a retail development in this edge of centre location would accord with the guidance of the Horsham Town Plan SPD. Furthermore, the proposal would provide for significant economic growth for Horsham through the provision of additional retail floorspace, for which there is an identified capacity, as promoted by the NPPF. It is therefore considered that the proposed development is acceptable in principle.
6.77 It is recognised that the site is separated from the town centre by Albion Way, however, it is considered that the alterations to Albion Way and its pedestrian crossing, together with the proposed public realm works to the eastern part of the Bishopric and the creation of a wide entrance area to the front of the building, are, on balance, sufficient to ensure that the development is satisfactorily connected to the town centre. It is considered that the proposal would accord with the sequential test of the NPPF and accord with policy DC34 and Site Specific Guidance 4 of the Horsham Town Plan SPD. Additional connectivity improvements between the site and the town centre will be considered and implemented, subject to the findings of a route assessment study of Albion Way.

6.78 It is considered that the proposed alterations to the public highway, including the introduction of MOVA traffic signalling to the Albion Way/Bishopric junction and the creation of a single phase pedestrian crossing area acceptable and that the anticipated trip generation level of the development can be accommodated within the local highway network. It is considered that the level of car parking proposed would be sufficient given the edge of centre location of the site and the proposal is therefore in accordance with the requirements of the NPPF and policy DC40.

6.79 It is considered that the proposed development can be satisfactorily controlled to ensure that it would not have a detrimental impact upon the amenities of nearby residents, the ecological or any archaeological value of the site, and to ensure that it is adequately drained and remediated. It is therefore considered that the proposed development accords with the advice of the NPPF and relevant policies of the Horsham District Local Development Framework: Core Strategy (2007), the General Development Control Policies (2007), the Planning Obligations SPD (2007) and the Horsham Town Plan SPD (2012).

7. RECOMMENDATIONS

7.1 That subject to the referral of the application to the Secretary of State under the Town and Country Planning (Consultation) (England) Direction 2009, planning permission be delegated for approval to the Head of Planning and Environmental Services, subject to securing a S106 legal obligation and the following conditions:

1. A2 – Full Permission (3 years)

2. No development shall commence unless and until full details of materials and samples of such materials, finishes and colours to be used for all external walls and roofs of the building hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority. The submitted details shall include:
   - Working drawings of the front elevation of the building;
   - The proposed cycle parking shelters;
   - Any exposed elements of the car parking structure;
   - The proposed means of plant enclosure;
   - Working drawings and sections of the pedestrian access ramp and gateway feature

All materials used shall conform to those approved

*Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).*
3. Notwithstanding the submitted landscape drawings, prior to the commencement of the development hereby permitted a fully detailed scheme of hard and soft landscaping works for the retail stores, car parking areas, the riverside, Albion Way and the pedestrian/disabled parking entrance area shall be submitted to, and approved in writing by, the Local Planning Authority. The submitted scheme shall detail:

- The provision of a raised tree and shrub planter, of dimensions to be agreed, to the northern side of the pedestrian walkway running eastwards from the retail stores to Albion Way;
- The provision of a raised planter, of dimensions to be agreed, on the southern edge of the upper level car parking area;
- The provision of steel trellises planted with evergreen climbers at the junction point of sets of four car park spaces within the upper level car parking area where possible;
- The provision of semi-mature size trees planted at the junction point of sets of four car parking spaces within the open air lower level car parking area where possible;
- Additional planting adjacent to the entrance and exit to the underground parking area, should the cycle parking be relocated to the store frontage.

The submitted details shall comprise:

- Planting and seeding plans and schedules specifying species, planting size, densities and plant numbers;
- Tree pit and staking/underground guying details;
- A written hard and soft specification (National Building Specification compliant) of planting (including ground preparation, cultivation and other operations associated with plant and grass establishment);
- Existing and proposed levels as well as cross sections;
- Hard surfacing materials: layout, colour, size, texture, coursing and levels;
- Walls, retaining walls and railings: location, type, heights and materials;
- Minor artefacts and structures – location, size, colour and type of street furniture and signage;
- Lighting columns, lanterns and recessed uplighters in paving

The approved scheme shall be fully implemented in accordance with a timetable to be agreed, in writing, with the Local Planning Authority prior to commencement of the development.

Any plants which within a period of 5 years die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.


