

**Demolition of existing buildings and the erection of apartment building together with associated cycle and refuse storage and landscaping.**

**At 37 London Road Pulborough West Sussex RH20 1AS**

**Full Planning Application**



**Planning Statement**

**Town and Country Planning Solutions Ref No: TCPS 1173A  
August 2026**

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### **Appendices**

1. Proposed drawings, officer report and decision notice – Application no. DC/21/1861
2. Proposed drawings and Council's pre-application response - Pre-application no. PE/25/0196

## 1. INTRODUCTION

- 1.1 This Planning Statement accompanies a full planning application submitted to Horsham District Council. The application site is 37 London Road in Pulborough. It comprises a detached two storey building with a flat roof located on the north western side of the road, with a detached garage to the rear. This planning application seeks to demolish the existing buildings and to erect an apartment building containing five apartments, together with associated cycle and refuse storage and landscaping. This application follows a positive pre-application consultation, which confirmed that, subject to some design amendments, a redevelopment of this nature would be supported. These changes have been duly incorporated into the submission scheme.
- 1.2 This Statement outlines the background to the proposal and explains the proposed scheme. This is followed by a full assessment of the relevant planning policies and other material considerations.

**Site location plan**



## 2. INTRODUCTION

### Existing street scene



### CGI image of the proposed street scene



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## **2. BACKGROUND TO THE PROPOSAL**

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### **i) The site and surrounding area**

2.1 The application site is situated on the north western side of London Road in Pulborough. It is set back from the road frontage, broadly following the building line to the south west. It is a two storey building of brick construction with a flat roof. To the rear there is a single storey outbuilding, with a garden area beyond. The property was most recently occupied as a hair salon at ground floor level and there is a residential flat above.

2.2 To the south west of the site is a terrace of two storey houses along London Road. The properties have garages to the rear with a communal access running along the south western boundary of the application site. To the north east is another terrace of housing which is set back from the road frontage by around 40m, running parallel with a train line which runs along the north western boundary of the site.

2.3 The site occupies a sustainable location in Pulborough, within walking distance of the town centre which lies approximately 0.5 miles to the south west along London Road. Within closer proximity is a Tesco Superstore and a pharmacy. Bus stops along London Road provide services between Pulborough and Horsham. Pulborough also has a train station which is on the line between Bognor Regis and London Victoria.

2.4 Please find photographs of the site and the existing floor plans and site plan on the following two pages.

## 2. BACKGROUND TO THE PROPOSAL

**Photograph 1 – Street scene elevation along London Road**



**Photograph 3 – Rear parking area and garage**

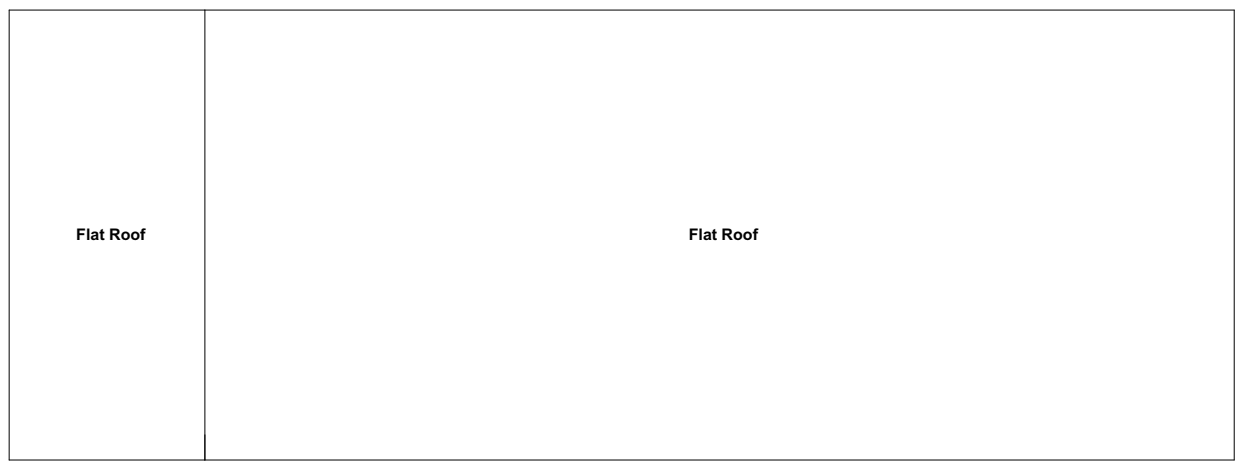


**Photograph 2 – Rear elevation**



**Photograph 4 – Rear garden area**

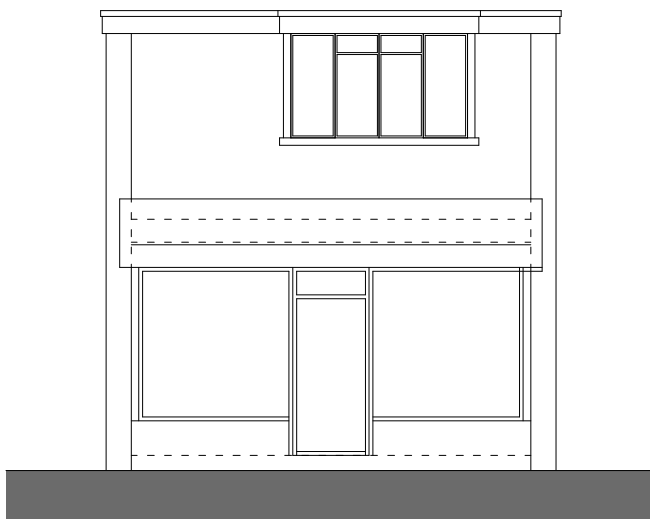




GA

Existing Roof Level Plan

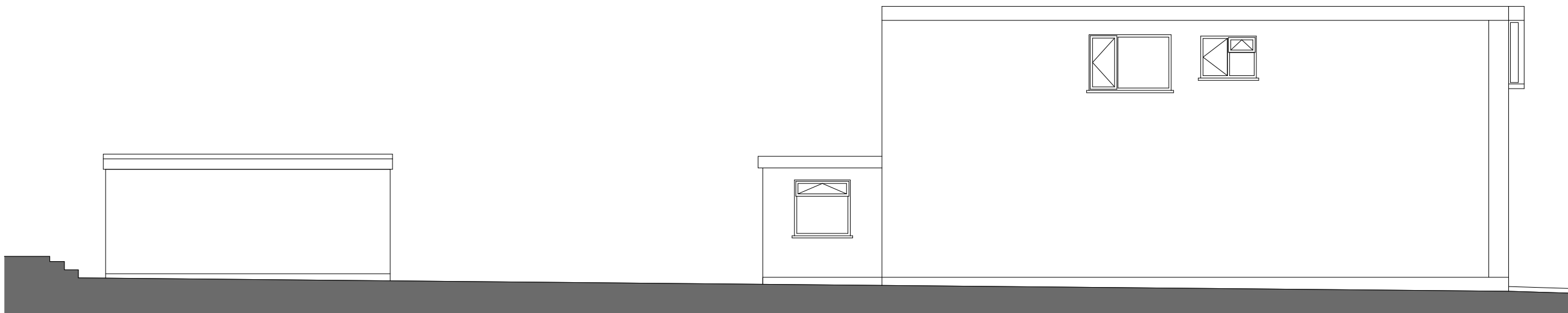
1:100



GA

Existing Front Elevation

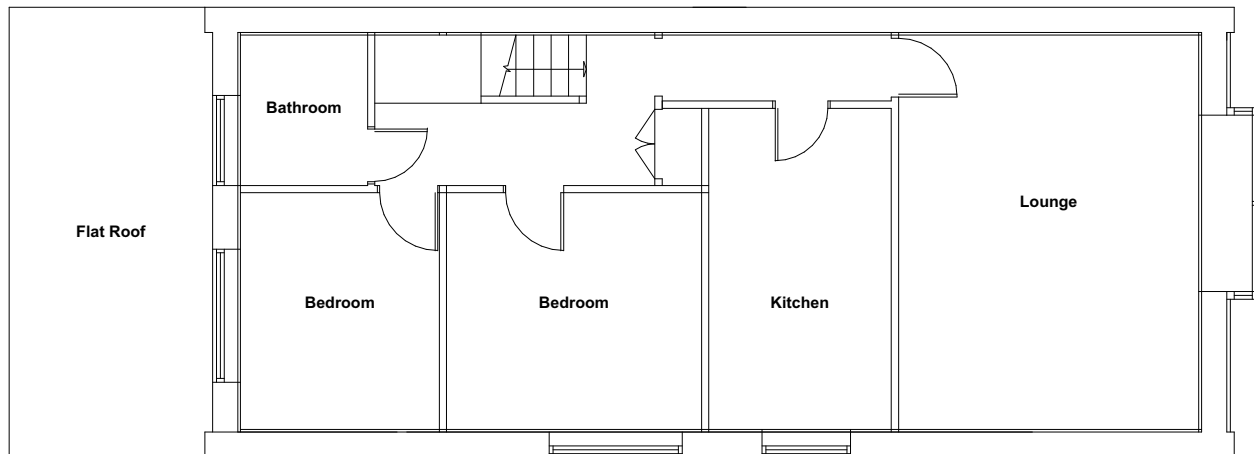
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GA

Existing Side Elevation

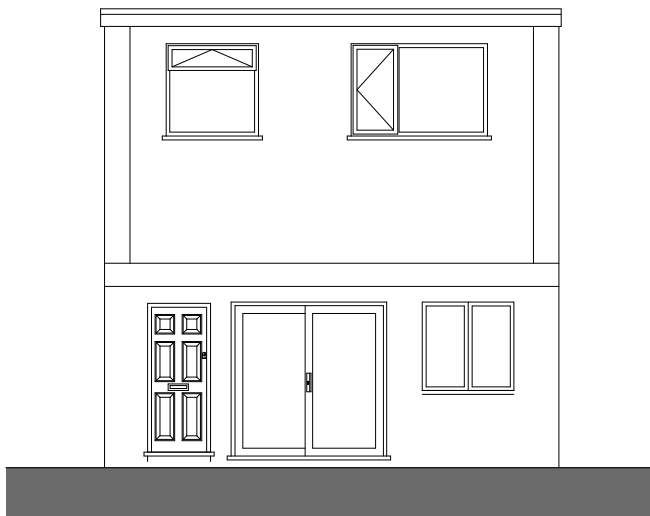
1:100



GA

Existing First Floor Plan

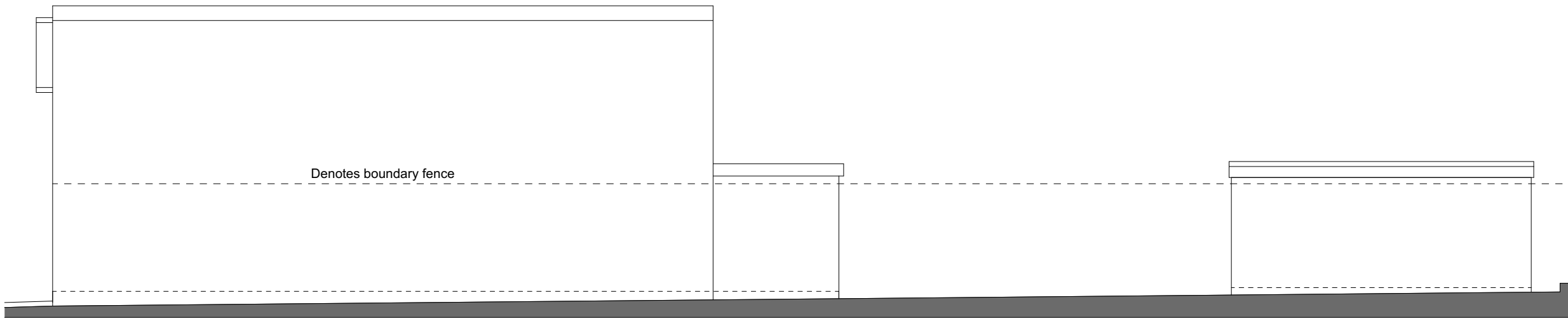
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GA

Existing Rear Elevation

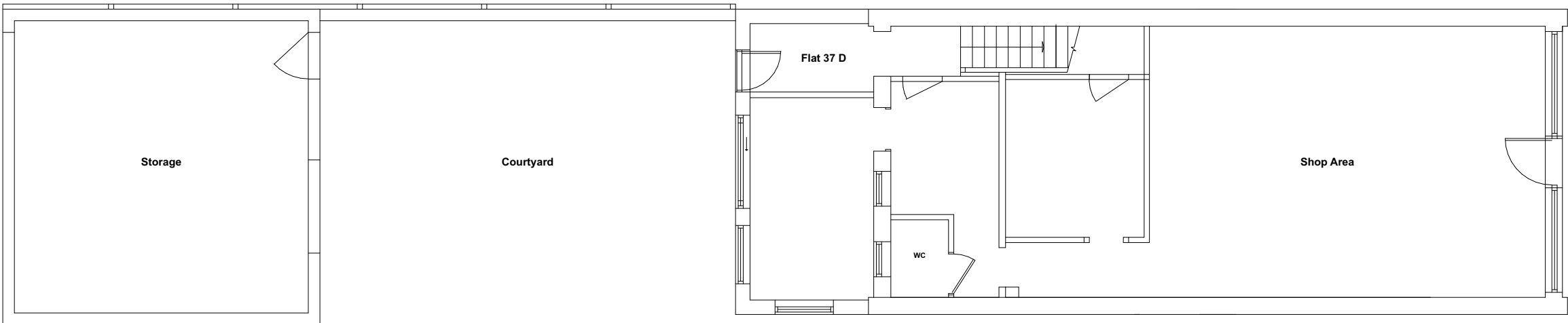
1:100



GA

Existing Side Elevation

1:100



GA

Existing Ground Floor Plan

1:100

## **2. BACKGROUND TO THE PROPOSAL**

### **ii) Planning history**

2.5 A prior notification application (DC/20/2412) was approved in January 2021 to change the use of the ground floor to create a two bedroom flat. It is understood that this consent has not been implemented, although the conversion from the retail unit to residential continues to comprise permitted development.

2.6 A second application (DC/21/1861) was refused in August 2021. This was for the 'demolition of disused store at rear, conversion and extension of existing building to form 6no residential dwellings.' The proposal reused the existing building structure and extended it to the rear, with an additional mansard roof to create a third floor. There were two flats on each floor to create the six flats. Each flat had a balcony or amenity area, with use of the communal garden area to the rear.

2.7 However, the application was refused for five reasons, as follows:

1. *The proposed development, by virtue of its scale and massing, represents a significant increase to the built form on the site, which would otherwise result in an adverse impact on the setting and character of the wider surrounding area, contrary to Policy 33 of the Horsham District Planning Framework (2015) and the aims of Chapter 12 of the NPPF (2021): Achieving Well Designed Places.*
2. *The proposed development, by virtue of its increased height and additional windows to the south-western elevation, would introduce increased opportunities of overlooking to the rear garden curtilage of no. 36 London Road, and create a sense of undue overbearing, which would adversely impact on*

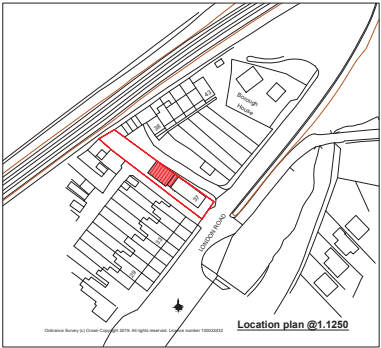
## **2. BACKGROUND TO THE PROPOSAL**

*neighbouring amenity, contrary to Policy 33(2) of the Horsham District Planning Framework (2015).*

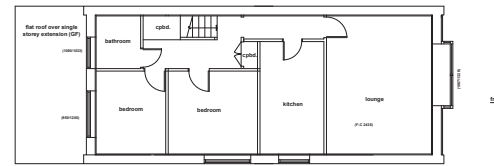
- 3. The applicant has not demonstrated that a zero-parking development in this location would not have a safety impact on the highway, contrary to Policies 40 and 41 of the Horsham District Planning Framework (2015).*
- 4. Insufficient information has been submitted to establish the protection of the ecological and biodiversity interests of the site and whether suitable mitigations or enhancements are necessary and achievable, contrary to Policy 31 of the Horsham District Planning Framework (2015).*
- 5. Insufficient information has been provided to demonstrate with a sufficient degree of certainty that*

*the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).*

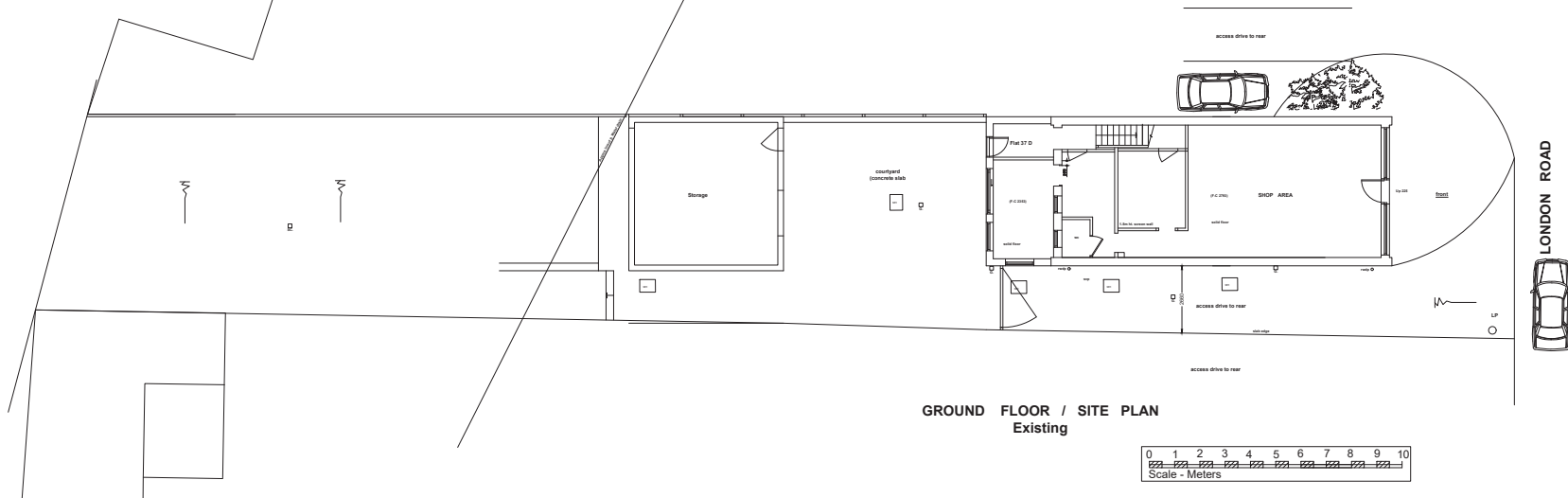
- 2.8 The proposed drawings are reproduced on the following pages, followed by a summary of the Officer Report which explained the reasons for refusal.*



38

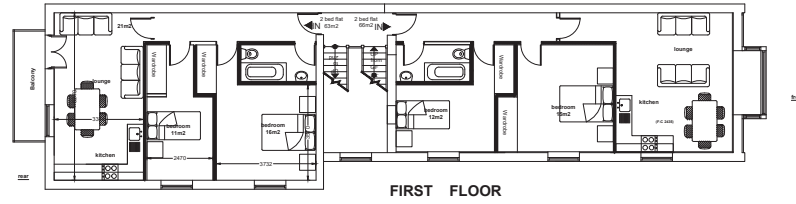
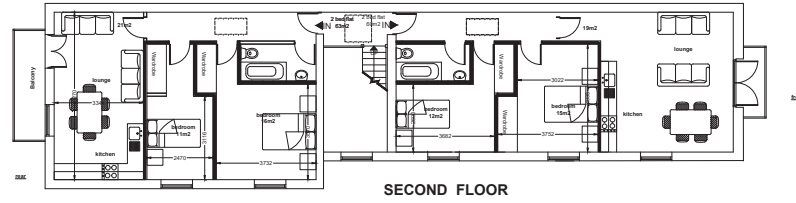


