



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

S106/26/0027

Land Parcel at 518618 134195, Old Holbrook, Horsham, West Sussex,

DESCRIPTION:

Details pursuant to Schedule 4, Part 15 of the legal agreement (ref DC/16/1677) for the Phase 2 Eastern Allotments Specification.

RELEVANT PLANNING HISTORY:

DC/16/1677	Outline planning application with all matters reserved except access for a mixed use strategic development to include housing (up to 2,750 dwellings), business park (up to 46,450 m2), retail, community centre, leisure facilities, education facilities, public open space, landscaping and related infrastructure	Application Permitted on 01.03.2018
DC/19/0984	Non material amendments to approved application DC/16/1677 (the North Horsham Development site) for amendments to the wording of conditions 5,7,8,9,11,12,13,14,16,17,18,19,22,28, 31 & 54 and the introduction of a new condition to enable the Principal Access Works to come forward	Application Permitted on 12.06.2019
DC/21/0181	Non Material Amendment to condition 2 of DC/16/1677 (Outline planning permission for Land North of Horsham strategic site) to amend all parameter plans.	Application Permitted 12.03.2021

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF):

Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development

Policy SD1: Strategic Policy: Land North of Horsham

Policy 32 – Strategic Policy: The Quality of New Development

Policy 33 – Development Principles

Neighbourhood Plan:

The Mowbray site covers the parishes of North Horsham and Rusper. North Horsham Parish has withdrawn its neighbourhood plan designation.

Rusper Parish Neighbourhood Plan has been through examination and has been approved through a referendum. The relevant policies are as follows:

- Policy RUS1: Spatial Plan

REPRESENTATIONS AND CONSULTATIONS RESPONSES

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

Consultations:

HDC Landscape Officer: Advice

[Summary] The Officer provided comments on the following:

- Acknowledging that planting would form part of a future reserved matters application
- Requesting a general information sign to be located at the site entrance
- Requesting landscape details and underground services to be coordinated at this stage
- Noting OSSR (para 137) allotment accessibility requirements

HDC Parks and Countryside: Advice

[Summary] The Officer provided comments advising improvements that could be made to make the site more financially viable, resilient to climate change and for future management:

- Maximising number of plots
- Increasing the number of water tanks
- Providing self-filling water troughs to prevent water wastage
- Positioning of trees which may shade plots and result in rooting issues
- Siting of boundary hedge and viability of hedge maintenance

Parish Comments:

North Horsham Parish: No objection.

Representations:

None received.

HUMAN RIGHTS

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

Consent is sought to approve the details pursuant to Schedule 4, Part 15 of the legal agreement (ref DC/16/1677) for the Phase 2 Eastern Allotments Specification.

Schedule 4, Part 15 states the following:

"Prior to Commencement of the Eastern Allotments:-

- 1.1.1 *the Allotments Specification in respect of the Eastern Allotments shall be submitted to the District Council for approval; and*
- 1.1.2 *written approval from the District Council shall be obtained to the submitted Allotments Specification"*

The Eastern Allotments are defined as:

"the allotments to be provided within the Development as shown for indicative purposes only coloured green on part 17 and the precise location of which is to be approved by the District

Council pursuant to a Reserved Matters Approval to comprise a minimum site area being 0.32 hectare to be provided in accordance with the Allotments Specification”

Allotments Specification(s) are defined as:

*“a specification for each of the respective Allotments which shall set out the location and detailed specification of each of the respective Allotments and which shall be approved in accordance with paragraphs 0, **Error! Reference source not found.**, **Error! Reference source not found.** and **Error! Reference source not found.** of **Error! Reference source not found.** of this Schedule and each such specification shall accord with the minimum specification set out in **Error! Reference source not found.** to this Schedule”*

Appendix 5 ‘allotment specification’ sets out the following requirements:

