

NUTHURST PARISH COUNCIL

Minutes of the Parish Council Planning Meeting,
held on Wednesday 20th June 2018 at 7.30pm
Mannings Heath Village Hall, Mannings Heath

Present: Cllr V Court (Chairman) Cllr O Hydes (OBE)
Cllr J Assassi
Cllr J Chaytor
Cllr G Dixon
Cllr A Gaffney

Nineteen members of the public attended the meeting.

2406/18 APOLOGIES FOR ABSENCE were received from Cllr F Boulter, Cllr J Mercer, Cllr J McClean, Cllr T Nelson and Cllr S Turner.

2506/18 DECLARATIONS OF INTEREST none.

2606/18 PUBLIC FORUM

A member of the public asked if the Parish Council could do about the trees being felled in connection with the development opposite the Dun Horse? The developer is felling trees which the approved plans show should be remaining.

The Chairman advised that the matter should be addressed by HDC Planning department.

2706/18 PLANNING APPLICATIONS

DC/17/2294 07/06/2018 (Amended) RESOLVED	<p>Erection of a four bedroom detached house with parking on the former public house garden amenity. Dun Horse Inn, Brighton Road, Mannings Heath</p> <p>The Parish Council strongly objects to this planning application for the following planning reasons:</p> <ol style="list-style-type: none">1. The site is not allocated in the Parish's "made" Neighbourhood Plan which provides for about 50 new houses. Horsham District Council has an adequate 5 year supply of new houses. So this additional house is not needed.2. The application contravenes Policies 2 to 8 in the Neighbourhood Plan, which require each development to provide some smaller dwellings in line with one of the Plan's key objectives "<i>To provide a mix of dwelling types including particularly smaller dwellings for young families and starter homes for younger people.....</i>". So this large three bedroom, three bathroom house is not needed in the Parish.3. The site is far too small for development. This large detached house would be about 3.5 metres from the approved refurbished Dun Horse Inn site. This massing represents severe over-intensive development of the site. This is contrary to Policy 10 of the Neighbourhood Plan and Policy 33 of Horsham District Planning Framework 2015.4. Because the site is too small, the proposed house has no garage. This is contrary to sections 1(a) and 2.6 of the Parish Design Statement which require houses to have at least one garage.5. There is no provision for parking on the site. This is unacceptable. A house this size should have parking for 2 cars, plus visitors' cars, in accordance with West Sussex County Council's guidance. The HDPF in policy 41.2 states "Adequate parking facilities <u>must</u> be provided <u>within developments</u> to meet the needs of anticipated users." Street parking in Pound Lane is dangerous given that it is particularly narrow and bends by the site, is used every half an hour by buses and Pound Lane constitutes a busy main entrance/exit to and from the village. This lack of parking provision is contrary to policy 10iii of the Neighbourhood Plan and section 2.6 of the Parish Design Statement, both of which require adequate off-street parking to avoid
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	<p>unsightly and unsafe on-street parking. It is also contrary to policy 41.2 of the HDPF. (Note: parking for the house needs to be considered within its context which is the aggregated parking demand from competing users such as: the house and its visitors; the two flats above the Dun Horse Inn and their visitors; v and the refurbished Dun Horse Inn and its users and staff. There has been no attempt to quantify the aggregated parking demand from all these users. The aggregated demand for parking would undoubtedly place an intolerable/unsafe burden on Pound Lane at its junction with the A281 (note that although historically the "triangle" at the junction has been used for parking, West Sussex County Council state that it cannot be counted for parking because it is part of the Highway.)</p> <ol style="list-style-type: none"> 6. Unsafe entrance/egress from the proposed house for pedestrians who would have to enter the curtilage directly from the highway and leave the curtilage directly onto the highway because there is no pavement at this point and pedestrians would have restricted visibility due to the bend in Pound Lane. Note that the road is also particularly narrow at this point, with buses and HGVs having to use more than half the carriageway. This contravenes item 9 of policy 40 of the Horsham District Planning Framework 2015. 7. There is no provision for bin storage. But more importantly bins would need to be wheeled to the collection point on the opposite side of Pound Lane. As explained in (6) above this procedure is unsafe. Again, this contravenes item 9 of policy 40 of the Horsham District Planning Framework 2015. 8. The external staircase entrance to the approved flats on the first floor of the Dun Horse Inn directly overlooks the window and patio doors of the living room. This degree of overlooking is unacceptable. 9. The new house being tall, too close to the Dun Horse Inn and well forward in the plot (just 1.75 metres from the Highway) creates an unacceptable urban street scene at the main entrance to Mannings Heath village. 10. The over-intensive development of the site and the massing has an adverse effect on the setting of Chulmleigh on the A281, a grade II listed building in a generous sized plot which is directly opposite the proposed development and in open view just some 20 metres from the site. 11. The front wall of the house is just 1.75 metres from the Highway. This means that there is virtually no front garden. Furthermore the rear garden is not much bigger than the footprint of the house. This is contrary to policy 10ii of the Neighbourhood Plan and section 1(a) of the Parish Design Statement (PDS). Furthermore, the rear garden will be overlooked from the external entrance staircase to the approved flats in the first floor of the Dun Horse Inn. This is unacceptable. 