FIRST FLOOR  
Existing

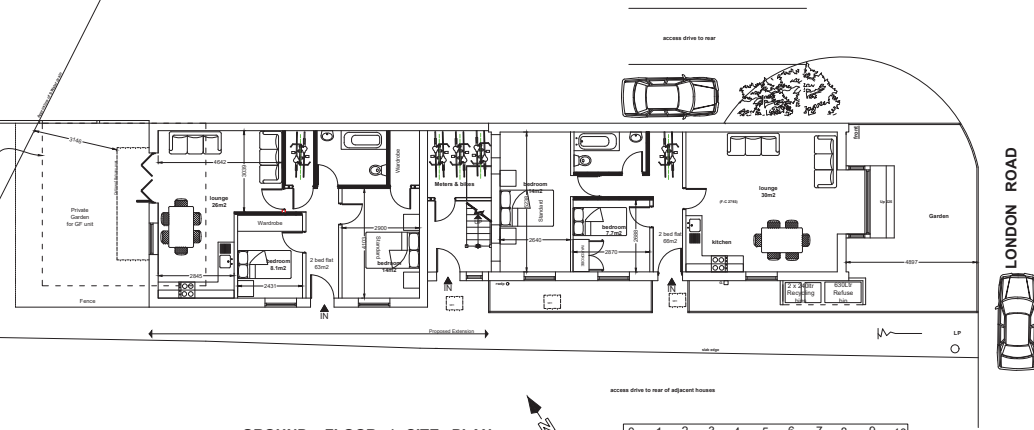


LONDON ROAD

|                                                 |                                |             |          |          |  |  |  |  |
|-------------------------------------------------|--------------------------------|-------------|----------|----------|--|--|--|--|
|                                                 |                                |             |          |          |  |  |  |  |
|                                                 |                                |             |          |          |  |  |  |  |
| Revision                                        |                                | Date        | By       | Rev. No. |  |  |  |  |
| Client                                          |                                |             |          |          |  |  |  |  |
| Project                                         | 37 London Road, Pulborough     |             |          |          |  |  |  |  |
| Site                                            | Existing plans & Location Plan |             |          |          |  |  |  |  |
| CLIVE HAWKINS<br>ARCHITECTS LTD                 |                                |             |          |          |  |  |  |  |
| DESIGN@CLIVEHAWKINSONLINE.COM Tel: 01273 246249 |                                |             |          |          |  |  |  |  |
| Date                                            | Scale                          | Project No. | Draw No. | Rev. No. |  |  |  |  |
| Aug 21                                          | 1:100 & 1:1250@ A1             | 921         | 02       |          |  |  |  |  |
| 921200803                                       |                                |             |          |          |  |  |  |  |



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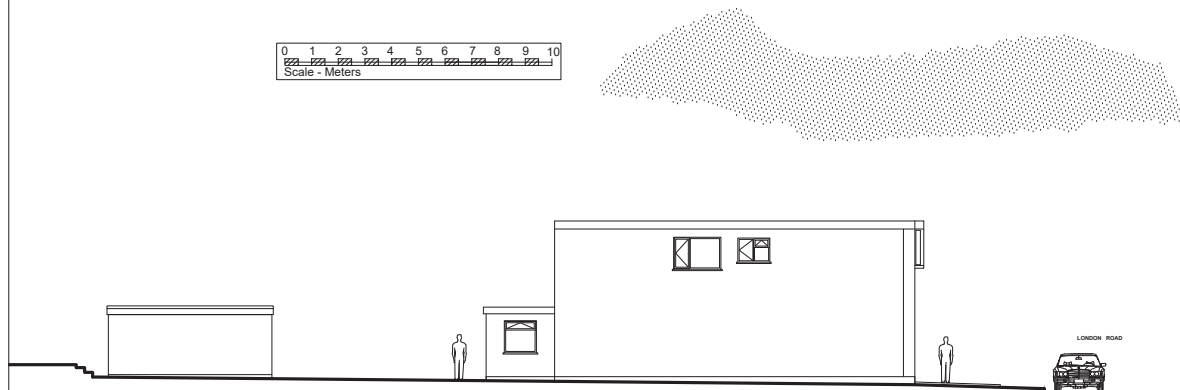


|                                                                                                           |                            |             |          |          |
|-----------------------------------------------------------------------------------------------------------|----------------------------|-------------|----------|----------|
|                                                                                                           |                            |             |          |          |
|                                                                                                           |                            |             |          |          |
| Revision                                                                                                  |                            | Date        | By       | Rev. No. |
| Client                                                                                                    |                            |             |          |          |
| Project                                                                                                   | 37 London Road, Pulborough |             |          |          |
| Task                                                                                                      | Proposed plans             |             |          |          |
| <div>CLIVE HAWKINS<br/>ARCHITECTS LTD</div> <div>DESIGN@CLIVEHAWKINSONLINE.COM    Tel: 01273 246249</div> |                            |             |          |          |
| Date                                                                                                      | Scale                      | Project No. | Draw No. | Rev. No. |
| Aug 21                                                                                                    | 1:200@A1                   | 921         | 01       |          |
| 921200407                                                                                                 |                            |             |          |          |



**SIDE ELEVATION to South West  
PROPOSED**

0 1 2 3 4 5 6 7 8 9 10  
Scale - Meters



**SIDE ELEVATION to S West  
Existing**



**FRONT ELEVATION to South East  
PROPOSED**

0 1 2 3 4 5 6 7 8 9 10  
Scale - Meters

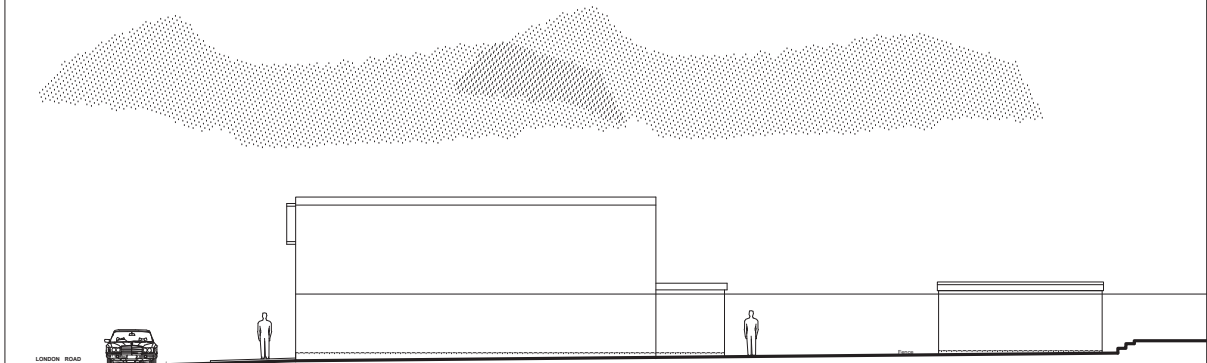


**FRONT ELEVATION to South East  
Existing**

|                                                                                                               |                                   |            |        |
|---------------------------------------------------------------------------------------------------------------|-----------------------------------|------------|--------|
|                                                                                                               |                                   |            |        |
|                                                                                                               |                                   |            |        |
| Revision                                                                                                      |                                   | Date       | By     |
| Client                                                                                                        |                                   |            |        |
| Project                                                                                                       | 37 London Road, Pulborough        |            |        |
| View                                                                                                          | Elevation Front & side South West |            |        |
| <div>CLIVE HAWKINS</div> <div>ARCHITECTS LTD</div> <div>DESIGN@CLIVEHAWKINSONLINE.COM Tel: 01273 246249</div> |                                   |            |        |
| Date                                                                                                          | Scale                             | Project No | Rev No |
| Aug 21                                                                                                        | 1:100 @ A1                        | 921        | 03     |
| 921200803                                                                                                     |                                   |            |        |



SIDE ELEVATION to North East  
PROPOSED



SIDE ELEVATION to North east  
existing



REAR ELEVATION to North West  
PROPOSED



REAR ELEVATION to North West  
Existing



SECTION PROPOSED

0 1 2 3 4 5 6 7 8 9 10  
Scale - Meters

|                                                 |            |             |          |
|-------------------------------------------------|------------|-------------|----------|
|                                                 |            |             |          |
|                                                 |            |             |          |
| Revision                                        | Date       | By          | Rev. No. |
| Client                                          |            |             |          |
| Project                                         |            |             |          |
| 37 London Road, Pulborough                      |            |             |          |
| Title                                           |            |             |          |
| Elevations & section                            |            |             |          |
|                                                 |            |             |          |
| CLIVE HAWKINS<br>ARCHITECTS LTD                 |            |             |          |
| DESIGN@CLIVEHAWKINSONLINE.COM Tel: 01273 246249 |            |             |          |
| Date                                            | Scale      | Project No. | Rev. No. |
| Aug 21                                          | 1:100 @ A1 | 921 04      |          |
| 921200803                                       |            |             |          |

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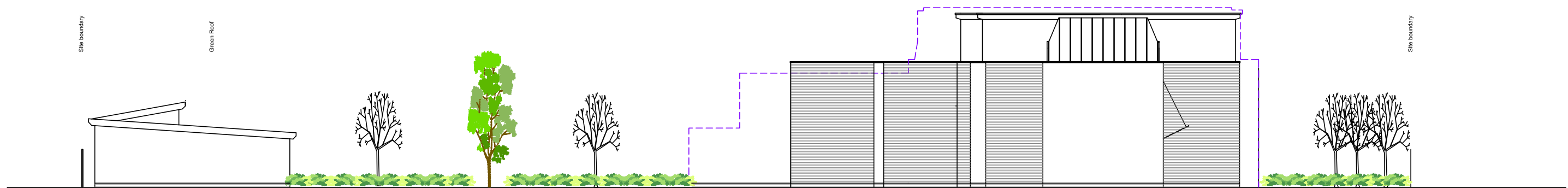
## **2. BACKGROUND TO THE PROPOSAL**

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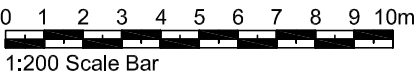
### **iii) Pre-application consultation no. PE/25/0196**

- 2.9 The pre-application scheme sought to retain and extend the existing building to create four flats. The scheme was fully redesigned and significantly reduced in scale, bulk and mass to address the previous concerns in relation to the visual impact and impact upon neighbouring amenity. An additional single storey dwelling was proposed at the rear of the site.
- 2.10 The proposed apartment building was three storey at the front part only, with the roof form being reduced compared to the previous scheme to minimise the impact upon No. 36 London Road. The depth of the building was also reduced, with a reduced width and a staggered footprint to increase the separation distance from the boundary with No. 36. The windows on the south western side elevation were within triangular projections facing north west away from 37 London Road to avoid any harmful overlooking. The building had a similar materiality to the previous scheme, which was considered acceptable.
- 2.11 There were 3no. 2 bedroom flats at the ground, first and second floors at the front of the building. At the rear was a 2 bedroom maisonette across ground and first floors. To the rear of the building was a large communal garden, with bin and bike stores. At the rear was a single storey studio dwelling.
- 2.12 The proposed pre-application drawings are reproduced on the following pages, followed by a summary of the Council's pre-application response.





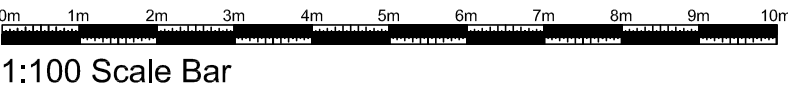
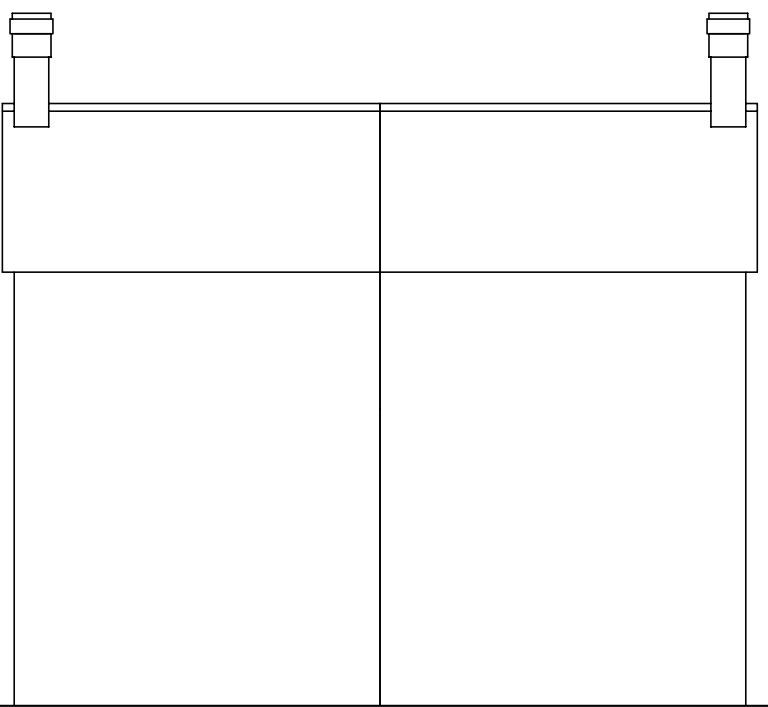
Side Elevation



Front Elevation



Rear Elevation



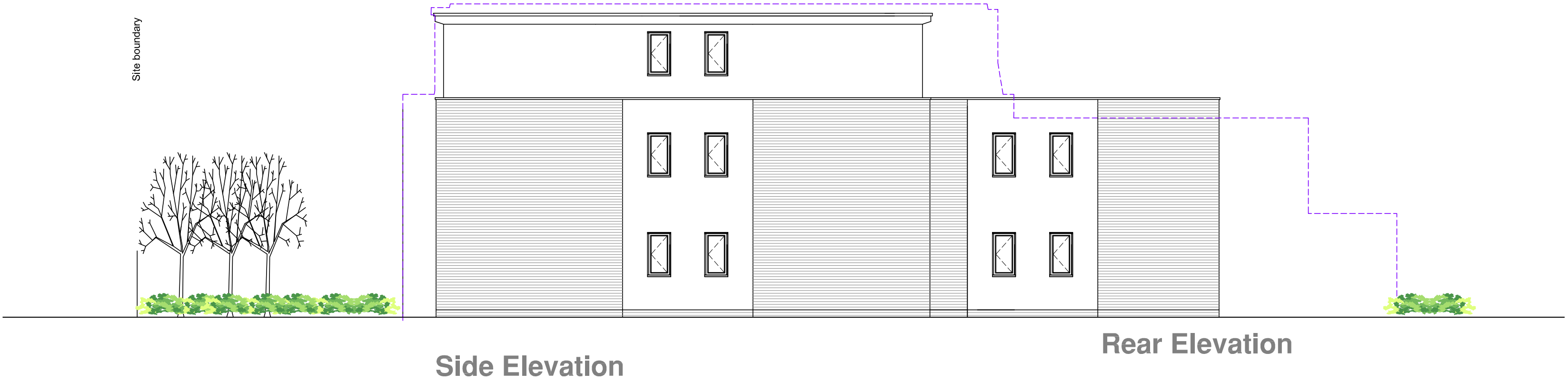
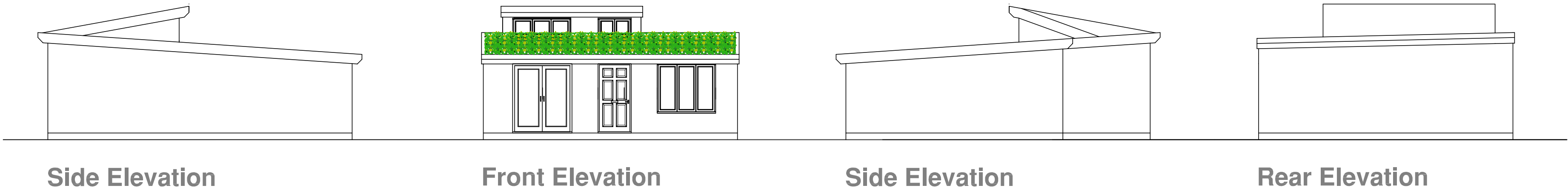
**fulcrum** design

Address Suite 7 Taxiholme  
Guildford Road, Bookham  
Surrey KT23 4HB  
Tel 01372 451425  
Fax 01372 459620  
Web www.fulcrumarchitects.co.uk  
Email info@fulcrumarchitects.co.uk

Proposed Elevations

**Mr. J. McHale**  
**37 London Road, Pulborough, RH20 1AS.**

| Site Area | Paper Size | Drawn by | Date     | Scale           | Drawing No.     |
|-----------|------------|----------|----------|-----------------|-----------------|
|           | A2         | GS       | 18-04-24 | 1:100/<br>1:200 | <b>23-17-03</b> |