4. The development hereby permitted shall not be open for trading unless and until a detailed long term Landscape Management and Maintenance Plan for all hard and soft landscape areas has been submitted to, and approved in writing by, the Local Planning Authority. The submitted plan shall include:

- Aims and Objectives;
- A description of Landscape Components;
- Management Prescriptions;
- Details of maintenance operations and their timing;
- Details of the parties/organisations who will maintain and manage the site, to include a plan delineating the areas that they will be responsible for
The plan shall demonstrate full integration of landscape, biodiversity and arboricultural considerations. The areas of planting shall thereafter be retained and maintained in perpetuity in accordance with the approved Landscape Management and Maintenance Plan, unless any variation is approved in writing by the Local Planning Authority.

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

5. Prior to the commencement of development (or such other date or stage in the development as may be agreed in writing with the Local Planning Authority) details of all underground trenching requirements for services, including the positions of soakaways, service ducts, foul, grey and storm water systems and all other underground service facilities, and required ground excavations there for, shall be submitted to, and approved in writing by, the Local Planning Authority. The submitted details shall demonstrate effective coordination with the landscape scheme submitted pursuant to condition 3, and with existing trees on the site. All such underground services shall be installed in accordance with the approved details.

*Reason: To protect roots of important trees and hedgerows on the site in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).*

6. Within 6 months of the commencement of the development hereby permitted, and following consultation with the Local Planning Authority, a design brief for the enhancement of the public realm of that part of the Bishopric between Albion Way and Worthing Way (as outlined in red on drawing No. BMD157/SK15) shall be submitted to, and approved in writing by, the Local Planning Authority. The design brief shall demonstrate it addresses both functional and aesthetic considerations in respect of the design and appearance of the area and include guidelines for high quality surfacing, planting, street furniture, a replacement water feature/in ground fountain and lighting, with the objective of providing an attractive and comfortable area for the public to use, and ensuring appropriate visual and physical connectivity linkages to other areas of the town centre.

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

7. Within a period of one year from the commencement of the development hereby permitted, a detailed scheme of hard and soft landscaping works, fully in accordance with the approved design brief pursuant to condition 6 for the part of the Bishopric between Albion Way and Worthing Way (as outlined in red on drawing No. BMD157/SK15) shall be submitted to, and approved in writing by, the Local Planning Authority. The submitted details shall include:

- Planting and seeding plans and schedules specifying species, planting size, densities and plant numbers;
- Tree pit and staking/underground guying details;
- A written hard and soft specification (National Building Specification compliant) of planting (including ground preparation, cultivation and other operations associated with plant and grass establishment);
- Existing and proposed levels as well as cross sections;
- Hard surfacing materials: layout, colour, size, texture, coursing and levels;
- Walls, fencing and railings: location, type, heights and materials;
• Minor artefacts and structures – location, size and colour and type of street furniture, signage, water features etc;
• Lighting columns, lanterns and recessed uplighters in paving

The approved scheme shall be fully implemented in accordance with a timetable to be agreed, in writing, with the Local Planning Authority within a period of one year from 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)

8. No development, including works of any description, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, shall take place until:
   - Tree protective fencing has been installed in accordance with the details hereby approved on drawing 'Tree Protection Plan' No. TPPeb_RS Rev 2, or in accordance with any revised details/locations which will have been previously submitted to, and approved in writing by, the Local Planning Authority;
   - All trees on the site targeted for retention shall be fully protected by tree protective fencing affixed to the ground in full accordance with section 6.2 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012). Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site. Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone. No alterations or variations to the approved tree works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

**Reason:** To ensure the successful and satisfactory retention of important trees and hedgerows on the site in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

9. 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).
10. The development hereby permitted shall not be open for trading unless and until all replacement planting, in accordance with a scheme to be submitted to, and approved in writing by, the Local Planning Authority has been implemented. The submitted scheme shall include full details of all replacement planting across the site. In the event that any of these trees should die following planting, they shall be replaced with similar trees in similar positions within six months of the death of each specimen.

Reason: In the interests of amenity and in accordance with policy DC6 of the Horsham District Local Development Framework: General Development Control Policies (2007).

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


12. Prior to the commencement of development (or such other date or stage in the development as may be agreed in writing with the Local Planning Authority) and in liaison with the consultant ecologist a scheme shall be submitted to, and approved in writing by, the Local Planning Authority detailing how roosting provision will be made for bats. All approved details shall be implemented in accordance with the details therein and under the supervision of an Ecological Clerk of Works, unless otherwise approved in writing by the Local Planning Authority.

Reason: In order to provide ecological enhancement to the site in accordance with the recommendations of the submitted Ecology Report and in accordance with the advice of the NPPF and with policy DC5 of the Horsham District Local Development Framework: General Development Control Policies (2007).

