Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1204
Land at New Place Farm, Pulborough , West Sussex, RH20 1AT

DESCRIPTION:
Non Material Amendment to previously approved application DC/21/2321 (Outline planning permission (with all matters reserved except for means of access from Glebelands) for the demotion of existing structures and the redevelopment of the site with a residential development scheme of up to 170 dwellings, a countryside park, associated earthworks and infrastructure) to amend the wording of Conditions 2 and 20.

RELEVANT PLANNING HISTORY:

DC/21/2321	Outline planning permission (with all matters reserved except for means of access from Glebelands) for the demotion of existing structures and the redevelopment of the site with a residential development scheme of up to 170 dwellings, a countryside park, associated earthworks and infrastructure	Application Permitted on 07.07.2023

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF, 2021)

Horsham District Planning Framework (HDPF, 2015)
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 30 - Protected Landscapes
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking

Pulborough Parish Design Statement SPD (2013)

The Pulborough Parish Neighbourhood Plan (PPNP). The Regulation 16 Submission Plan underwent independent examination in September 2021, and was recommended by the Examiner to progress to

Referendum subject to a number of minor changes. A referendum on the plan has not yet occurred, therefore the plan does not yet formally form part of the Council's Local Development 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:
None received

Parish Comments:
None received

Representations:
None received

HUMAN RIGHTS AND EQUALITY:
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
The main consideration of this application is whether the proposed alterations can be considered as non-material amendments to the approved scheme in accordance with Section 96A of the Town and Country Planning Act 1990 (as inserted by S190 of the Planning Act 2008). The discretion rests with the Council to decide to whether the revisions would constitute a non-material amendment to a planning permission, which would not take it outside the scope of the original permission.

This proposal seeks to amend the wording of conditions 2 and 20 of outline permission ref: DC/21/2321 to facilitate the phased discharge of the reserved matters information.

Regulatory (Time) Condition 2 currently reads:

> *(a) Approval of the details of the layout of the development, the scale of each building, the appearance of each building, and the landscaping of the development (hereinafter called "the Reserved Matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.*
> *(b) Plans and particulars of the Reserved Matters referred to in condition (a) above, relating to the scale and appearance of each building, access within the site, and landscaping of the development shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.*
> *(c) Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.*
> *(d) The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved, whichever is the later.*
>
> *Reason: To enable the Local Planning Authority to control the development of the Outline element in detail and to comply with Section 92 of the Town and Country Planning Act 1990.*

Regulatory Condition 20 currently reads:

The Reserved Matters submissions shall be accompanied by details/plans which demonstrate how the original materials and floor plans of the surviving historic farm buildings within the setting of New Place Manor are to be utilised in the design of any new development within the north-west part of the site. The submitted details shall show how any new buildings in this part of the site reflect the type of building that once stood there, including the re-use of historic materials (particularly stone).

Reason: To reinforce the significance of the historic setting of Grade 2 listed New Place Manor, and ensure that the historical interest of the site is safeguarded and recorded in accordance with Policy 34 of the Horsham District Planning Framework (2015).

Grade II* listed New Place Manor is located adjacent to the west of the Land at New Place Farm site. Given this proximity, a design sensitive approach is required within the north west of the application site to provide a sympathetic transition between the listed building and the rest of the wider Land at New Place Farm housing development. The requirements of this design approach are such that the proposed finishing materials, scale and design will be separate from the rest of the site and in turn will require more technical, design work to prepare. Therefore, the applicant proposes a phased approach to the reserved matters to distinguish between the specific design approach in the north west of the site and the rest of the sites development through amending the wording of conditions 2 and 20 of DC/21/2321. No other amendments are proposed or have previously been made.

Accordingly, the conditions would be revised to read (amendments in bold):

Regulatory (Time) Condition 2:

(a) Approval of the details of the layout of the development, the scale of each building, the appearance of each building, and the landscaping of the development (hereinafter called "the Reserved Matters") ***for each phase*** *shall be obtained from the Local Planning Authority in writing before any development* ***of that phase*** *is commenced.*
(b) Plans and particulars of the Reserved Matters referred to in condition (a) above, relating to the scale and appearance of each building, access within the site, and landscaping of the development shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
(c) Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.
(d) The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development of the Outline element in detail and to comply with Section 92 of the Town and Country Planning Act 1990.

Regulatory Condition 20:

The Reserved Matters submissions ***west of Public Footpath PUL/2332/4 within the historic setting of New Place Manor*** *shall be accompanied by details/plans which demonstrate how the original materials and floor plans of the surviving historic farm buildings within the setting of New Place Manor are to be utilised in the design of any new development within the north-west part of the site. The submitted details shall show how any new buildings in this part of the site reflect the type of building that once stood there, including the re-use of historic materials (particularly stone).*

Reason: To reinforce the significance of the historic setting of Grade 2 listed New Place Manor, and ensure that the historical interest of the site is safeguarded and recorded in accordance with Policy 34 of the Horsham District Planning Framework (2015).

The proposed amendments would not result in any change to the information required but will allow for the separate design approaches. With this in mind, it is not considered that the proposed amendments would result in a material change to the development permitted under DC/21/2321. The proposed

amendments to DC/21/2321 would also not appreciably impact on the appearance of the building or amenities of adjacent occupiers, and would give rise to no other material impacts. The amendments are therefore considered non-material under Section 96A of the Town and Country Planning Act 1990.

Recommendation: Application Permitted

Updated Conditions:

2 **Regulatory (Time) Condition:**

(a) Approval of the details of the layout of the development, the scale of each building, the appearance of each building, and the landscaping of the development (hereinafter called "the Reserved Matters") for each phase shall be obtained from the Local Planning Authority in writing before any development of that phase is commenced.
(b) Plans and particulars of the Reserved Matters referred to in condition (a) above, relating to the scale and appearance of each building, access within the site, and landscaping of the development shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
(c) Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.
(d) The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development of the Outline element in detail and to comply with Section 92 of the Town and Country Planning Act 1990.

20 **Regulatory Condition:**

The Reserved Matters submissions west of Public Footpath PUL/2332/4 within the historic setting of New Place Manor shall be accompanied by details/plans which demonstrate how the original materials and floor plans of the surviving historic farm buildings within the setting of New Place Manor are to be utilised in the design of any new development within the north-west part of the site. The submitted details shall show how any new buildings in this part of the site reflect the type of building that once stood there, including the re-use of historic materials (particularly stone).

Reason: To reinforce the significance of the historic setting of Grade 2 listed New Place Manor, and ensure that the historical interest of the site is safeguarded and recorded in accordance with Policy 34 of the Horsham District Planning Framework (2015).

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.

DELEGATED

Case Officer sign/initial Stephanie Bryant Date: 03/09/2024

Authorising Officer sign/initial	Adrian Smith	Date:	03/09/2024