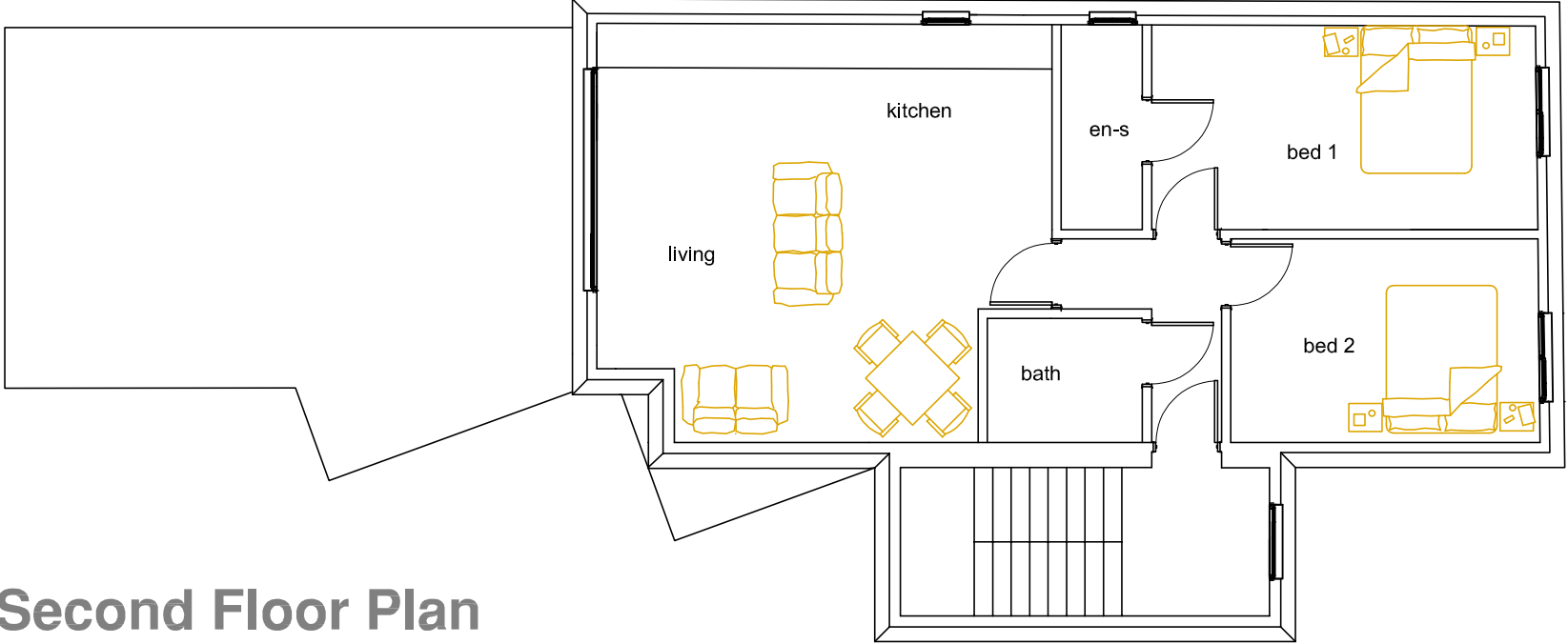


0m 1m 2m 3m 4m 5m 6m 7m 8m 9m 10m  
1:100 Scale Bar

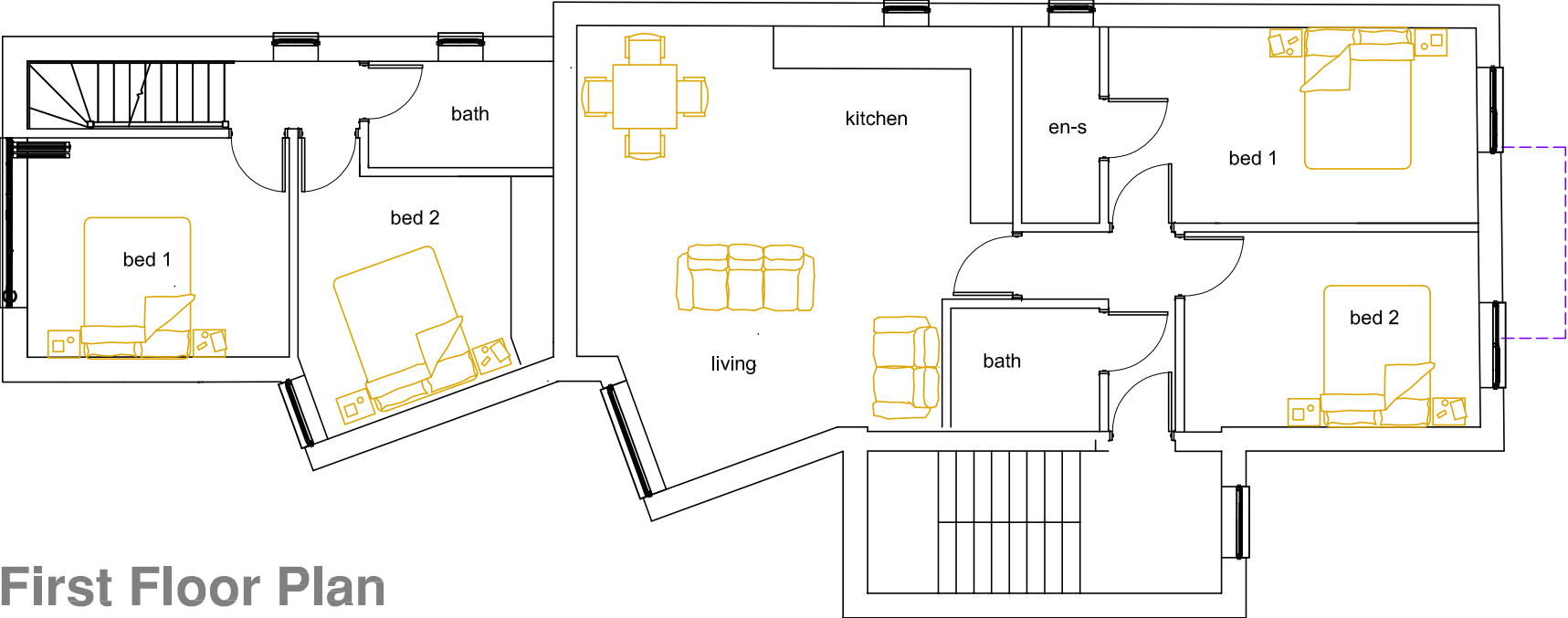
**fulcrum** design

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Tel 01372 451425  
Fax 01372 459620  
Web www.fulcrumarchitects.co.uk  
Email info@fulcrumarchitects.co.uk

Proposed Elevations II  
Mr. J. McHale  
37 London Road, Pulborough, RH20 1AS.  
Site Area Paper Size Drawn by Date Scale Drawing No.  
A2 GS 18-04-24 1:100 23-17-04



Second Floor Plan



First Floor Plan

- KEY**  
**Floor Plans**
- Proposed new walls
  - Existing walls to be retained
  - Proposed new floor area  
Total floor area = m²
  - Existing floor area to be retained  
Total floor area = m²
  - Grey broken lines indicates extent of demolition
  - Area approved under previous application  
Total floor area = m²
  - Purple broken lines indicate extent of existing buildings to be removed
  - Red broken lines indicates area approved under previous application

- KEY**  
**Site Layout**
- Existing tree to be retained
  - Existing tree to be removed
  - Proposed new tree
  - Proposed new planting areas
  - Tree protection zone
  - Existing areas of planting to be retained
  - Grassed areas
  - Purple broken lines indicate extent of existing buildings to be removed
  - Red broken lines indicates area approved under previous application
  - Site boundary
  - Land to which application relates to.
  - 1.8m high closeboarded fence
  - Existing spot levels
  - Proposed spot levels

0m 1m 2m 3m 4m 5m 6m 7m 8m 9m 10m  
1:100 Scale Bar

**fulcrum design**

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Guildford Road, Bookham  
Surrey KT23 4HB  
Tel 01372 451425  
Fax 01372 459620  
Web www.fulcrumarchitects.co.uk  
Email info@fulcrumarchitects.co.uk

Proposed Floor Plans  
Mr. J. McHale  
37 London Road, Pulborough, RH20 1AS.

|           |            |          |          |       |             |
|-----------|------------|----------|----------|-------|-------------|
| Site Area | Paper Size | Drawn by | Date     | Scale | Drawing No. |
|           | A2         | GS       | 18-04-24 | 1:100 | 23-17-02    |

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## **2. BACKGROUND TO THE PROPOSAL**

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- 2.13 The Council's response reaffirmed that the principle of the proposed redevelopment would be acceptable, with this being a sustainable location within Pulborough.
- 2.14 The revised design was considered an improvement on the previously refused scheme. However, it stated that *"there remains some concern that the proposed development, given it's overall height, would exacerbate the scale of the building, particularly when viewed against the neighbouring terrace to the southwest. It is considered that the proposal, while of a reduced scale to the rear and side, would still appear visually prominent within the street scene, and would compete with the proportions of the nearby built form...Further consideration would need to be given to the overall height of the development, where it would be expected that this be reduced to sit in line with the ridgeline of the adjacent properties."*
- 2.15 Concerns relating to impacts upon neighbouring amenities were addressed. However, it was recommended that the proposed dwelling to the rear of the site be omitted from the scheme in light of concerns of noise impact from the neighbouring train line upon future residents.
- 2.16 Following the provision of a Parking Technical Note (which was informed by a Parking Stress Test) it was confirmed that a car-free scheme could be supported.
- 2.17 It was recommended that energy efficiency measures be incorporated into the submission scheme.
- 2.18 Following a change to Government legislation, water neutrality is no longer a consideration.
- 2.19 Relevant ecology and biodiversity reports would need to be submitted with a future application.

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## **2. BACKGROUND TO THE PROPOSAL**

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2.20 The response concluded that:

*“the current scheme represents a notable improvement over the previously refused development. The reductions in scale and careful re-design of the apartment building appear to overcome the first two reasons for refusal, and the parking evidence provides a basis to defend a car-free approach, although the introduction of on-site parking would strengthen the proposal. The rear dwelling, however, remains highly problematic due to its poor relationship with the railway and lack of amenity space, and is unlikely to gain support in its present form. Subject to removing or significantly re-designing this element and providing the necessary technical information, the proposal could potentially be capable of support at planning application stage.*

2.21 The Applicant has taken this advice into account when designing the final submission scheme. This is explained in the following section.

2.22 The pre-applications scheme drawings and the Council’s written response are reproduced in **Appendix 2**.

### **3. THE PROPOSED SCHEME**

- 3.1 The proposed redevelopment scheme has been redesigned to accommodate all design and site layout comments received during the pre-application consultation. The proposed apartment building would have a further reduced scale bulk mass and footprint, together with improved elevational articulation.
- 3.2 The building would be two storey, with one flat within the roof at the front of the property. It would be of brick construction with a range of roof forms which are in keeping with the locality and add visual interest to the scheme. The front elevation would have a truncated gable roof with a two storey gable bay extension. The rear section would be two storey with a pitched roof, with two storey gable bay extensions to both the rear and northern sides.
- 3.3 It would be faced with brickwork with tile hanging below the roofline of the front section. The roof would be covered with natural slate tiles. The windows would be sash-style with stone cills and lintels. There would be double doors at both ground and first floor levels from the gable bay extensions on the front and rear elevations. The first floor doors would serve a Juliet balcony.
- 3.4 There would be several solar panels on the southern Roof slopes.
- 3.5 The front entrance will be centrally located on the southern side elevation with pedestrian access via a pathway from the roadside. It will lead into a communal hallway with a staircase. On the right side (front), Flat 1 would be a two-bedroom three person flat extending to 61 sq m. Flat 4 on the left side (rear) would have an independent access and would be a one bedroom two person property extending to 50 sq m. Both ground floor flats would have a small private patio. At first floor Flat 2 on the right side would be a two bedroom, three person flat extending to 61 sq m. On

### 3. THE PROPOSED SCHEME

the left side, Flat 5 would be a one bedroom three person flat extending to 46 sq m. Within the roof at the front of the property, Flat 3 would be a one bedroom two person flat extending to 52 sq m.

3.6 A schedule of accommodation is provided below.

Plot 1 = 2 Bed 3 Person - 61.39m<sup>2</sup>

Plot 2 = 2 Bed 3 Person - 61.39m<sup>2</sup>

Plot 3 = 1 Bed 2 Person - 51.57m<sup>2</sup>

Plot 4 = 1 Bed 2 Person - 50.21m<sup>2</sup>

Plot 5 = 1 Bed 2 Person - 46.05m<sup>2</sup>

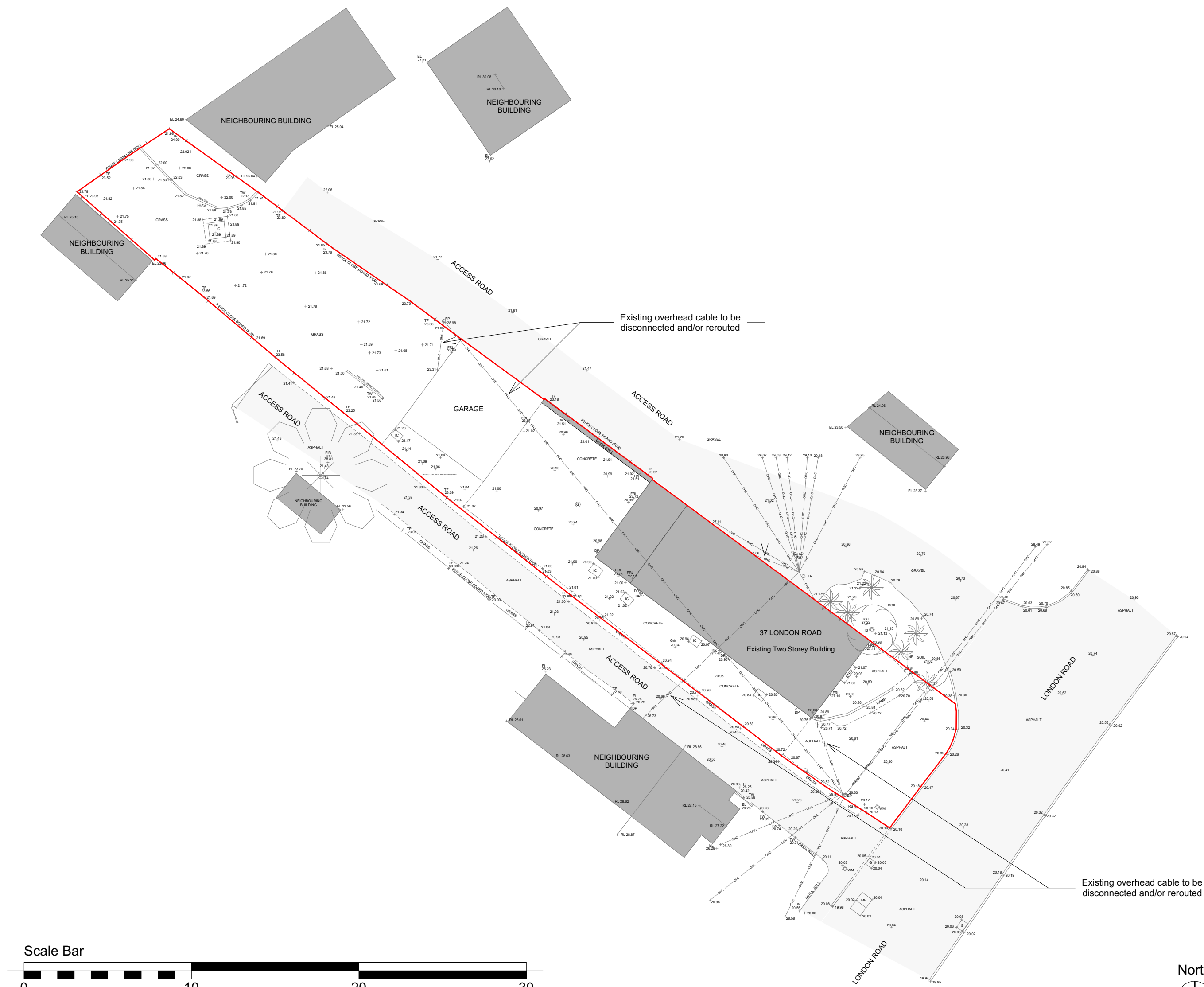
3.7 In terms of site layout, the building would be located centrally on the north eastern side of the site. Pedestrian access would be along the southern boundary which would provide access to the apartment building and also to the bin and bike stores and the communal gardens towards the rear of the plot. The ground floor flats at the front and rear would have a private garden, with all flats

having access to the large communal garden at the rear of the site. Each flat would be provided with refuse and recycling bins within the bin store to the rear of the property. Each flat would also have storage for two bicycles.

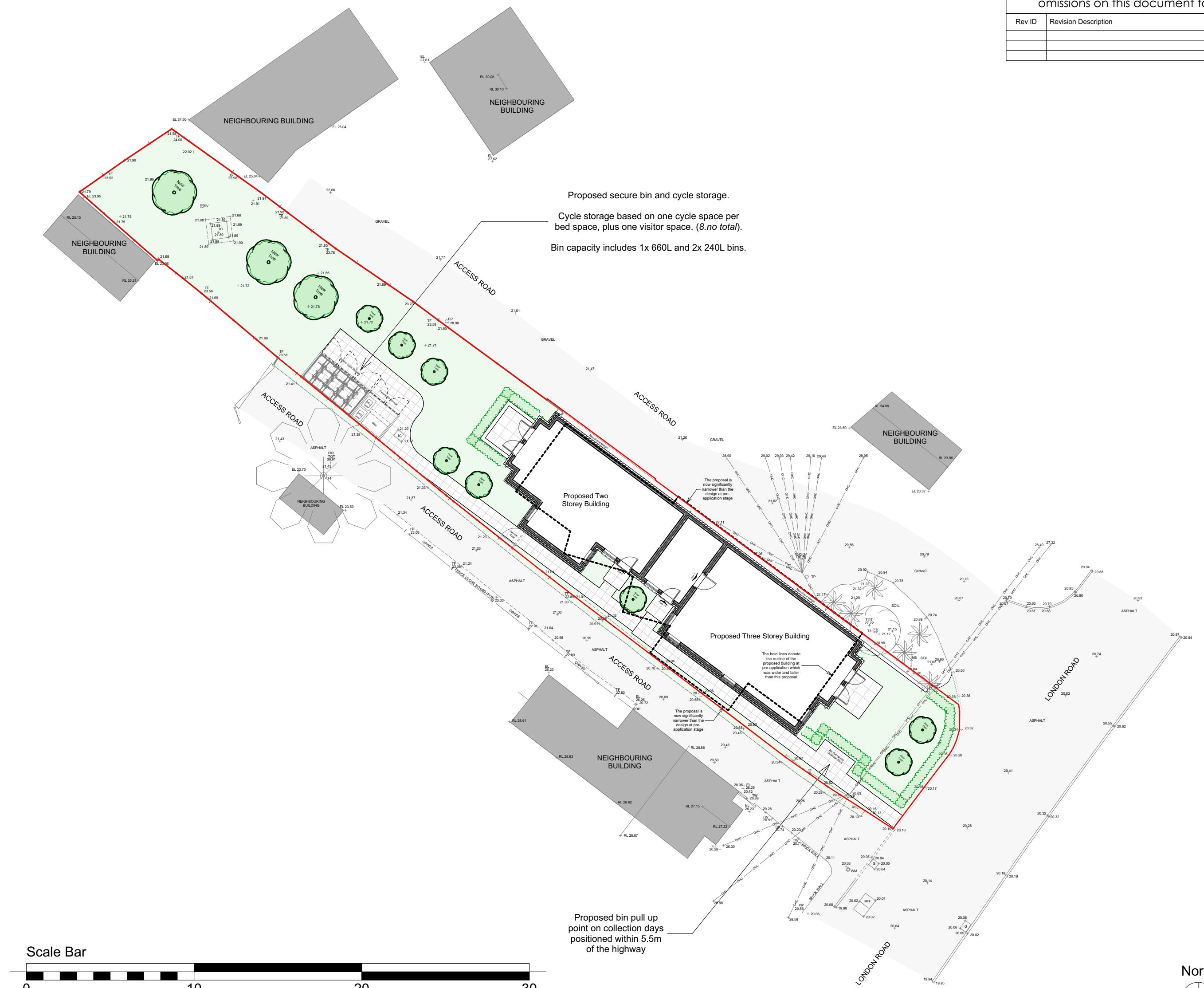
3.8 The garden to the front of the property would be surrounded by a new native hedgerow with two new trees planted to enhance the street scene. To the rear the patio serving the rear additional tree planting would be provided across the communal garden.