13. Prior to the commencement of development (or such other date or stage in the development as may be agreed in writing with the Local Planning Authority) a lighting scheme for all forms of external lighting, including any lighting to be utilised behind or incorporated within the cladding to the front of the building, shall be submitted to, and approved in writing by, the Local Planning Authority. The submitted scheme shall have been designed in liaison with the consultant ecologist and show how every effort has been taken to avoid illuminating the River Arun bankside vegetation. All external lighting shall be implemented in accordance with the approved scheme and no other forms of external lighting shall at any time be installed without the prior written approval of the Local Planning Authority.

Reason: In the interests of amenity and to minimise any impacts upon the ecological value of the locality, 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 (or such other date or stage in the development as may be agreed in writing with the Local Planning Authority) precise details of the existing ground levels of the site, the proposed finished levels of the
ground, the ground floor slab level of the building and the finished floor levels of the development, including landscaped areas, showing their relationship with the existing levels of the immediately adjoining land, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved levels.

*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).*

15. Prior to the occupation of the development hereby permitted full details of all proposed extract flues and ventilation systems shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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

16. Prior to the commencement of development (or such other date or stage in the development as may be agreed in writing with the Local Planning Authority) details of the guttering and rainwater goods shall be submitted to, and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

*Reason: In the interests of visual amenity of the locality 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 (or such other date or stage in the development as may be agreed in writing with the Local Planning Authority) details of the proposed means of boundary treatment to be erected/retained around the site shall be submitted to, and approved in writing by, the Local Planning Authority. The submitted details shall include:

- A plan indicating the positions, design, materials and type of boundary treatment;
- A plan and specification for the proposed delivery access gate, including details of any form of mechanisation.

The development shall thereafter be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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

18. The development hereby permitted shall not be open for trading unless and until the noise attenuation barrier around the service delivery yard has been fully installed in accordance with the approved details. The noise attenuation barrier shall be retained thereafter.

*Reason: In the interests of the amenity of the locality and to ensure that the use of the site does not have a harmful environmental effect and in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).*
19. The development hereby permitted shall only be carried out in accordance with the submitted and approved Flood Risk Assessment (Version 6.0 dated August 2013). The mitigation measures shall be fully implemented prior to occupation of the development hereby permitted and shall thereafter be permanently retained and maintained.

*Reason:* To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants, in accordance with the advice of the NPPF and policy DC7 of the Horsham District Local Development Framework: General Development Control Policies (2007).

20. Notwithstanding the details within the submitted Flood Risk Assessment, no development shall commence until full details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. The approved details shall be fully implemented prior to occupation of the development hereby permitted and shall thereafter be permanently retained and maintained solely for their intended purpose.

*Reason:* To ensure that the site is adequate drained and to reduce the risk of flooding, in accordance with the advice of the NPPF and policy DC7 of the Horsham District Local Development Framework: General Development Control Policies (2007).

21. No development shall commence until provision has been made within the site to prevent surface water discharging onto the highway in accordance with plans and details to be submitted to, and approved in writing by, the Local Planning Authority.

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

22. Prior to the commencement of development (or such other date or stage in the development as may be agreed in writing with the Local Planning Authority) full details of the proposed sub-station to be situated within the site shall be submitted to, and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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

23. Prior to the commencement of development (or such other date or stage in the development as may be agreed in writing with the Local Planning Authority) full details of any proposed refuse/recycling storage areas shall be submitted to, and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

*Reason:* In the interests of the amenity of the locality and in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).
24. The development hereby permitted shall not be open for trading unless and until trolley bays have been provided and thereafter retained. Details of the design of any trolley bays to be located within either the open surface car parking area at the lower level or within the upper level car parking area shall have been submitted to, and approved in writing, by the Local Planning Authority in advance. The development shall thereafter be implemented in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of amenity and to ensure that there is adequate parking provision for the development in the interests of highway safety and in accordance with policies DC9 and DC40 of the Horsham District Local Development Framework: General Development Control Policies (2007).

25. The development hereby permitted shall not be open for trading unless and until trolley loops to prevent supermarket trolleys from being taken out of the site have been installed in accordance with details to have been submitted to, and approved in writing, by the Local Planning Authority. The approved details shall thereafter be retained unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of amenity and to ensure the safety of pedestrians and motorists on the adjoining highway in accordance with policies DC9 and DC40 of the Horsham District Local Development Framework: General Development Control Policies (2007).

26. No development shall take place within the site until the applicant, or the applicant’s agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation and timetable which has been submitted to, and approved in writing by, the Local Planning Authority.