12. Unacceptable loss of a green space. The removal of hedging at the front curtilage and conversion of grassland garden to house will urbanise the street scene and this is important as the site is the main gateway into the village. 13. The current site is a green space. The proposal is to cover about half of it with buildings and patio. This is unacceptable both aesthetically and practically. It removes a large area of permeable ground for absorbing rain water. 14. Future pressure to extend the house will result from the provision of 3 bathrooms for a 3 bedroom house. It is obvious that a 4th bedroom will be wanted, yet this small site is already overdeveloped. 15. The National Planning Policy Framework does not support development in gardens. The proposed house would be in the side garden of the Dun Horse Inn. 16. In view of the above objections, the Parish Council strongly considers that no dwelling is acceptable in the very small side garden of the Dun Horse Inn because the site is far too small. 17. Note also: <ol style="list-style-type: none"> i) the fallaciousness of the applicant's argument in favour of development on the site. The applicant argues that the proposed house recreates the historic composition framing the Dun Horse Inn with cottages either side. This argument is contrived. The applicant's supporting photograph is pre-war when Mannings Heath was far less developed and when occupants of the cottages were unlikely to possess any vehicles. Additionally, far less traffic would have used Pound Lane and road safety would not have been an issue. Some 80 or more
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	<p>years later, the context is very different and the siting of the proposed dwelling is no longer appropriate.</p> <p>ii) the fallaciousness of the photographs submitted. The applicant has presented a very deceptive linear street view which shows the Old Post House cottage almost the same height as the Dun Horse Inn. In fact, it is very much lower as is clearly shown in one of the applicant's photos of the 'existing street view'.</p> <p>Conclusion The Parish Council strongly urges HDC to refuse this planning application on the following grounds, namely it contravenes:</p> <ul style="list-style-type: none"> • Policy 10 of the NP and policy 33 of the HDPF because the overdevelopment (scale and massing) do not reflect the architectural and historic character and scale of the surrounding buildings; • Policy 10iii of the NP, section 2.6 of the PDS and policy 41.2 of the HDPF because there is no parking provision within the site. • Policy 40, item 9 of the HDPF because of the unsafe entrance/egress directly onto the highway (Pound Lane) for pedestrians and for wheelie bins. <p>Policy 10ii of the NP and section 1(a) of the PDS because of the lack of adequate amenity space, particularly virtually no front garden.</p>
<p>DC/18/0752 06/06/2018 (Amended) RESOLVED</p>	<p>Demolition of existing detached garage and erection of a two-storey side extension with dormer windows and garage. Quarries Cottage, Winterpit Lane, Mannings Heath</p> <p>To object to this application for the following reasons:</p> <ul style="list-style-type: none"> • Over intensification of site • Proposed extension not in keeping with the existing property (Parish Design Statement 2.8 Extension 2w) • Protection of tree roots still not mentioned • The Parish Council would still prefer to see a smaller extension on the site, there is little difference in size from the original proposal
<p>DC/18/1245 13/06/2018 RESOLVED</p>	<p>Demolition of existing out buildings and erection of 8 dwellings with associated parking and private amenity. Little Homefield, Brighton Road, Mannings Heath</p> <p>The Parish Council strongly objects to this application for the following reasons:</p> <ol style="list-style-type: none"> 1. Site is potentially outside the Built Up Area Boundary (BUAB). Parish Council has asked Horsham District Council (HDC) for a change to the BUAB since the site is no longer within the curtilage of Little Homefield. The BUAB has traditionally followed the curtilages of the back gardens belonging to houses along this stretch of the A281. A decision on this proposed change is awaited from HDC. Furthermore HDC's Local Plan Review (April 2018) in its assessment criteria for BUABs states "<i>Where garden land relates more to the rural than urban landscape these sites should be excluded</i>". This site being previously garden land and adjacent to farmland meets this criteria for exclusion. 2. Site not allocated in the Neighbourhood Plan (NP). The site was not put forward for consideration and assessment for inclusion in the NP. 3. These additional 8 houses are not needed in the Parish. The NP is already fulfilling the requirement for some 50 new houses which were identified in surveys carried out during consultations on the NP. Furthermore HDC has a 5 year housing supply, so there is no need for any additional houses. 4. The application constitutes inappropriate backland development. The Independent Examiner of the Parish's NP required the removal of a site in Nuthurst from the draft NP purely because it was a backland development. He said the proposed site was behind a row of large houses in large plots, the development would appear incongruous in its setting, out of character with the nearby houses and would fail to protect the rural character of the area. These reasons apply equally to the Little Homefield site. This proposed development contravenes policy 10 of the NP because it does not reflect the architectural and historic character and scale of the surrounding buildings since the immediately