3.9 The proposed drawings are reproduced on the following pages.

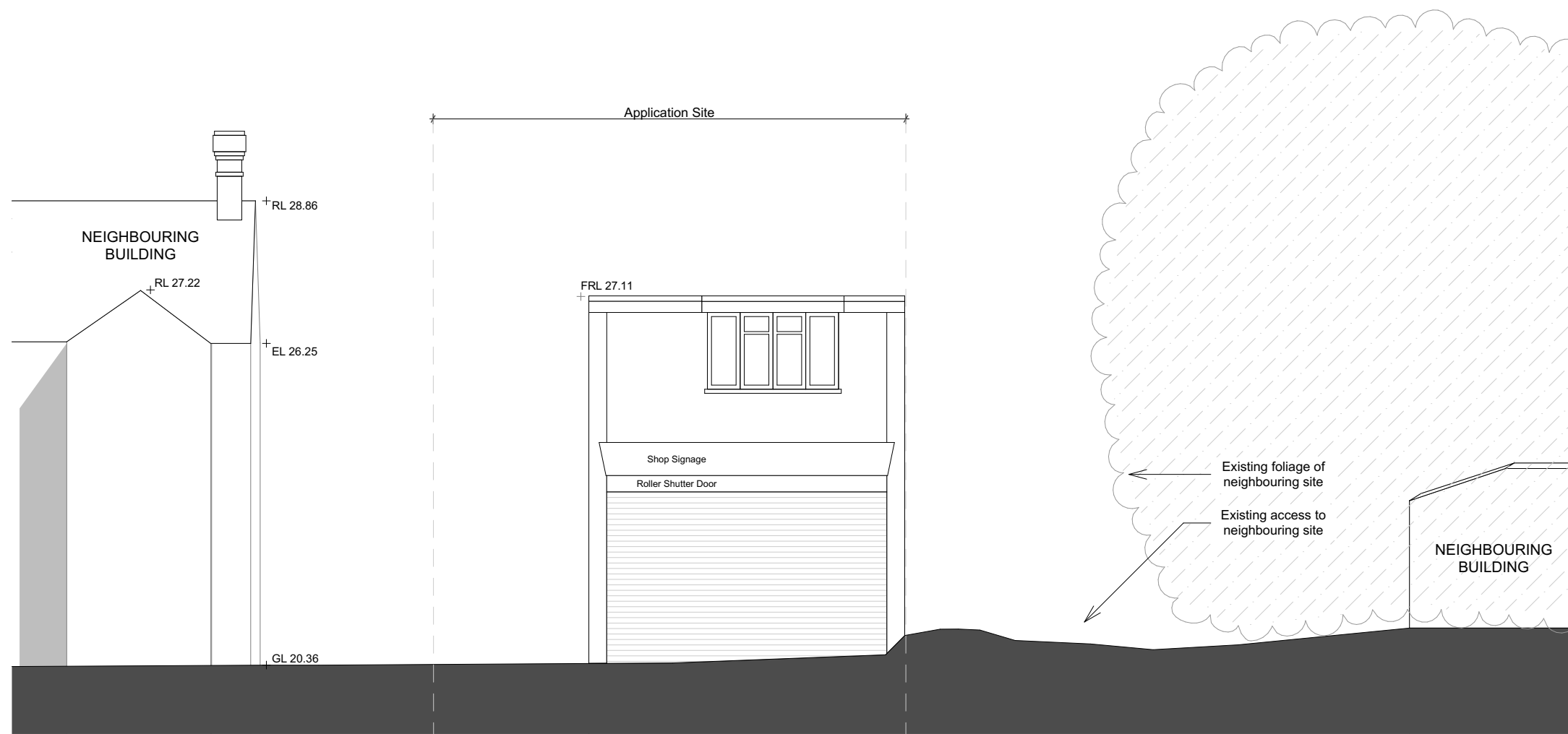
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|--------|----------------------|------|
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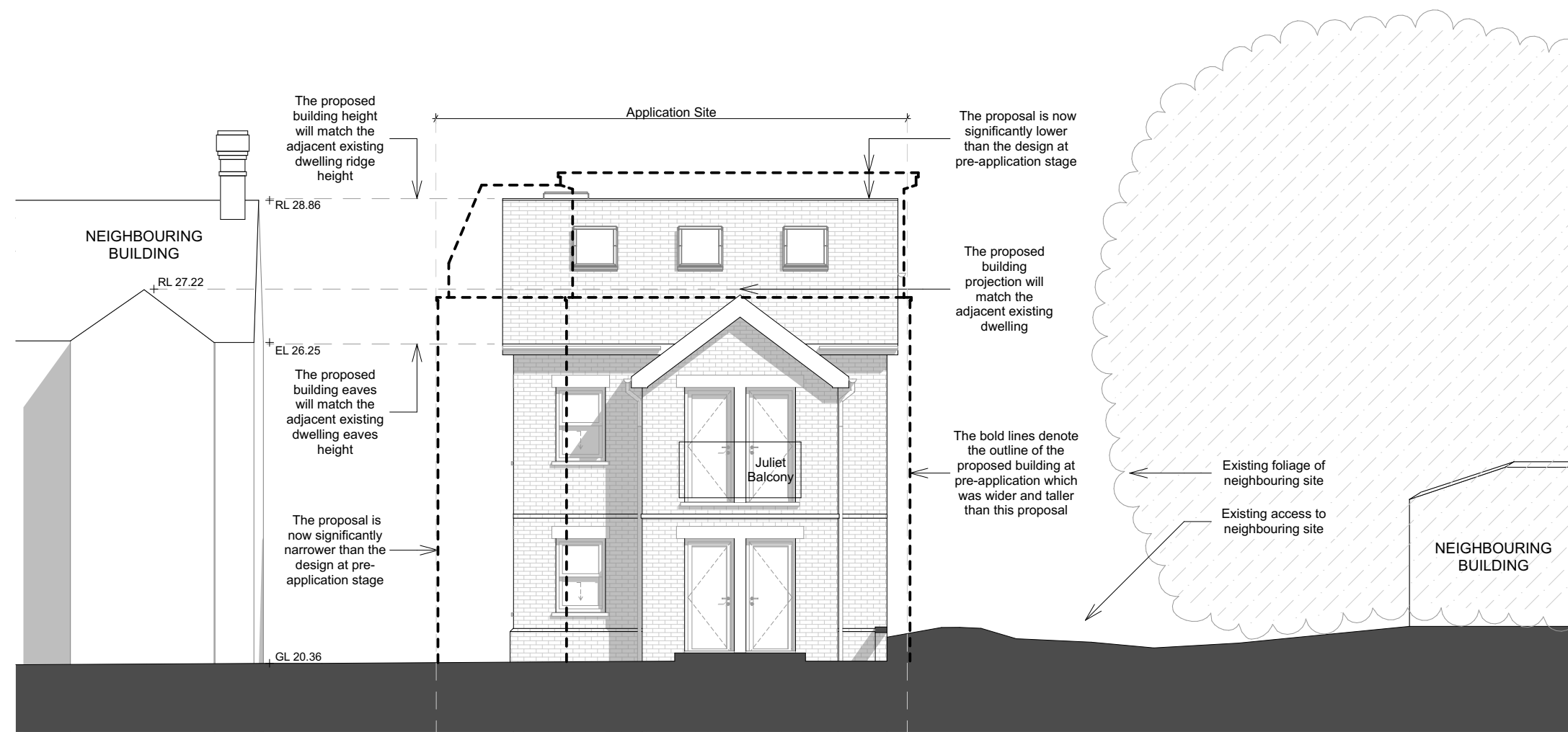
GA Existing Site Plan 1:200



GA Proposed Site Plan 1:200



Street Scene Existing Elevation 1:100

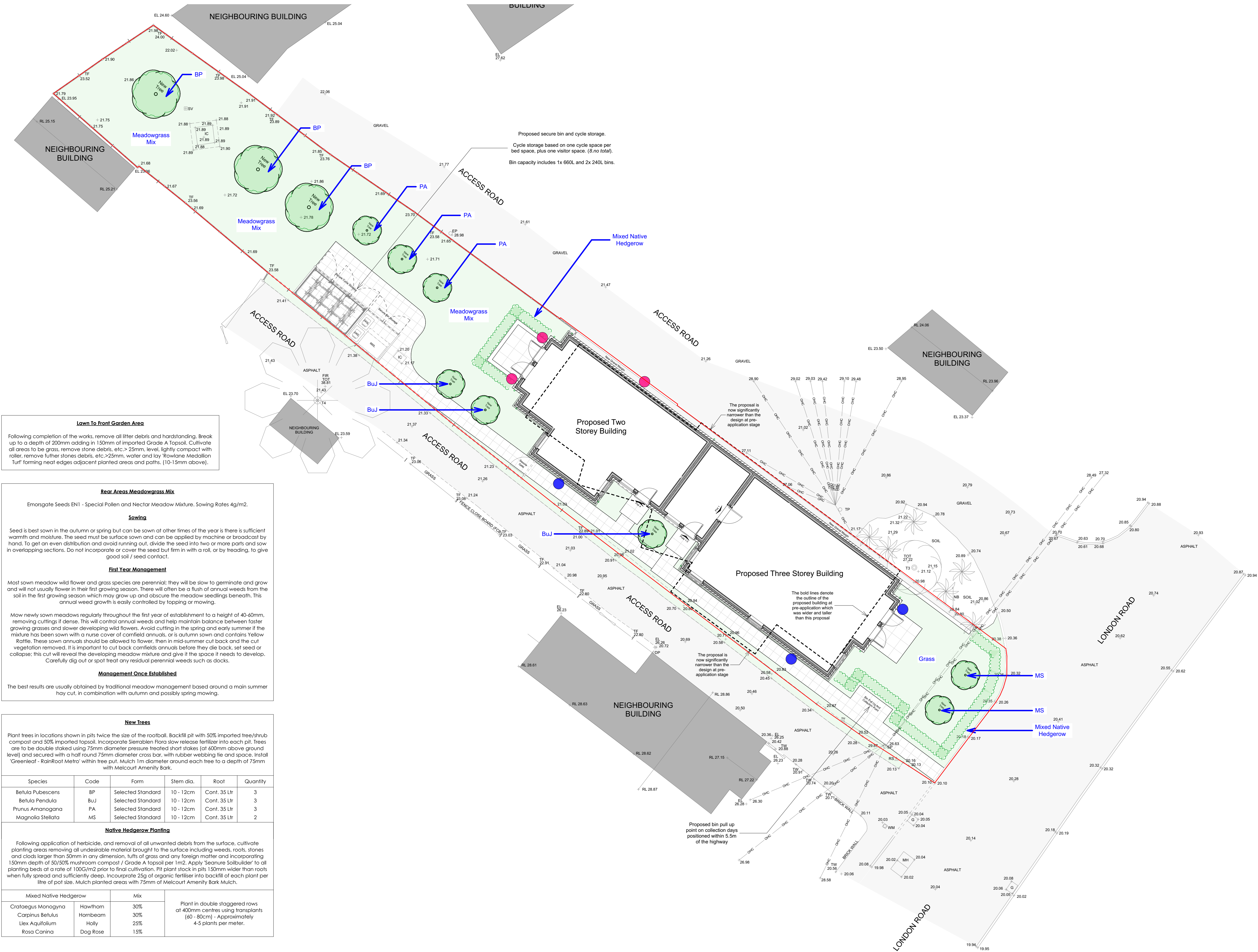


Street Scene Proposed Elevation 1:100

**Accommodation Schedule**

A total of 5 units are proposed  
consisting of:-

- Plot 1 = 2 Bed 3 Person - 61.39m<sup>2</sup>
- Plot 2 = 2 Bed 3 Person - 61.39m<sup>2</sup>
- Plot 3 = 1 Bed 2 Person - 51.57m<sup>2</sup>
- Plot 4 = 1 Bed 2 Person - 50.21m<sup>2</sup>
- Plot 5 = 1 Bed 2 Person - 46.05m<sup>2</sup>



**Lawn To Front Garden Area**

Following completion of the works, remove all litter debris and hardstanding. Break up to a depth of 200mm adding in 150mm of imported Grade A Topsoil. Cultivate all areas to be grass, remove stone debris, etc.> 25mm, level, lightly compact with roller, remove further stones debris, etc.>25mm, water and lay Rowlane Medallion Turf forming neat edges adjacent planted areas and paths. (10-15mm above).

**Rear Areas Meadowgrass Mix**

Emargate Seeds EN1 - Special Pollen and Nectar Meadow Mixture. Sowing Rates 4g/m2.

**Sowing**

Seed is best sown in the autumn or spring but can be sown at other times of the year if there is sufficient warmth and moisture. The seed must be surface sown and can be applied by machine or broadcast by hand. To get an even distribution and avoid running out, divide the seed into two or more parts and sow in overlapping sections. Do not incorporate or cover the seed but firm in with a roll, or by treading, to give good soil / seed contact.

**First Year Management**

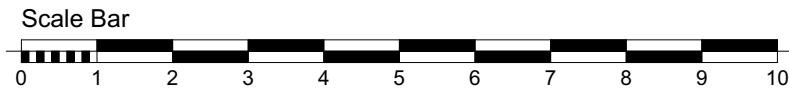
Most sown meadow wild flower and grass species are perennial; they will be slow to germinate and grow and will not usually flower in their first growing season. There will often be a flush of annual weeds from the soil in the first growing season which may grow up and obscure the meadow seedlings beneath. This annual weed growth is easily controlled by topping or mowing.

Mow newly sown meadows regularly throughout the first year of establishment to a height of 40-60mm, removing cuttings if dense. This will control annual weeds and help maintain balance between faster growing grasses and slower developing wild flowers. Avoid cutting in the spring and early summer if the mixture has been sown with a nurse cover of cornfield annuals, or is autumn sown and contains Yellow Rattle. These sown annuals should be allowed to flower, then in mid-summer cut back and the cut vegetation removed. It is important to cut back cornfields annuals before they die back, set seed or collapse; this cut will reveal the developing meadow mixture and give it the space it needs to develop. Carefully dig out or spot treat any residual perennial weeds such as docks.

**Management Once Established**

The best results are usually obtained by traditional meadow management based around a main summer hay cut, in combination with autumn and possibly spring mowing.

| New Trees                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |          |                   |                                                                                                                     |              |          |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------------------|---------------------------------------------------------------------------------------------------------------------|--------------|----------|
| Plant trees in locations shown in pits twice the size of the rootball. Backfill pit with 50% imported tree/shrub compost and 50% imported topsoil. Incorporate Sierrablend Flora slow release fertilizer into each pit. Trees are to be double staked using 75mm diameter pressure treated short stakes (at 600mm above ground level) and secured with a half round 75mm diameter cross bar, with rubber webbing tie and space. Install 'Greenleaf - RainRoot Metro' within tree pot. Mulch 1m diameter around each tree to a depth of 75mm with Meicourt Amenity Bark Mulch.                                                                                                                                                     |          |                   |                                                                                                                     |              |          |
| Species                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Code     | Form              | Stem dia.                                                                                                           | Root         | Quantity |
| Betula Pubescens                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | BP       | Selected Standard | 10 - 12cm                                                                                                           | Cont. 35 Ltr | 3        |
| Betula Pendula                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | BuJ      | Selected Standard | 10 - 12cm                                                                                                           | Cont. 35 Ltr | 3        |
| Prunus Amonogana                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | PA       | Selected Standard | 10 - 12cm                                                                                                           | Cont. 35 Ltr | 3        |
| Magnolia Stellata                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | MS       | Selected Standard | 10 - 12cm                                                                                                           | Cont. 35 Ltr | 2        |
| Native Hedgerow Planting                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |          |                   |                                                                                                                     |              |          |
| Following application of herbicide, and removal of all unwanted debris from the surface, cultivate planting areas removing all undesirable material brought to the surface including weeds, roots, stones and clods larger than 50mm in any dimension, tufts of grass and any foreign matter and incorporating 150mm depth of 50/50% mushroom compost / Grade A topsoil per 1m2. Apply 'Seamure Soilbuilder' to all planting beds at a rate of 100G/m2 prior to final cultivation. Pit plant stock in pits 150mm wider than roots when fully spread and sufficiently deep. Incorporate 25g of organic fertiliser into backfill of each plant per litre of pot size. Mulch planted areas with 75mm of Meicourt Amenity Bark Mulch. |          |                   |                                                                                                                     |              |          |
| Mixed Native Hedgerow                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |          | Mix               | Plant in double staggered rows at 400mm centres using transplants (60 - 80cm) - Approximately 4-5 plants per meter. |              |          |
| Crataegus Monogyna                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Hawthorn | 30%               |                                                                                                                     |              |          |
| Carpinus Betulus                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Hornbeam | 30%               |                                                                                                                     |              |          |
| Ilex Aquifolium                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Holly    | 25%               |                                                                                                                     |              |          |
| Rosa Canina                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Dog Rose | 15%               |                                                                                                                     |              |          |



GA

Proposed Site Plan

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| Rev ID | Revision Description | Date |
|--------|----------------------|------|
|        |                      |      |
|        |                      |      |

**Ecology Enhancements**

- Denotes Bird Boxes North or East Facing (3.no) (Include Sparrow & Starling boxes)
- Denotes Large Multi-Chamber Bat boxes South or West Facing (3.no)