Reason: In order to ensure that archaeological features and artefacts revealed during development works will be adequately recorded in accordance with policy DC10 of the Horsham District Local Development Framework: General Development Control Policies (2007).

27. The development hereby permitted shall not be open for trading unless and until the vehicular accesses to the site from Albion Way and the Bishopric have been designed, laid out and constructed in all respects in accordance with plans and details to be submitted to, and approved in writing by, the Local Planning Authority.

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

28. The development hereby permitted shall not be open for trading unless and until the parking and servicing areas have been designed, laid out and constructed in all respects in accordance with plans and details to be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall thereafter be permanently retained.

Reason: To ensure that there is adequate parking and servicing provision for the development in the interests of highway safety and in accordance with policy DC40 of the Horsham District Local Development Framework: General Development Control Policies (2007).
29. Prior to the commencement of development (or such other date or stage in the development as may be agreed in writing with the Local Planning Authority) a scheme for the management, pricing and access control for the car parking areas shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be fully implemented prior to the development being open for trading and shall thereafter be retained.

Reason: To ensure that there is adequate parking provision for the development and to ensure that opportunities for customers to make linked trips with other nearby destinations exist, in accordance with policies DC34 and DC40 of the Horsham District Local Development Framework: General Development Control Policies (2007).

30. Prior to the commencement of development (or such other date or stage in the development as may be agreed in writing with the Local Planning Authority) details of the provision of facilities for the parking of cycles shall be submitted to, and approved in writing by, the Local Planning Authority. The approved facilities shall be fully implemented prior to the development being open for trading and shall thereafter be retained.

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).

31. The development hereby permitted shall not be open for trading unless and until an on-site signing strategy has been submitted to, approved in writing by, and implemented to the satisfaction of the Local Planning Authority.

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

32. The development hereby permitted shall not be open for trading unless and until a Green Travel Plan to be submitted to, and approved in writing by, the Local Planning Authority, has been fully implemented. The submitted travel plan shall:

- set out details of the proposed sustainable transport initiatives;
- show details for the provision of a minimum of 4 No. parking spaces incorporating ‘rapid charge’ electric charging points and a mechanism for the future review of their provision;
- provide details of emissions levels for scheduled delivery vehicles, which shall be in accordance with the latest European Emissions Standards and subsequently progressively maintained for the lifetime of the development;
- indicate the use of ‘ultra-low’ emissions service vehicles for home deliveries.

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

33. Prior to the commencement of the development, including any works of demolition, a construction environmental management plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter implemented and maintained throughout the construction period. The CEMP shall include:

- Details of the design and location of the construction access;
• Details of proposed wheel washing facilities located adjacent to the construction site access;
• Details of an area for the loading, unloading and storage of plant and materials; parking for construction traffic; and, an appropriate turning area within the site clear of the public highway;
• Details of a routing agreement for the site construction traffic and HGV traffic associated with the movement of bulk material to and from the site;
• Details of the design and location of site offices and hoardings;
• Details of means of suppressing dust during the construction process to include the regime for dust deposition measurement at the site boundaries;
• Details of how noise emanating from the site during the demolition, site preparation and construction phases will be minimised;
• Measures for tree and hedgerow protection throughout the development programme.

Reason: In the interests of controlling the impact of the development during the construction in accordance with policies DC9 and DC40 of the Horsham District Local Development Framework: General Development Control Policies (2007).

34. At least one entrance doorway to the development hereby permitted shall have a minimum width of 900mm (1800mm for a double door) and the threshold of the door shall have a flush surface.

Reason: To ensure that the development is provided with access for disabled people in accordance with policy CP16 of the Horsham District Local Development Framework: Core Strategy (2007).

35. Prior to the occupation of the development hereby permitted details of a scheme to limit noise from mechanical services plant shall be submitted to, approved in writing by, and implemented to the satisfaction of the Local Planning Authority. The approved scheme shall show an aggregated target level of 25 dB L_{Aeq} at the nearest residential receptor.

Reason: In the interests of amenity and to ensure that the use of the site does not have a harmful environmental effect and in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

36. Prior to the commencement of development a scheme to deal with contamination of the site shall be submitted to, and approved in writing by, the Local Planning Authority. The submitted scheme shall include the findings and any associated remediation works required following a Phase II Environmental and Geotechnical investigation, in accordance with the recommendations of the Scott White and Hookins Initial Environmental Review (Rev C dated August 2013). Any remediation works forming part of the approved scheme shall be fully implemented prior to the occupation of the development hereby permitted.