	<p>surrounding buildings are large houses in large plots. Similarly it contravenes policy 33 of the Horsham District Planning Framework (HDPF).</p> <ol style="list-style-type: none"> 5. There are serious road safety implications of cars and service vehicles entering and leaving the site onto the A281. The applicant's transport consultant claims that because the Highway Authority did not require a formal assessment for the adjacent NP approved site (DC/16/1753), the same must hold for this new site. That is not the case. The access road is shared with the NP site and would be used by a total of 16 houses, not just the 8 NP houses. Each house might be expected to have 2 cars (32 cars total) and an unknown number of visitor cars. This represents a doubling of vehicles and a doubling of vehicle movements exiting onto a major road (A281) nearly opposite a dangerous junction with Pound Lane. The applicant should be required to undertake a full transport safety risk assessment of this greater usage. It is also noted that there is no provision for visitor parking. There is no provision for cycle storage. This contravenes policies 40 and 41 of the HDPF. 6. Development of residential gardens is inappropriate. The site was until very recently part of the residential garden of Little Homefield. The National Planning Policy Framework (NPPF) does not support development in residential gardens: <ol style="list-style-type: none"> a. Paragraph 48 of the NPPF states "<i>Local planning authorities may make allowance for windfall sites and (these) should not include residential gardens</i>". b. Paragraph 53 of the NPPF states "<i>Local planning authorities should resist inappropriate development of residential gardens</i>" 7. The development would remove the gradual transition from the built environment to the countryside beyond (farmland). This transition is currently provided by the large back gardens of the houses along this stretch of the A281. HDC's Local Plan Review in its assessment criteria for BUABs states "<i>...gardens can form an important part of the transition between the rural and urban environment and there may be some instances, particularly where there are houses located in larger plots, that the character of the area would be adversely affected as a result of increased development....Where garden land relates more to the rural than urban landscape these sites should be excluded</i>". 8. The layout of the houses in a straight line is unsympathetic to their position adjoining farmland, introduces an urbanizing feature and do not reflect the scale of the surrounding buildings in contravention of policy 10 of the NP and policy 33 of the HDPF. 9. 8 Houses in an area of 0.215 ha (this is the correct area of the site – see Annex item 2) represents a density of 37 dwellings per hectare. This is about 33% more than the adjacent NP site which has 8 houses in an area of 0.285 ha representing a density of 28 dwellings per hectare. Therefore high density of the proposed houses represents an over-development of the site in contravention of policy 10 of the NP and policy 33 of the HDPF. 10. Houses 2 to 7 inclusive do not have adequate amenity space. The Nuthurst Parish Design Statement (PDS) states that new houses should have gardens front and back. For each of these houses approximately 50% of the plot is building. All 8 houses have virtually no front garden at all. This contravenes policy 10(ii) of the NP and Section 1(a) of the PDS. 11. The site is covered in an unacceptable amount of buildings and hard standing. Approximately 50% of the site would be covered with the houses, associated parking spaces and entrance road. This is unacceptable in a site adjoining farmland. It constitutes, once again, an urbanizing feature. This contravenes policy 10 of the NP as it does not reflect the landscape design of the surrounding buildings and policy 33 of the HDPF. 12. Adverse effect on heritage assets. The site is adjacent to one of the oldest houses in Mannings Heath, the 16th Century non-listed heritage asset called "Woolmers". This modern, terraced development will have an adverse effect on the setting of "Woolmers" and would not reflect the architectural and historic character of "Woolmers". This contravenes policy 10 of the NP and policies 33 and 34 of the HDPF.
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	<p>13. The applicant has made a number of misleading statements and assertions in the application and these are dealt with in the attached annex.</p> <p>Conclusion The Parish Council urges HDC to refuse this application for the reasons set out above, namely it contravenes (a) policy 10 of the Neighbourhood Plan because the scale, density, massing and layout (overdevelopment) does not reflect the architectural and historic character of the surrounding buildings and it does not include adequate functional garden space; (b) Section 1(a) of the Parish Design Statement because it provides virtually no garden at the front; (c) policy 33 of The HDPF, because the scale, massing and appearance (overdevelopment) do not relate sympathetically with the built surroundings and it does not make provision for storage of cycles; (d) policy 34 of the HDPF, because of the adverse effect on the adjacent non-listed heritage asset (Woolmers); (e) policy 40 of the HDPF because it does not provide a safe access to the existing transport infrastructure, namely the major A281 road; and (f) policy 41 of the HDPF because it does not provide parking facilities for cycles.</p> <p>Annex The applicant has made a number of misleading statements and assertions as follows. 1) He states that "Part of the application site is also allocated for development under policy 4 [of the NP]". This is not true. The applicant is only making this statement because he proposes to utilize the access road for the adjacent approved NP site (DC/16/1753) to gain access to his proposed site. 2) He states that the application site "measures a total area of 0.275 ha". This is not true. The application site measures approximately 0.215 ha, about 22% smaller. The applicant appears to have incorrectly included the access road within the adjacent approved NP site, as part of his site. This means the density of housing is much greater than if his figure was used. 3) The applicant commissioned an ecology report from a consultant in April 2018. This was after the site had been totally cleared of vegetation leaving bare ground and having destroyed habitats of mammals, birds and reptiles. Ecology studies must be carried out before any site clearance. The ecology study is completely worthless. 4) The applicant's tree report lists trees to be removed and retained. However, many trees have already been removed during the site clearance, consequently there is no record of the removed trees. The applicant should have applied for planning permission <u>before</u> removing trees from the site.</p>
<p>DISC/18/0183 07/06/2018</p>	<p>Approval of details reserved by conditions 4 (finished floor levels), 5 (surface water drainage), 6 (foul water drainage), 7 (contamination), 8 (external facing and roof materials), 9 (external lighting), 10 (hard and soft landscaping), 11 (car parking) and 12 (overnight visitor management plan) on DC/15/0984 (building for residential care of young adults, ramp to mezzanine floor, and access track) Oaktree Farm Care Ltd, Oaktree Farm, Copsale Road, Copsale <i>(The Parish Council are not required to submit comments on this application)</i></p>