**Hard Landscaping**

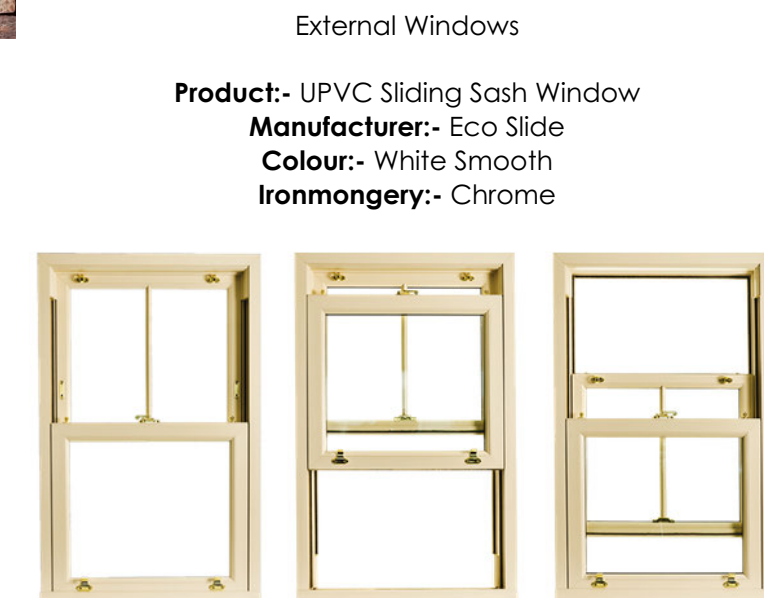
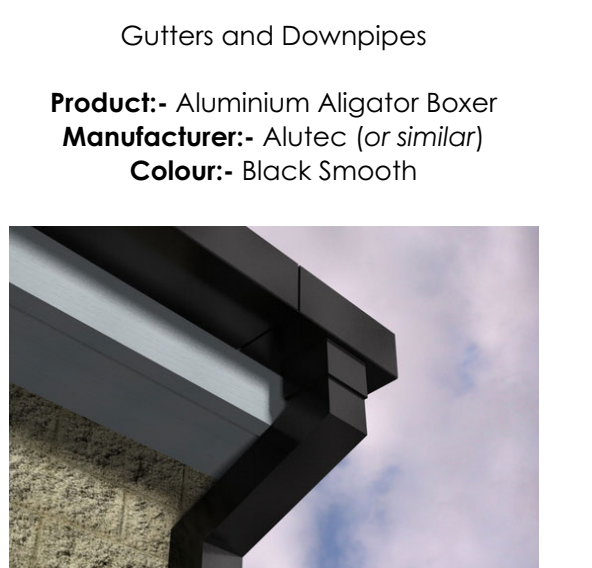
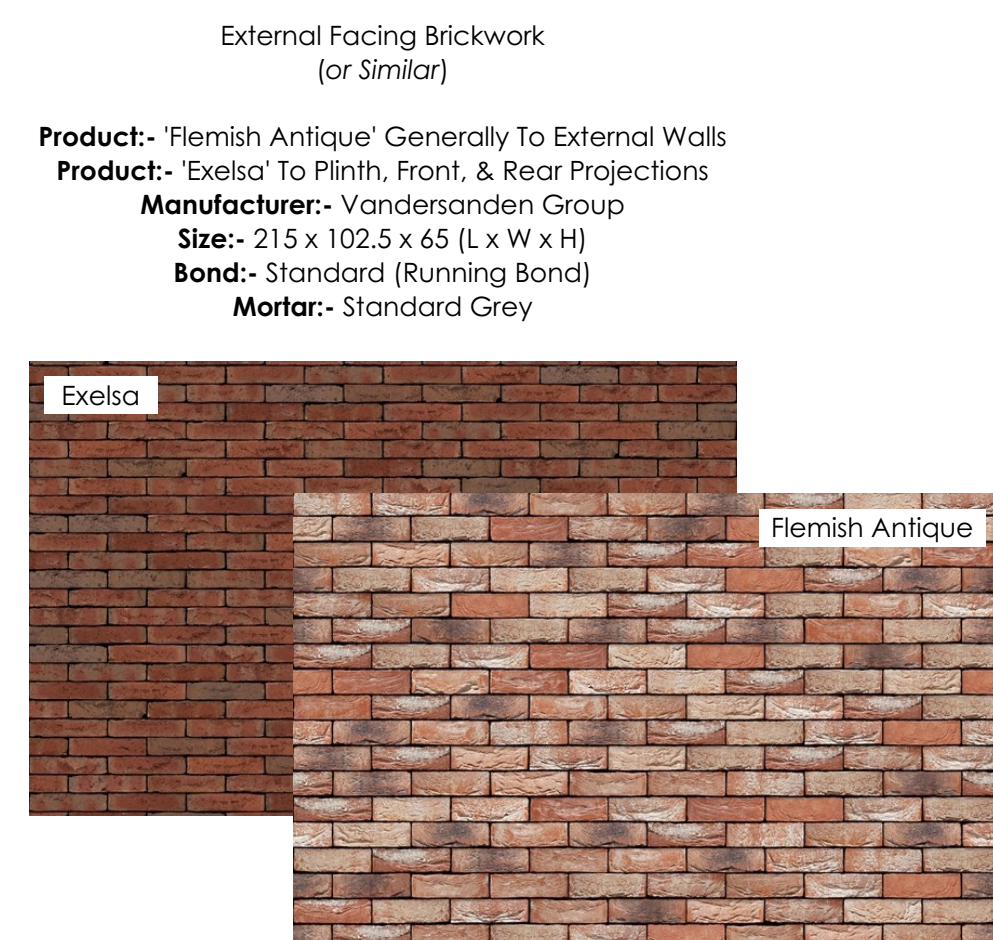
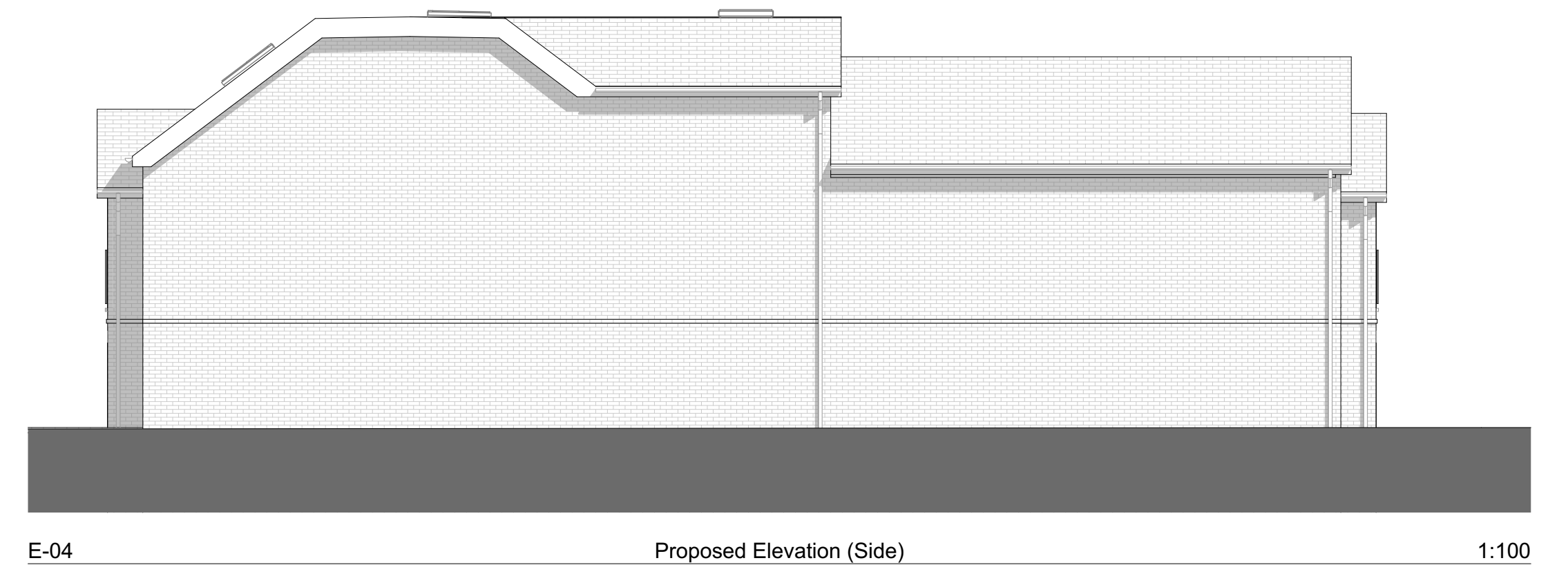
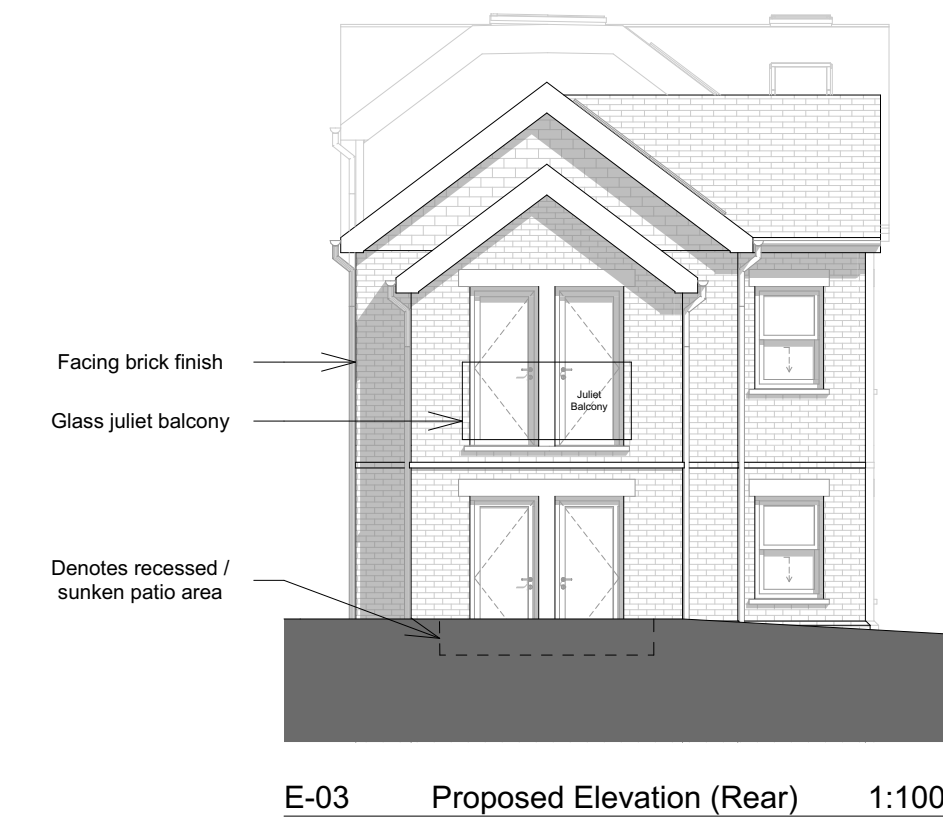
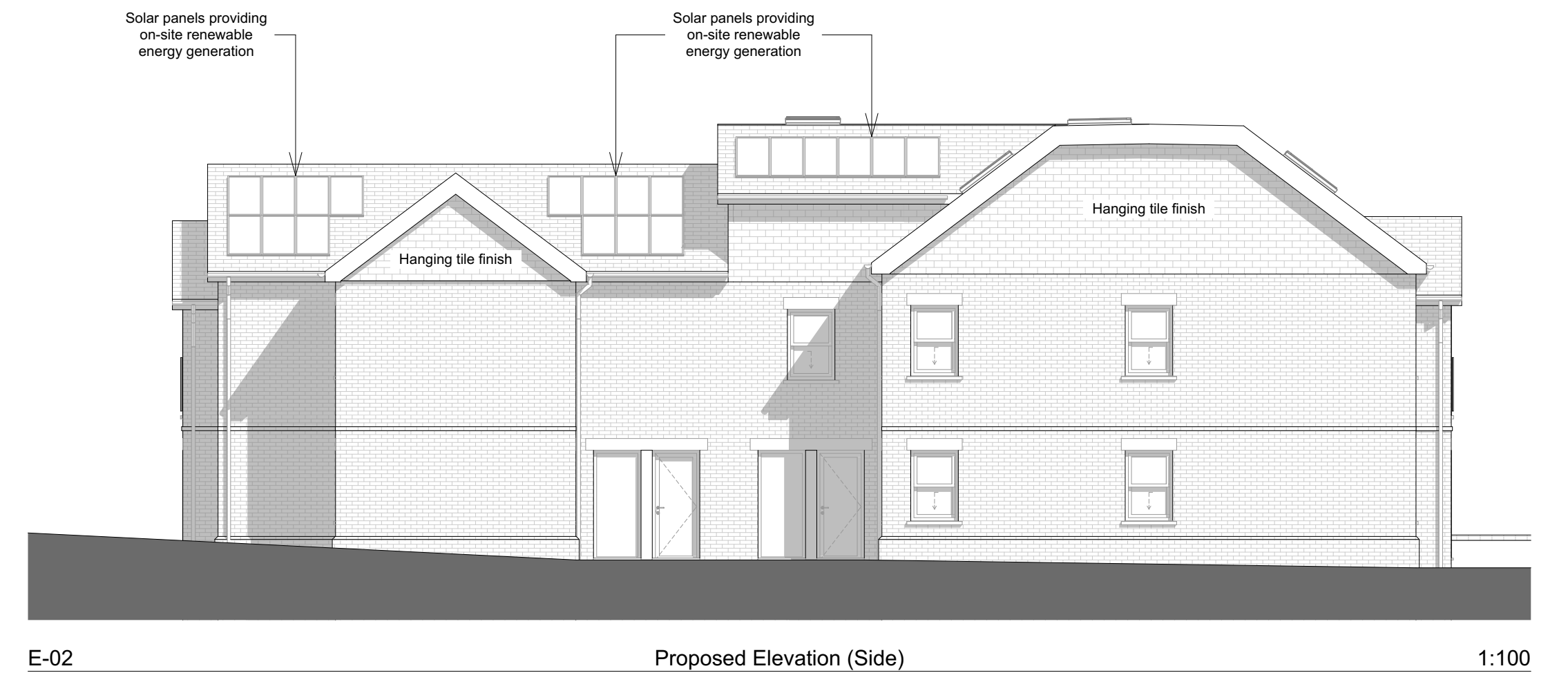
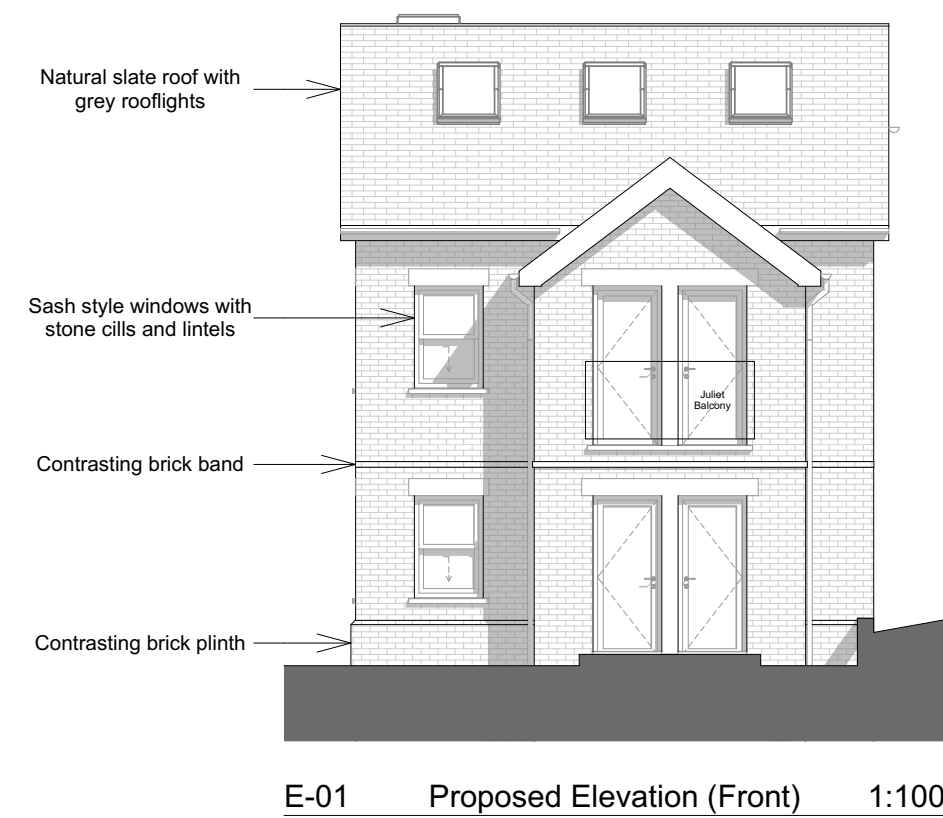
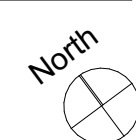
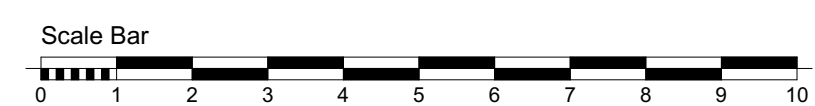
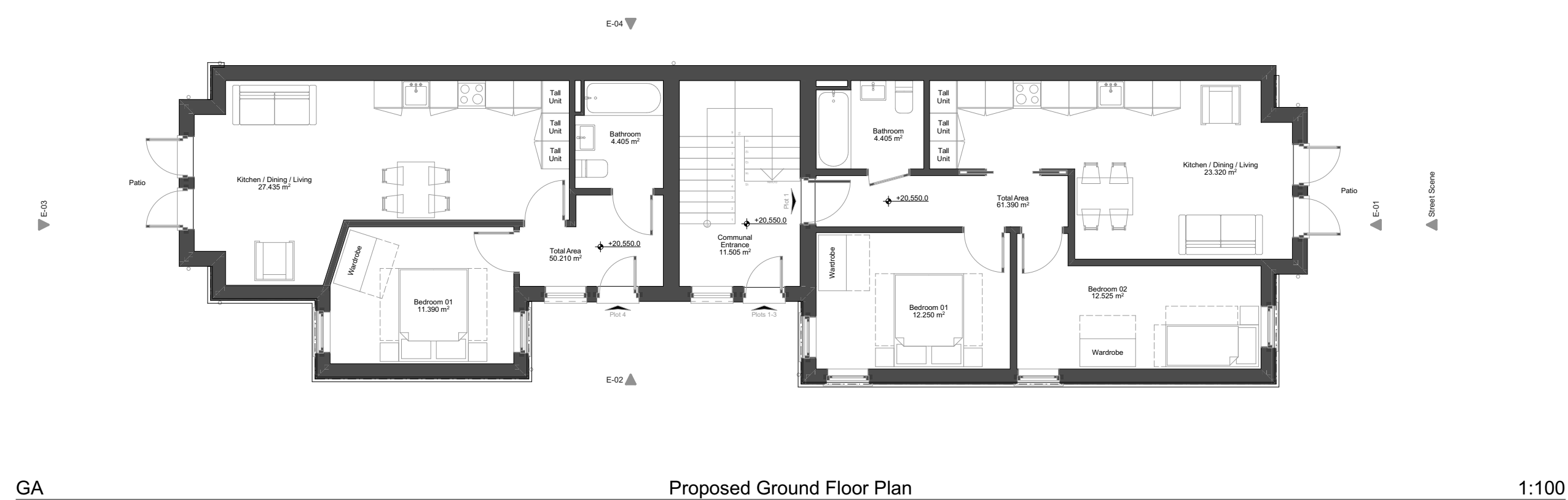
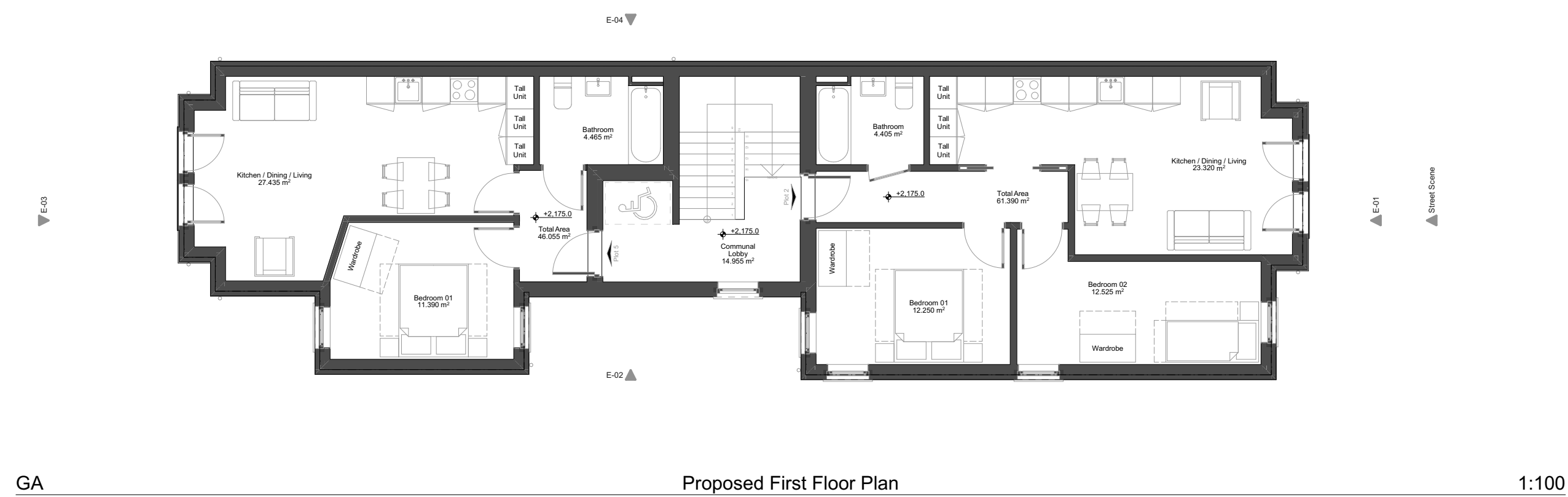
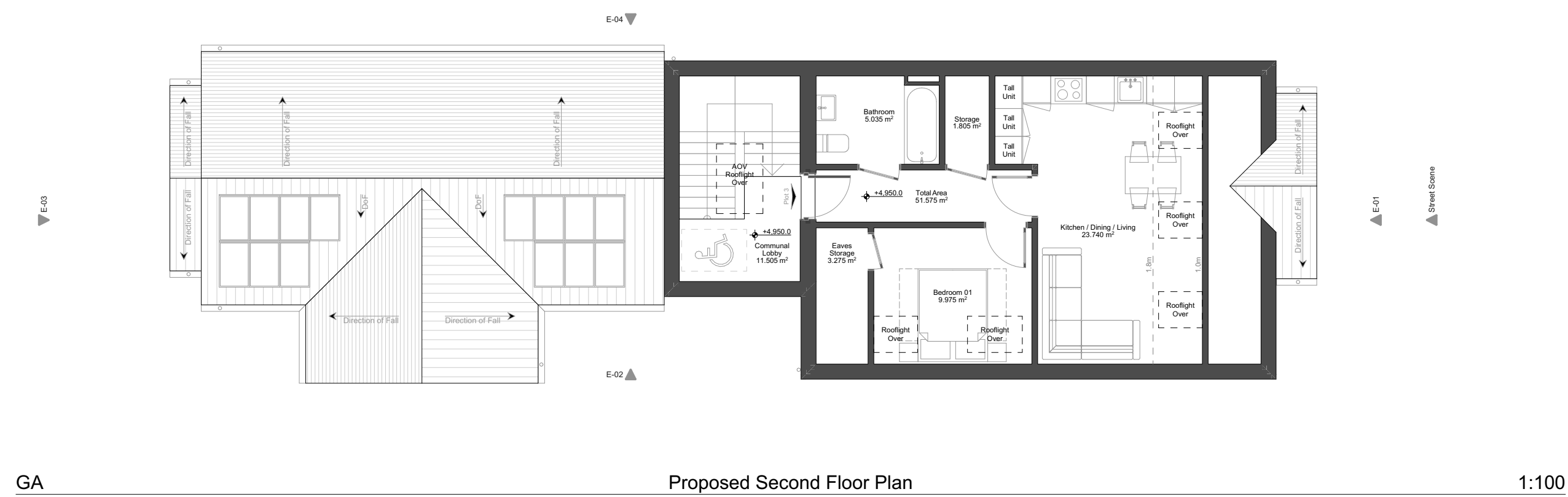
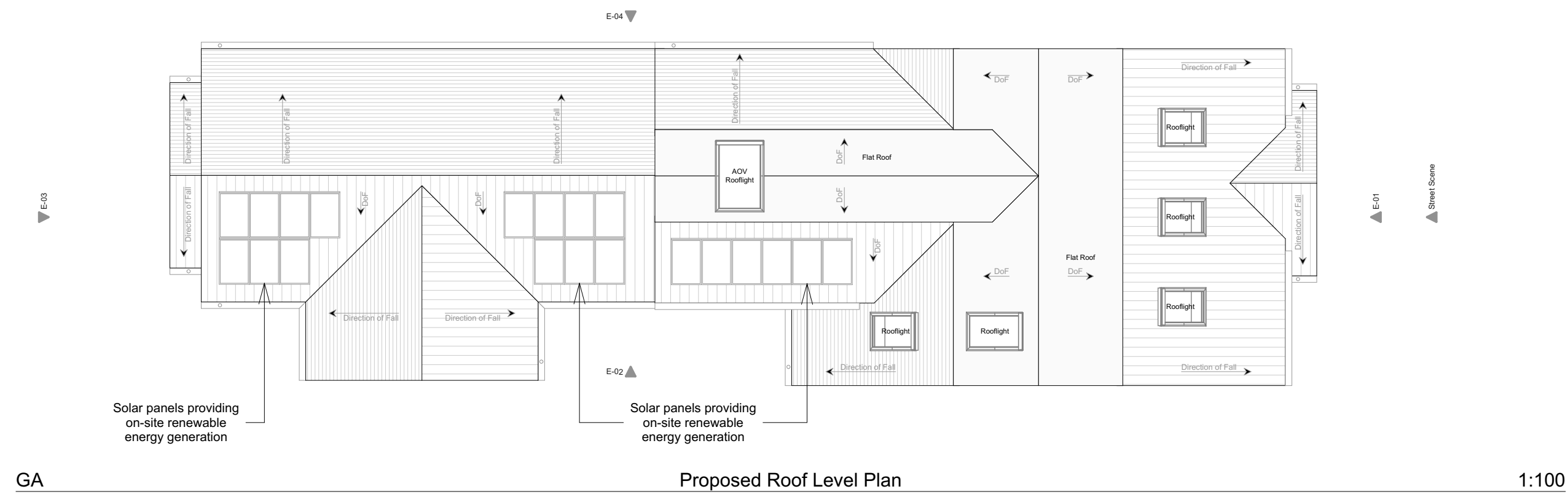
Marshall's Limestone Paving To All Paths & Patios Colour - 'Sylvan'