Reason: To ensure that any pollution is dealt with in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

37. 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).
38. No storage of equipment, goods or materials shall take place within the curtilage of the development other than within the building located therein.

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

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

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

40. Prior to the occupation of the development hereby permitted details of a deliveries schedule shall be submitted to, and approved in writing by, the Local Planning Authority. The submitted details shall include:

- No deliveries, loading or unloading using articulated vehicles to be scheduled except between 06.30 hours and 19.00 hours on Mondays to Saturdays and 08.00 hours and 13.00 hours on Sundays, Bank or Public Holidays;
- No deliveries, loading or unloading of any vehicles, other than those to be used for home deliveries, except between 06.00 hours and 19.00 hours on Mondays to Saturdays and 08.00 hours and 13.00 hours on Sundays, Bank or Public Holidays;
- No deliveries, loading or unloading of vehicles used for home deliveries, except between 06.00 hours and 23.00 hours on Mondays to Fridays, 06.00 hours and 22.00 hours on Saturdays and 08.00 hours and 18.00 hours on Sundays, Bank or Public Holidays;
- Details of a noise management scheme to include measures to minimise noise from deliveries, loading and unloading within the service and delivery yard.

The approved delivery schedule shall be fully implemented prior to the occupation of the development and shall thereafter be maintained unless otherwise agreed in writing by the Local Planning Authority.

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

41. The retail stores hereby permitted shall not be open to customers except between 07.00 hours and 22.00 hours on Mondays to Saturdays and for no more than six hours between 10.00 hours and 18.00 hours on Sundays, Bank and Public Holidays.

*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).*

42. The development hereby permitted shall be used only for retail purposes within Use Class A1 as defined in the schedule to the Town and Country Planning (Use Classes) Order 1987.
Reason: To enable the Local Planning Authority to control the use of the site and because other uses would be contrary to the guidance of the Horsham Town Plan SPD and with policy DC34 of the Horsham District Local Development Framework: General Development Control Policies (2007).

43. The development hereby permitted shall incorporate no more than a total of 4 No. retail units.

Reason: To enable the Local Planning Authority to control the use of the site and because other uses would be contrary to the guidance of the Horsham Town Plan SPD and with policy DC34 of the Horsham District Local Development Framework: General Development Control Policies (2007).

44. The development hereby permitted shall be constructed to achieve a BREEAM rating of at least 'very good'. A BREEAM final certificate demonstrating that the building has achieved a rating of at least 'very good' shall be submitted to, and approved in writing by, the Local Planning Authority within a period of three months from the date of the development being open for trading.

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

45. The development hereby permitted shall be constructed in full accordance with the details within the submitted and approved Hoare Lea Retail Unit Energy Strategy (Albion Way – Speculative Retail Unit Rev P1 dated August 2013 and Albion Way – Waitrose Rev P2 dated August 2013) unless otherwise agreed in writing with the Local Planning Authority.

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

46. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) details of any external CCTV to be erected at the site 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 retained as such thereafter. All external CCTV shall be so directed as to not affect the privacy of nearby residential properties.

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

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

1. Under the terms of the Water Resources Act 1991, and the Environment Agency Southern Region Land Drainage and Sea Defence Byelaw, prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within eight metres of the top of the bank/foreshore of the River Arun, designated as a ‘main river’.

2. Detailed design of the proposed drainage system should take into account the possibility of surcharging within the public sewerage system in order to protect the development from potential flooding.

3. The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (tel: 01962 858688) or www.southernwater.co.uk

4. A formal application for connection to the public sewerage system is required in order to service this development, please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (tel: 01962 858688) or www.southernwater.co.uk

5. A formal application to requisition water infrastructure is required in order to service this development. Please contact Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (tel: 01962 858688) or www.southernwater.co.uk

6. This permission does not authorise the display of advertisements shown on the approved plans, for which separate consent is required under the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.

7. The applicant is advised that it may be beneficial to meet with the Council’s Landscape Architect to informally discuss the proposed hard and soft landscape details required pursuant to condition 3 prior to their formal submission for approval. In particular, the landscape masterplan and other landscape drawings submitted with the application show certain tree and shrub species, planting sizes and hard surfacing choices that may not be considered appropriate for the location proposed.

Background Papers: DC/13/1599
DC/13/1599
Horsham Bowling Club

Organisation: Horsham District Council
Department: Horsham District Council
Comments: O/S EXTRACT
Date: 07 January 2014
SLA Number: 100023865

Scale: 1:2500

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