2706/18 PLANNING UPDATES

- i) **Strategic Housing and Employment Availability Assessment (SHELAA)**
HDC are undertaking a review of their Strategic Housing and Employment Availability Assessment (SHELAA) and there is a formal 'call for sites'. The SHELAA is a high-level assessment that is used to identify land that may have potential for development in the future. It does not mean that a site in the SHELAA will automatically be given planning permission or be allocated in a local plan.
- The call for sites is open now and will run until 5.00pm on Friday 27 July 2018.
- ii) **Parish Council inspection of 'footings'**
In reply to the Parish Councils request for an invitation to view the footings of all new developments, Chris Lyons has advised that there is not a legal requirement and there are

insurance and safety issues which would need to be considered. The request has been passed onto Emma Parkes.

iii) DC/17/2216 Hawthorns

The Barrister, engaged by the Parish Council, has completed his report and the Chairman proposed for the Members to attend a 'work shop' to discuss the contents. The Barrister should be invited to attend the meeting to answer any queries and provide cost implications. **RESOLVED** for the report to be circulated to the Members only, a 'work shop' to be arranged the following week and for the Barrister to be invited to attend.

iv) DC/18/1046 Micklepage (amended plans)

Amended plans appeared on HDC's website on 15th June 2018 and neither the Parish Council, or the residents who objected to the application have been advised of the planning amendments.

RESOLVED to send a letter to Tamara Dale highlighting the Parish Council's concerns about the lack of communication.

v) DC/18/1046 (DMH Stallard)

DMH Stallard have submitted a letter to Tamara Dale and it has been included on HDC'S website. The letter is critical of the Parish Council and warrants a response.

RESOLVED to send a letter to Tamara Dale in response to DMH Stallard's communication.

2806/18 MINOR MATTERS RAISED BY COUNCILLORS TO BE REFERRED TO ON THE NEXT AGENDA

Members were concerned that the old entrance, on the A281, to Swallowfield Nursery was being reinstated.

The meeting closed at 8.10pm