DH Architecture + Design

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|                                                        |             |                |                    |
|--------------------------------------------------------|-------------|----------------|--------------------|
| CLIENT                                                 |             |                |                    |
| Jerald P. McHale                                       |             |                |                    |
| PROJECT                                                |             |                |                    |
| Development At No.37 London Road, Pulborough, RH20 1AS |             |                |                    |
| DRAWING TITLE                                          |             |                |                    |
| Proposed Soft & Hard Landscaping                       |             |                |                    |
| DRAWN BY                                               | REVIEWED BY | DRAWING STATUS | DRAWING SCALE @ A1 |
| AD                                                     | SH          | PLANNING       | 1:100              |
| PROJECT NUMBER                                         | WORK STAGE  | DRAWING NUMBER | REVISION           |
| 26-107                                                 | 3           | 020-P          |                    |

| Rev ID | Revision Description | Date |
|--------|----------------------|------|
|        |                      |      |
|        |                      |      |
|        |                      |      |



### Accommodation Schedule

A total of 5 units are proposed consisting of:-

Plot 1 = 2 Bed 3 Person - 61.39m<sup>2</sup>  
Plot 2 = 2 Bed 3 Person - 61.39m<sup>2</sup>  
Plot 3 = 1 Bed 2 Person - 51.57m<sup>2</sup>  
Plot 4 = 1 Bed 2 Person - 50.21m<sup>2</sup>  
Plot 5 = 1 Bed 2 Person - 46.05m<sup>2</sup>

External Facing Brickwork  
(or Similar)

**Product:-** 'Flemish Antique' Generally To External Walls  
**Product:-** 'Exelsa' To Plinth, Front, & Rear Projections  
**Manufacturer:-** Vandersanden Group  
**Size:-** 215 x 102.5 x 65 (L x W x H)  
**Bond:-** Standard (Running Bond)  
**Mortar:-** Standard Grey

### External Stone Cills And Lintels

**Product:-** Reconstituted Stone  
**Manufacturer:-** Keystone (or similar)  
**Colour:-** Portland Stone

Stone Lintel - Square Cut

Stone Cill - Slip

## External Windows

**Product:-** UPVC Sliding Sash Window  
**Manufacturer:-** Eco Slide  
**Colour:-** White Smooth  
**Ironmongery:-** Chrome

External Pitched Roof Finish

**Product:-** Natural Slate (Del Prado)  
**Manufacturer:-** SSQ  
**Colour:-** Blue / Black

## Gutters and Downpipes

**Product:-** Aluminium Aligator Boxer  
**Manufacturer:-** Alutec (or similar)  
**Colour:-** Black Smooth

**Product:-** Roof Window  
**Manufacturer:-** Velux  
**Colour:-** Standard Grey



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**CLIENT**  
Jerald P. McHale

**PROJECT**  
Development At  
No.37 London Road,  
Pulborough, RH20 1AS

**DRAWING TITLE**  
Proposed Plans and Elevations

|          |             |                |                    |
|----------|-------------|----------------|--------------------|
| DRAWN BY | REVIEWED BY | DRAWING STATUS | DRAWING SCALE @ A1 |
| AD       | SH          | PLANNING       | 1:100              |

|                |            |                |          |
|----------------|------------|----------------|----------|
| PROJECT NUMBER | WORK STAGE | DRAWING NUMBER | REVISION |
| 26-107         | 3          | 011-P          |          |





## 4. PLANNING POLICY AND OTHER CONSIDERATIONS

### i) Statutory provisions and planning policies

4.1 Section 70 (2) of the Town and Country Planning Act 1990 requires planning applications to have regard to the provisions of the development plan so far as they are material to the proposal. Other relevant material considerations must also be taken into account. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that *“if regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise”*.

4.2 The relevant part of the Development Plan for the area comprises the Horsham District Planning Framework (2015).

### 4.3 Relevant Policies are:

- Policy 1 - Strategic Policy: Sustainable Development
- Policy 2 - Strategic Policy: Strategic Development
- Policy 3 - Strategic Policy: Development Hierarchy
- 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 31 - Green Infrastructure and Biodiversity
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles

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## **4. PLANNING POLICY AND OTHER CONSIDERATIONS**

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- 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
- Policy 42 - Strategic Policy: Inclusive Communities

subject to consultation. Modifications were required to the draft Plan to increase the number of housing site allocations to boost the delivery of housing across the plan period. These modifications are currently the subject of public consultation.

4.4 Other material considerations include the National Planning Policy Framework (2024). Relevant supplementary planning documents include the Shaping Development in Horsham District Planning Advice Note (2025).

4.5 The Council are in the process of adopting a new Local Plan. The draft Plan is at the Examination stage and is still

## 4. PLANNING POLICY AND OTHER CONSIDERATIONS

### ii) The principle of the proposal

4.6 Policies 2 and 3 of the Horsham District Planning Framework (HDPF) state that the district has a distinctive settlement pattern, which the framework seeks to retain and enhance. Development within the built-up area boundaries is accepted in principle, and that appropriate development, including infilling, within the built-up areas will be prioritised. The site is located within the built-up area of Pulborough. Pulborough has been identified as a 'Small Town / Larger Village' under Policy 3 that has a good range of services, facilities and strong community networks with local employment provision, and reasonably good rail/bus services. Residents are reliant on larger settlements for access some of their requirements.

4.7 Policy 1 of the Pulborough Parish Neighbourhood Plan defines the built-up area boundary of Pulborough. Development proposals located inside this boundary will be

supported provided they accord with the other provisions of the development plan.

4.8 Therefore, the Council's pre-application consultation response stated that *"given the location of the site within the built-up area boundary of Pulborough, the principle of the development would be acceptable to establish new residential units in this location (subject to all material planning considerations being considered acceptable otherwise)."*

4.9 The proposal would result in the loss of a Class E (retail) unit on the ground floor of the existing building. There was no objection to the loss of this retail unit as part of the previous planning application. This was primarily due to a previous prior approval application having been approved to convert this retail unit into a residential dwelling. Therefore, as a change of use could take place without planning permission, there could be no reasonable objection to the loss of this unit.

## **4. PLANNING POLICY AND OTHER CONSIDERATIONS**

4.10 On this matter, the Council's pre-application response stated that *"whilst the Council seeks to retain retail units and employment sites more generally, the site is not located within a defined primary or secondary retail area."* It went on to state that the application should be accompanied by a list of available retail properties in the local area. However, this is not considered necessary given that the existing retail unit could be converted to residential at any point in time, following the previous prior approval decision. While the Class MA legislation has since been updated, this has increased the flexibility for allowing conversions of this nature, as there is no longer a requirement for the property to be vacant for three months prior to the submission of the application. Therefore, a new prior approval application could be submitted at any time and it would be approved. Thus, the loss of this retail unit cannot be resisted in this case.

4.11 As stated in the pre-application response, the property is not on a high street or even a secondary retail area, with the surrounding area being residential in nature. Furthermore, the Council have a critical housing land supply shortfall, meaning that there has been an ongoing under-delivering of new housing. This is explained in more detail in section iii) below.

4.12 Therefore, it is clear that the site lends itself to a residential redevelopment and that maximum efficient use should be made of this brownfield site within Pulborough to deliver new housing.

### **iii) Housing land supply**

4.13 The Council have a critical housing land supply shortfall. For decision making, Paragraph 11 d) of the NPPF states that:

## 4. PLANNING POLICY AND OTHER CONSIDERATIONS

*Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

- i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
- ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*

4.14 In March 2026, an appeal decision confirmed that Horsham District has a housing land supply position of

just 1.70 years. This is a very significant shortfall, before the 5.00 year requirement.

4.15 Furthermore, the Council failed the Governments Housing Delivery Test (2023), which was published in December 2024. This calculated that Horsham delivered just 1,726 dwellings across the previous three years, against a requirement of 2,770 dwellings. This accounted for just 62%. Therefore, the Council effectively failed the Housing Delivery Test and as such, there is now a presumption in favour of development in Horsham District. This is the lowest possible result.

4.16 Therefore, Horsham District has a critical housing land supply shortfall and it failed the latest Housing Delivery Test. As such, all housing policies are now considered out of date and increased weight must be attached to the benefits associated with delivering new housing.

## **4. PLANNING POLICY AND OTHER CONSIDERATIONS**

4.17 This application would create a net gain of four dwellings (accounting for the loss of the existing flat) on a brownfield site in a sustainable location, which must be supported unless the harm would clearly and demonstrably outweigh the benefit.

4.18 All relevant planning considerations are assessed in the remainder of this section, concluding with an assessment of the planning balance which confirms that the benefits of the scheme would clearly outweigh any harm in this case, meaning that the application should be approved.

### **iv) Impact upon the character and appearance of the area**

4.19 Policy 32 of the HDPF states that good design is a key element in sustainable development and seeks to ensure that development promotes a high standard of urban design, architecture, and landscape.

4.20 Policy 33 of the HDPF states that development proposals should make efficient use of land, integrate effectively with the character of the surrounding area, use high quality and appropriate materials, retain landscaping where feasible (and mitigate loss if necessary) and ensure no conflict with the character of the surrounding town or landscape.

4.21 Policy 15 of the Pulborough Parish Neighbourhood Plan states that all housing and other buildings must be well-designed, sustainable and take account of climate change. The scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing buildings, will be required to reflect the architectural and historic character and scale of the surrounding buildings and landscape.

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## **4. PLANNING POLICY AND OTHER CONSIDERATIONS**

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4.22 The Council's pre-application response confirmed that, subject to a reduction in the height of the building at the front of the site, the proposed development would not have a harmful impact upon the character and appearance of the area.

4.23 The proposed scheme has been fully redesigned following the pre-application consultation, creating a much-improved scheme. The front section of the property would have a truncated gable roof, meaning that this section is more akin to a detached two storey house. It would have the same scale, bulk and mass as the neighbouring property to the south west with matching facing materials. The gable bay extension but also matched the roof gable on the front elevation of the neighbouring property. As shown by the comparison images on the following page, the proposed building would be a more positive addition to the street scene compared to the existing building. This would be

enhanced by new hedgerow and tree planting along the road frontage, which is a further enhancement on the existing situation. As a car free scheme the frontage would not be dominated by car parking which is similar to the properties to the south west of the site.

4.24 An existing photograph of the site next to a computer generated image (CGI) of the proposed development can be reviewed together on the following page for comparison purposes.

#### 4. PLANNING POLICY AND OTHER CONSIDERATIONS

##### Existing street scene



##### CGI image of the proposed street scene



## **4. PLANNING POLICY AND OTHER CONSIDERATIONS**

- 4.25 The rear section of the property has also been reduced in scale and bulk with a variety of roof forms being created to add visual interest to the scheme. A CGI image of the rear section of the proposed apartment building is provided below.



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## 4. PLANNING POLICY AND OTHER CONSIDERATIONS

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4.26 Regarding the site layout the footprint of the building would create a suitable site coverage for the locality, with the proposed landscaping creating a visual improvement on the existing situation. The proposed bin and bike stores would be located to the rear of the building and away from public view. The communal rear garden area would also be improved by new tree planting.

4.27 Therefore, despite the pre application scheme being acceptable from a visual impact perspective, the applicant has fully redesigned the scheme such that it would now be even more acceptable for visual impact perspective. Thus, it would create a positive addition to the street scene while making the most efficient use of a brownfield site within a sustainable location.

### v) **Impact upon heritage assets**

4.28 Policy 34 of the HDPF requires applications to make reference to any heritage assets which might be impacted

by a development. Proposals must reinforce the special character of the district's historic environment through appropriate siting, scale, form and design; including the use of traditional materials and techniques, make a positive contribution to the character and distinctiveness of the area, and ensuring that development in conservation areas is consistent with the special character of those areas and preserve, and ensure clear legibility of, locally distinctive vernacular building forms and their settings, features, fabric and materials.

4.29 The Council's pre-application consultation response requires that the submission include an assessment of potential heritage impact. The application site does not lie within or within a close proximity to the Pulborough Conservation Area. There are no listed buildings within the vicinity of the site. The site is not within the vicinity of any other heritage assets. Therefore, the proposal would not have any impact upon heritage assets.

## 4. PLANNING POLICY AND OTHER CONSIDERATIONS

### vi) Impact upon residential amenity

4.30 Policy 33 (2) of the Horsham District Planning Framework states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.

4.31 The pre-application response confirmed that the pre-application scheme would not result in a harmful impact upon neighbouring amenity. The proposed scheme has been reduced further in terms of scale, bulk, mass and footprint. Furthermore, there would no longer be any windows on the southern side elevation of the building. Therefore, the proposal would have a reduced impact upon neighbouring amenity compared to the acceptable pre-application scheme. Therefore, the scheme will be acceptable in this regard.

4.32 All proposed dwellings would meet or exceed the Nationally Described Internal Space Standard and each dwelling would have access to the communal garden area.

### vii) Ecology and biodiversity net gain

4.33 Policy 31 of the HDPF states that proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate. The Council will support new development which retains and/or enhances significant features of nature conservation on development sites.

4.34 A Preliminary Ecological Appraisal and Bat Roost Assessment has been undertaken, which recommended various mitigation and enhancement measures for protected ecological species. These can be covered by standard planning conditions.

## 4. PLANNING POLICY AND OTHER CONSIDERATIONS

4.35 Three bat emergence surveys were undertaken in 2026. The accompanying Bat Emergence Survey Report confirms that a licence is required before works can commence, which can be applied for once planning permission has been granted. This report also includes further mitigation measures which can be covered by respective planning conditions.

4.36 As the site extends to less than 0.2 hectares the application, it is exempt from biodiversity net gain following the introduction of the small sites exemption for applications submitted after 6<sup>th</sup> August 2026.

### viii) Highways

4.37 Policy 40 of the HDPF states that transport access and ease of movement is a key factor in the performance of the local economy. Dispersed rural settlements, coupled with the limited access to public transport, results in a population that is highly reliant on the use of cars. The need for

sustainable transport and safe access is vital to improve development across the district. Policy 41 of the HDPF required adequate parking to be provided as part of all development.

4.38 A Parking Technical Note (informed by a Parking Stress Test) has been submitted with the application which should be reviewed for full information on this matter.

4.39 It is proposed that the scheme will be car-free, given the sustainable nature of the location. A Parking Stress Test has been completed which demonstrates that there is plenty of parking capacity on nearby streets and as such, the existing parking arrangements can comfortably accommodate the parking demand arising from the proposed development.

4.40 The Council's pre-application response confirmed that additional evidence was considered sufficient for a car-free scheme to be accepted. However, it was suggested that an

## 4. PLANNING POLICY AND OTHER CONSIDERATIONS

assessment of existing and proposed car parking demand should be provided as part of this application, which is provided below.

4.41 The parking demand for retail uses is 1 space per 14 sq m. As the existing site comprises a retail unit extending to 73 sq m, the existing parking demand from this unit is 5.2 spaces. The existing parking demand for the flat is 1.7 spaces. Therefore, the total existing parking demand is 6.9 spaces.

4.42 The proposed parking demand is 7.9 spaces. Therefore, the proposal would result in a net increase of just 1 parking space.

4.43 Therefore, taking the minor net increase in parking demand and the amount of parking availability in the local area into account, it is clear that there would not be a harmful impact upon the local highway network.

4.44 Bin and bike stores will conveniently be located in the rear communal gardens for easy access.

### ix) Sustainability and energy efficiency

4.45 In order to maximise the energy efficiency of the building, a significant number of solar panels would be placed on the southern roof slopes towards the rear of the property. These would maximise the use of renewable energy without being viewed from the street scene.