- 1. Screen planting to the perimeter of the allotment site, with a variety of species to provide some privacy and shelter, without giving rise to overshadowing of plots*
- 2. Clear separation between adjacent allotments with grass paths not less than 0.8m wide.*
- 3. Signage at site entrances giving details of ownership; site rules; how to apply for an allotment; and emergency telephone numbers*
- 4. Securely fenced with 1.5 m dark green weld mesh and lockable gates*
- 5. Plots prepared and ready for cultivation*
- 6. Naturally well drained*
- 7. Minimum 20 plots on each site.*
- 8. Water point serving the allotment site with accessible stop cock and meter installed to water company standard.*
- 9. Linked to pedestrian and cycle path systems*
- 10. Adequate parking adjacent or close to the entrance to the site (but not necessarily on-site)*
- 11. Main access road suitable for two way traffic and paths no less than 2m wide*
- 12. Adequate paths within the site, suitable for people with disabilities*
- 13. Access for tractor and trailer to deliver organic matter to a single point at the entrance of the allotment site.*
- 14. Access for maintenance of both sides of screen planting*

The submission includes General Landscape Arrangement, Allotment Layout, and Landscape Specification which have been reviewed by the Councils Landscape Office and the Parks and Countryside team who have raised the following matters:

Number of Plots

The Parks and Countryside Officer has advised that the number of plots should be maximised to increase potential income. It is advised this could be achieved by reducing parking and amending the site layout. The layout, as proposed, provides 20 plots comprising of 8 smaller plots (~62-68sqm) and 12 larger plots (~125-130sqm). This accords with the requirements of appendix 5 and leaves the potential to subdivide larger plots should future demand be high. The applicant has additionally noted that reducing parking levels may result in overspill parking to neighbouring roads, and removing communal seating / grass area may impact the overall quality of the site. Officers are therefore satisfied that the current number of plots is acceptable.

Accessibility

The Landscape Officer’s comments highlighted the OSSR accessibility specifications for allotments. Having reviewed the submitted details, Officers are satisfied that the details provided are sufficient to demonstrate ‘adequate paths within the site, suitable for people with disabilities’ as required under

criteria 10 of Appendix 5. It is noted that the central path would be self-binding gravel which is considered wheelchair accessible, and the proposal also includes raised planters and accessible parking bays. Nonetheless, the applicant is encouraged to take into consideration the more detailed OSSR Guidance at paragraph 137 within any forthcoming reserved matters application.

Water Butts / Rainwater harvesting

The Parks and Countryside Officer advised the introduction of four 1000l rainwater harvesting containers. The applicant has raised concern regarding the future management / maintenance of these containers, including potential health and safety implications. It is acknowledged that these do not form part of the appendix 5 specification and are therefore not required in this instance.

Water troughs

Following advice from the Parks and Countryside Officer updated plans have been provided to show the three water taps replaced with self-filling water tanks to reduce water wastage.

Compost Bins

The Parks and Countryside Officer noted that the proposed communal compost bays do not work in practice. These have therefore been removed from the site layout.

Planting

The Parks and Countryside Officer have noted that trees to the north of the parking may overshadow plots and present future rooting issues, this would be dependent on species. Final details of planting, including specific species would be expected to come forward with a reserved matters application and is not required under the S106 specification.

The Officer also requested confirmation of future hedge management given the hedge is on the outside of a 1.8m hedge fence. The boundary fence has therefore been reduced to 1.5m to allow future management from within the allotments.

The Landscape Officer has additionally noted the need to landscape details and underground services. As set out above, final landscape and planting details would be provided at reserved matters, at which time this should be considered.

Summary

Given the above, Officers are satisfied that the submitted details are sufficient to accord with Schedule 4, Part 15 of the legal agreement (ref DC/16/1677) for the Phase 2 Eastern Allotments Specification and can therefore be agreed.

Recommendation: Application Permitted

NOTE TO APPLICANT

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: S106/26/0027

(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved:**

Plan Type	Description	Drawing Number	Received
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