4.46 Furthermore, as this would be a car-free scheme it would promote walking, cycling and public transport for daily pursuits, making this a highly sustainable form of development.

## 4. PLANNING POLICY AND OTHER CONSIDERATIONS

### x) Summary and the planning balance

4.47 This planning application seeks to make the most efficient use of a brownfield site within a sustainable location in Pulborough. The existing site comprises a poor-quality building including a small retail unit and a residential flat on what is a large site. The council have a significant housing land supply shortfall and therefore, the delivery of housing should be maximised wherever possible. The proposed scheme creates an excellent opportunity to create an apartment scheme of five flats, suitable for local people.

4.48 This submission follows a positive pre-application consultation. The minor design changes suggested in the Council's response have been fully accommodated within the redesign process. Following the changes made, the apartment scheme would make an excellent addition to the street scene which is entirely in keeping with the residential houses to the south west. The reduction in scale, bulk and

mass, together with the removal of all windows on the south western side elevation would ensure that there is no harmful impact upon neighbouring amenity, which in turn addresses all concerns raised from a design perspective within the pre-application consultation.

4.49 The car free scheme would promote walking, cycling and use of public transport. An assessment of local car parking capacity confirms that surrounding streets can easily accommodate any car parking generated from the scheme. Indeed, the proposed scheme would generate a parking demand of just one additional space compared to the existing use at the site. Therefore, there would be no material impact upon the local highway network in any event.

4.50 Overall, the scheme would meet the three objectives of sustainable development. From an economic perspective, short-term employment will be created during the construction stage. The scheme would generate a

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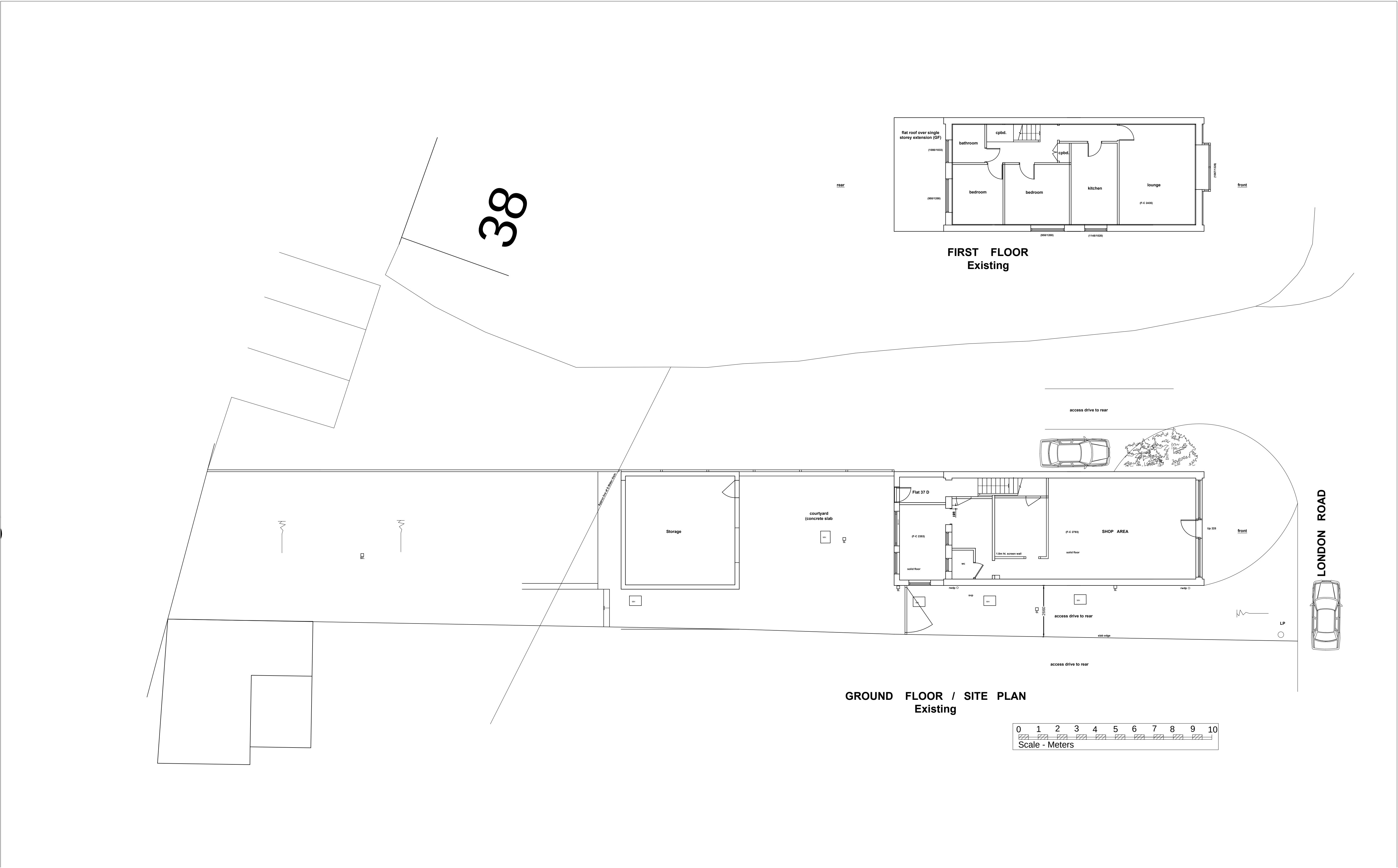
## **4. PLANNING POLICY AND OTHER CONSIDERATIONS**

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significant CIL contribution and the dwellings would also be Council tax applicable. The future residents would also contribute to the local economy through spending. The net increase of four dwellings towards the Council's significant housing land supply shortfall would meet the social objective, especially as this would include one and two bedroom flats suitable for a range of local occupiers. Indeed, the creation of a car free housing scheme in this sustainable location would meet the environmental objective, which would be enhanced further by the addition of a significant number of solar panels to the southern roof slopes.

4.51 Therefore, in line with national and local planning policies this planning application.





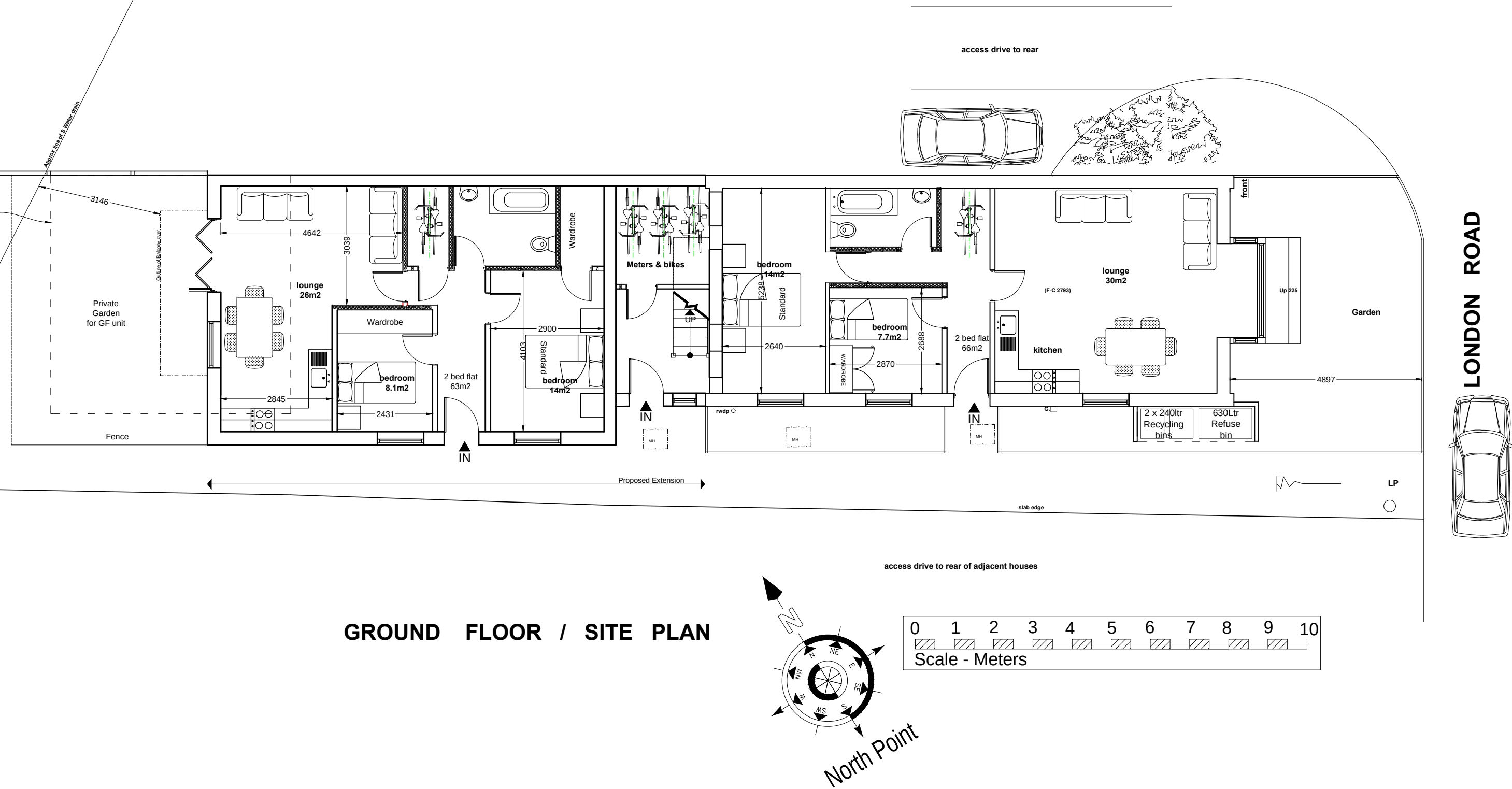
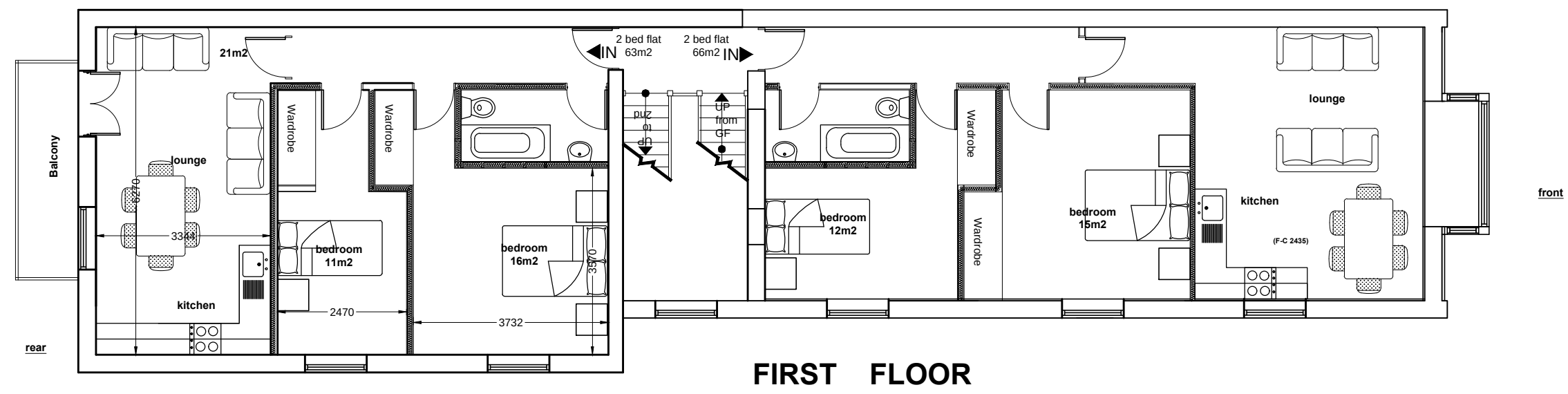
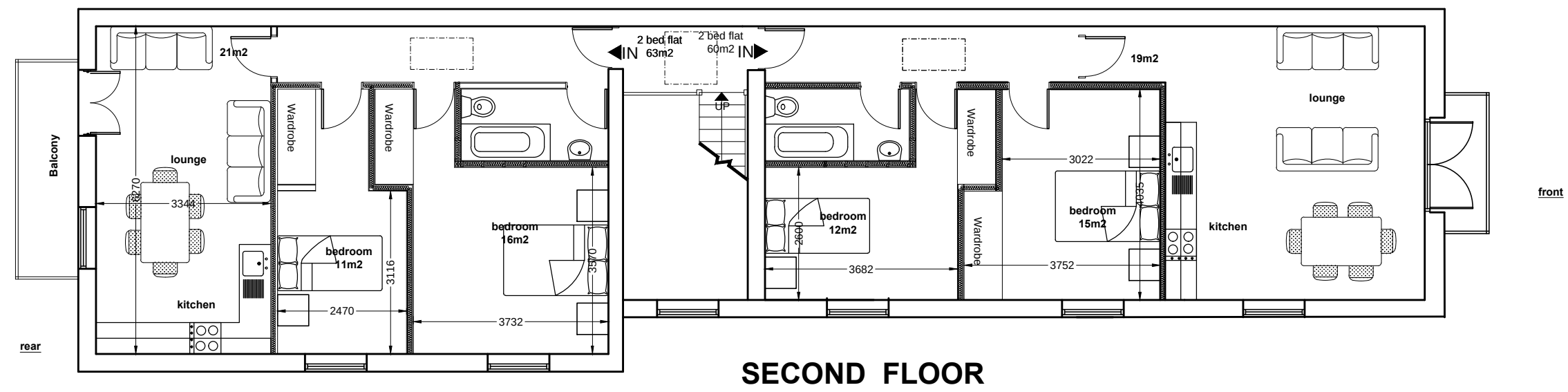
# CLIVE HAWKINS

## ARCHITECTS LTD

DESIGN@CLIVEHAWKINSONLINE.COM Tel: 01273 245249

| Date   | Scales             | Project No. | Dep. No. | Rev. | Date | Rev. No. |
|--------|--------------------|-------------|----------|------|------|----------|
| Aug 21 | 1:100 & 1:1250@ A1 | 921         | 02       |      |      |          |

921200803

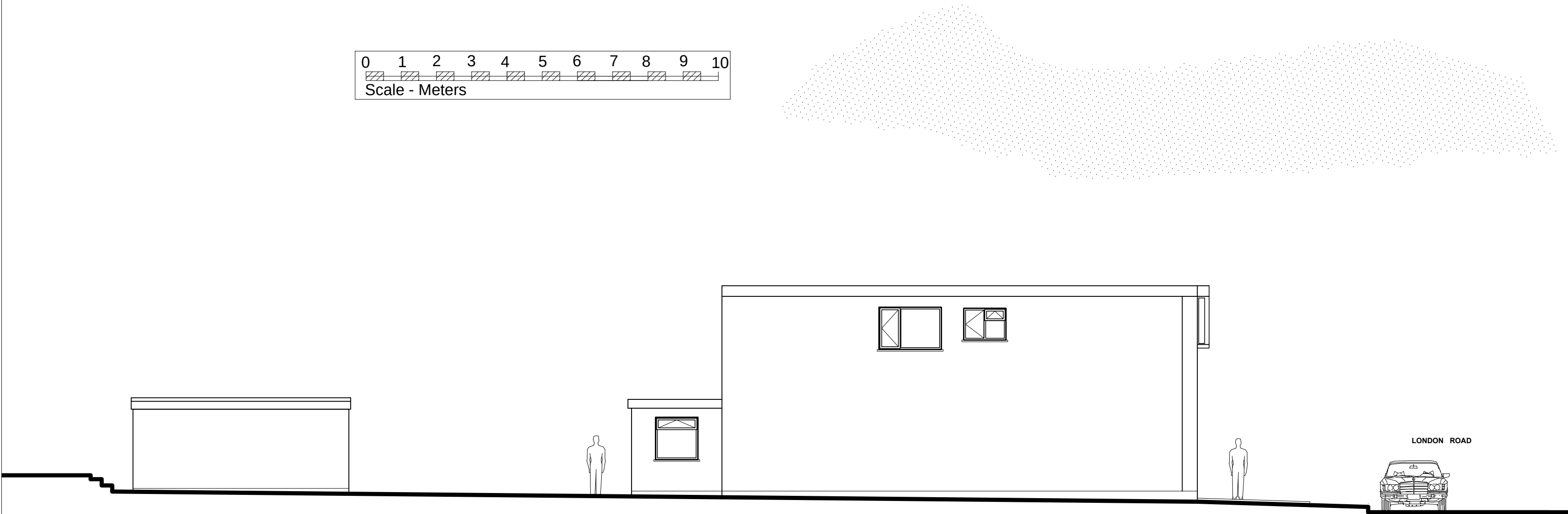


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| Revision                                        |                            | Date        | By       | Rev. No. |
| Client                                          |                            |             |          |          |
| Project                                         | 37 London Road, Pulborough |             |          |          |
| Title                                           | Proposed plans             |             |          |          |
| CLIVE HAWKINS<br>ARCHITECTS LTD                 |                            |             |          |          |
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| Date                                            | Scales                     | Project No. | Dwg. No. | Rev. No. |
| Aug 21                                          | 1:200@ A1                  | 921         | 01       |          |
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SIDE ELEVATION to South West  
PROPOSED

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Scale - Meters

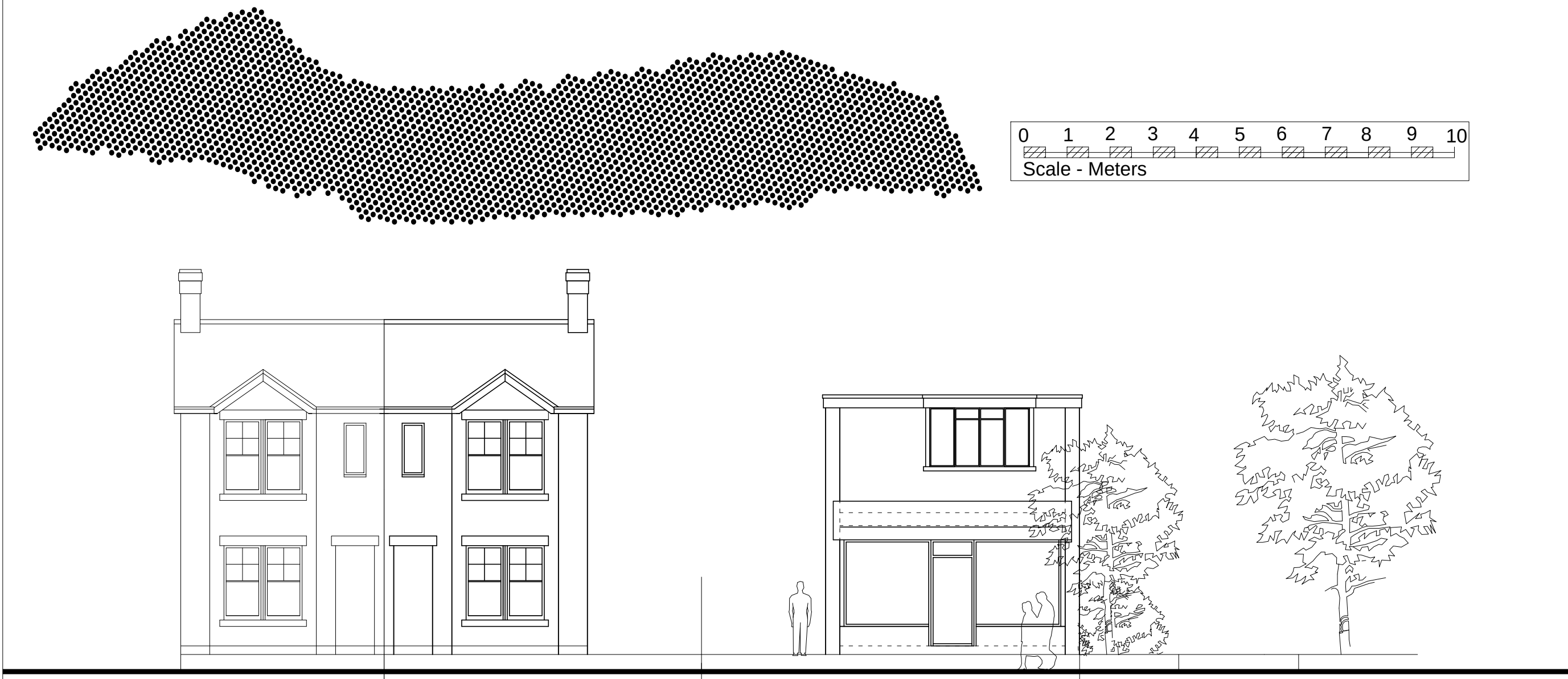


SIDE ELEVATION to S West  
Existing



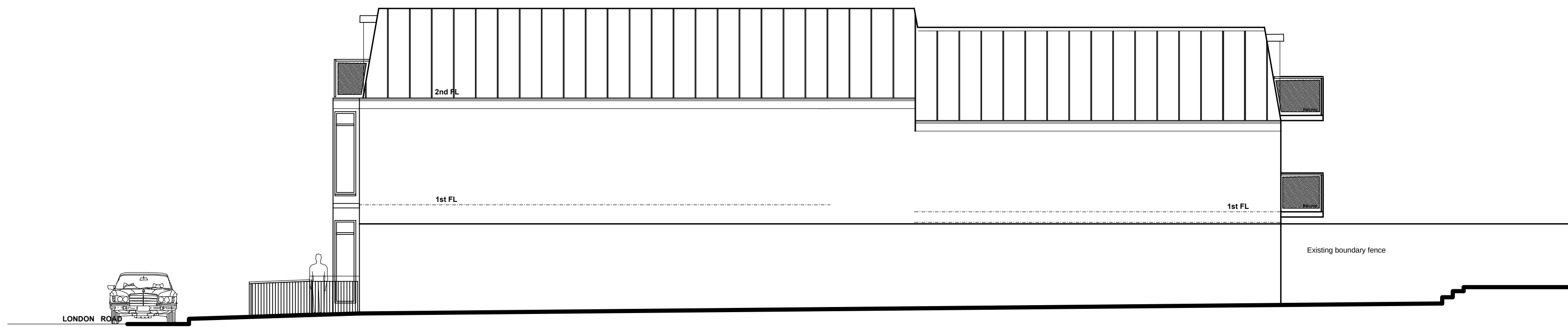
FRONT ELEVATION to South East  
PROPOSED

0 1 2 3 4 5 6 7 8 9 10  
Scale - Meters

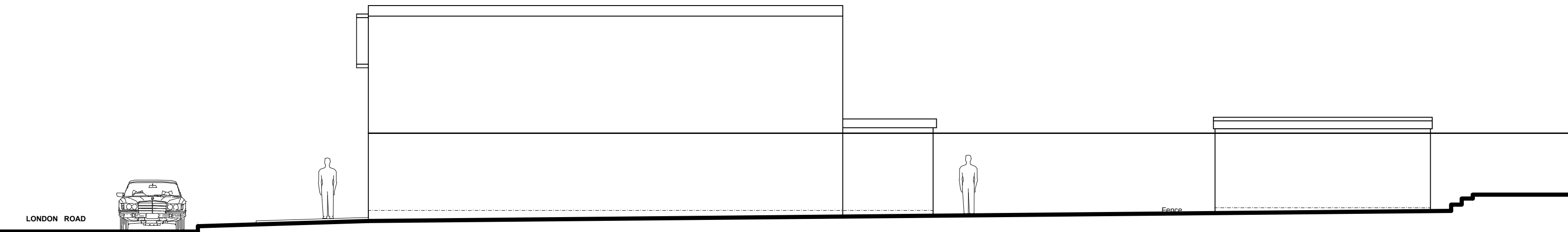


FRONT ELEVATION to South East  
Existing

|                                                 |            |             |           |
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| Revision                                        | Date       | By          | Rev. No.  |
| Client                                          |            |             |           |
| Project                                         |            |             |           |
| 37 London Road, Pulborough                      |            |             |           |
| Title                                           |            |             |           |
| Elevation Front & side South West               |            |             |           |
| CLIVE HAWKINS                                   |            |             |           |
| ARCHITECTS LTD                                  |            |             |           |
| DESIGN@CLIVEHAWKINSONLINE.COM Tel: 01273 245249 |            |             |           |
| Date                                            | Scales     | Project No. | Draw. No. |
| Aug 21                                          | 1:100 @ A1 | 921         | 03        |
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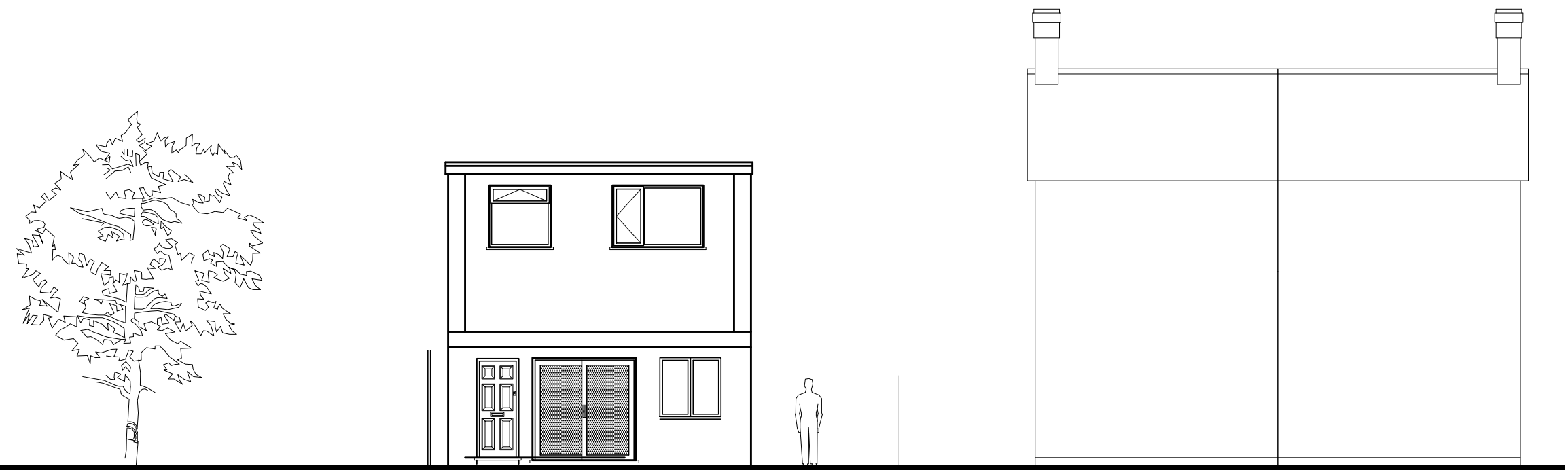
**SIDE ELEVATION to North East  
PROPOSED**



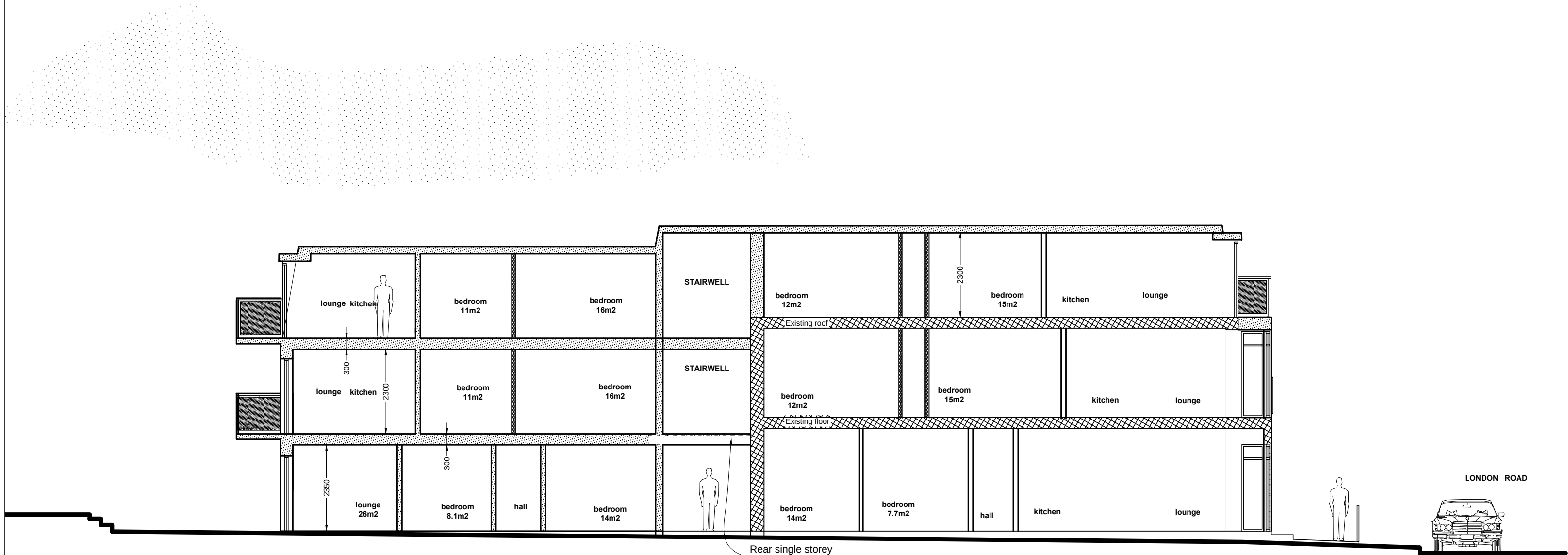
**SIDE ELEVATION to North east  
existing**



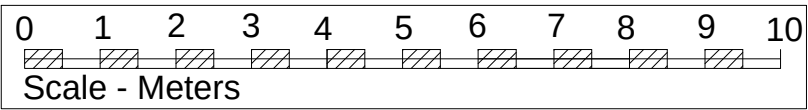
**REAR ELEVATION to North West  
PROPOSED**



**REAR ELEVATION to North West  
Existing**



**SECTION PROPOSED**



|                                                 |            |             |           |
|-------------------------------------------------|------------|-------------|-----------|
|                                                 |            |             |           |
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| Revision                                        | Date       | By          | Rev. No.  |
| Client                                          |            |             |           |
| Project                                         |            |             |           |
| 37 London Road, Pulborough                      |            |             |           |
| Title                                           |            |             |           |
| Elevations & section                            |            |             |           |
| CLIVE HAWKINS                                   |            |             |           |
| ARCHITECTS LTD                                  |            |             |           |
| DESIGN@CLIVEHAWKINSONLINE.COM Tel: 01273 245249 |            |             |           |
| Date                                            | Scales     | Project No. | Draw. No. |
| Aug 21                                          | 1:100 @ A1 | 921         | 04        |
|                                                 |            | Rev. Date   | Rev. No.  |
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## **DELEGATED APPLICATIONS - ASSESSMENT SHEET**

### **APPLICATION NO./ADDRESS:**

DC/21/1861

Reflections Hair and Sunbed Centre, 37 London Road, Pulborough, West Sussex, RH20 1AS

### **DESCRIPTION:**

Demolition of disused store at rear, conversion and extension of existing building to form 6no residential dwellings.

### **RELEVANT PLANNING HISTORY:**

|            |                                                                                                                   |                      |
|------------|-------------------------------------------------------------------------------------------------------------------|----------------------|
| PL/70/72   | Continued use of a double garage at rear, for use as a temporary shop whilst new shop is being erected.           | Approved 03/07/1972  |
| PL/147/72  | Continued use of double garage as a temporary shop.                                                               | Approved 12/01/1973  |
| PL/95/71   | Erection of a double garage at the rear for use, a temporary shop whilst new shop is being erected.               | Approved 17/12/1971  |
| PL/102/72  | New shop front.                                                                                                   | Approved 29/09/1972  |
| PL/30/86   | Change of use as ground floor from shop, to bakery/tearooms/restaurant                                            | Withdrawn 06/05/1986 |
| PL/32/70   | Demolition of existing butcher's shop, and erecting new butcher's shop with living accommodation.                 | Approved 04/09/1970  |
| PL/98/85   | Change of use of ground floor from shop to offices, with showroom.                                                | Approved 17/10/1985  |
| DC/20/2412 | Prior notification for the change of use of ground floor retail shop (Class E) to a 2No. bedroom flat (Class C3). | Approved 10/03/2021  |

### **SITE AND SURROUNDS**

The application relates to an existing detached building on the north-western side of London Road, Pulborough. The building comprises an A1 retail unit to the ground floor, which is currently in use as a hairdressers, and a flat to the first floor. The site includes a modest parking area and access to the front off of London Road, with an area of hardstanding with a store to the rear of the main building, and a fenced grassed area further back. Access to the rear of the site is granted via a narrow track adjacent to the south-western elevation of the building. Access to garages serving 26-36 London Road is adjacent to the south-western boundary, and access to garages serving 38-43 London Road is adjacent to the north-eastern boundary.

### **DETAILED DESCRIPTION**

Planning permission is sought for the partial-demolition the existing main building on site, including a 12.7m rear extension, and an additional third floor mansard roof extension, accommodating 6x two bedroom flats, and the demolition of the existing storage building to the rear of the site. The proposal incorporates 2x private garden areas serving the ground floor flats, in addition to a communal garden to the rear of the site. The building would retain a contemporary appearance, featuring a balcony to the second floor front elevation, and two balconies to the first and second floor rear elevation. In addition to 6x single box dormers to the south-western side elevation.

### **RELEVANT PLANNING POLICIES**

## The National Planning Policy Framework (NPPF)

### Horsham District Planning Framework (2015):

Policy 1 - Strategic Policy: Sustainable Development  
Policy 2 - Strategic Policy: Strategic Development  
Policy 3 - Strategic Policy: Development Hierarchy  
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 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  
Policy 42 - Strategic Policy: Inclusive Communities

### 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](http://www.horsham.gov.uk)

#### Consultations:

##### OUTSIDE AGENCIES

##### **WSCC Highways:** Comment (*summary*)

Further information required to determine parking provision.

##### **WSCC Fire & Rescue:** Comment (*summary*)

Sprinkler system required.

##### **Ecology Consultant:** Objection (*summary*)

Insufficient information submitted regarding ecology on site.

##### **Southern Water:** No Objection

#### Parish Comments:

Pulborough Parish Council *object* to the proposal on the following grounds:

- Overdevelopment and out of keeping with the area;
- Concerns over parking – there are no nearby parking facilities and the site has private land either side;
- Concerns regarding potential disturbance of bat roosts.

#### Representations:

Thirteen (13) letters of representation received from fourteen (14) separate addresses *objecting* to the proposal on the following grounds:

- Out of character
- Overdevelopment
- Loss of neighbouring amenity
- No parking provisions

- Insufficient refuse and recycling
- Inappropriate design
- Adverse highway safety impacts
- Construction impacts
- Impact on bats present in roof of existing building
- Loss of commercial premises
- Insufficient garden amenity space

In addition, the Sussex Bat Group have commented on the proposal, stating:

- The main building is used by a large maternity of pipistrelle bats
- As bats are a European Protected Species, this is a material planning consideration
- Appropriate bats surveys should be undertaken

### HUMAN RIGHTS

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 the application. Consideration of human rights is an integral part of the planning assessment set out below.

### PLANNING ASSESSMENT

#### **Principle of Development:**

Policies 2 and 3 of the Horsham District Planning Framework (HDPF) state that the district has a distinctive settlement pattern, which the framework seeks to retain and enhance. Development within the built-up area boundaries is accepted in principle, and that appropriate development, including infilling, within the built-up areas will be prioritised. The site is located within the built-up area of Pulborough. Pulborough has been identified as a 'Small Town / Larger Village' under Policy 3 that has a good range of services, facilities and strong community networks with local employment provision, and reasonable good rail/bus services. Residents are reliant on larger settlements for access some of their requirements.

It is noted that the development would result in the loss of a Class E unit, which is currently occupied by 'Reflections' hair and beauty salon. Whilst the Council seeks to retain retail units and employment sites more generally, the site is not located within a defined primary or secondary retail area. Furthermore, a recent permission to convert the shop into a flat (prior approval granted under application DC/20/2412) has recently secured a residential use, therefore representing a viable fallback that would ultimately result in the loss of this retail unit. As such, no objection is raised on these grounds.

Given the location of the site within the built-up area boundary of Pulborough, and owing to the site not falling within a primary or secondary retail area combined with a reasonable prior approval fallback permission in place, the principle of development is considered acceptable, subject to all other detailed material planning considerations as discussed below.

#### **Design and Appearance:**

Policy 33 of the HDPF states that development proposals should make efficient use of land, integrate effectively with the character of the surrounding area, use high quality and appropriate materials, retain landscaping where feasible (and mitigate loss if necessary) and ensure no conflict with the character of the surrounding town or landscape.

The proposal incorporates the demolition of the existing storage building to the rear of the site, and partial demolition of the rear elevation of the building, in addition to a 12.7m rear extension together with the addition of a third floor mansard roof addition. The proposed extension would increase the overall length of the building from 13.5m to 26.2m, maintaining the width of the existing part of the building, and an additional 1m in width to the extension. The 2.6m high mansard roof addition would

increase to height of the building from 6m to 8.6m, some 0.8m higher than the adjacent terrace on London Road (36 London Road).

The main part of the building would be retained, which currently comprises a utilitarian contemporary appearance finished in a stock red brick facing to all elevations, with red tile hanging to the front first floor elevation, white painted brick to the rear first floor elevation, and a flat roof with tall white UPVC soffits. The plans indicate the elevations would be finished in render, featuring floor to ceiling glazing to the front elevation within a two-storey bay window, a grey metal seem to the mansard, aluminium windows, and balconies with a circular tube frame.

London Road is mixed in character, formed of varying uses, including large retail units either side of the street of modern construction, offices, a terrace of Victorian dwellings (nos. 25-36 London Road) and few contemporary semi-/ detached dwellings. The site directly abuts the main line rail to the north-west, and fronts London Road. The proposed building would host no windows or apertures to the north eastern elevation facing the access drive to the neighbouring properties to the rear.

In terms of its appearance, given the sites setting on a street of varying character, the proposal would not appear completely out of character. However, the constraints of the site are noted- the site, though large in terms of area (approximately 0.6ha), is narrow, with limited access from London Road. Whilst the submitted elevations indicate 'access drive to rear', these accesses serve the neighbouring properties, and not the application site. Whilst its current appearance if not of any particular merit, the width and height of the building is comfortably accommodated within its curtilage. The 12.7m rear extension, and 1m width increase, would nearly double the existing bulk of the building, appearing significantly larger than any of the neighbouring buildings on the terrace, and would be significantly larger than dwellings to the north.

Furthermore, the additional floor would exacerbate the scale of the building which would appear significantly taller than the immediately neighbouring terrace, and its combined bulk on the street would appear unduly prominent. Travelling south of London Road, especially during winter months when planting is less foliated, the extended and taller north-eastern elevation would appear with much more prominence. In addition, this elevation hosts no visual relief, most likely in an attempt to lessen any perceived impact amenity- though, its appearance and scale would be harmful to the wider character and appearance of the area.

The new NPPF revises the social objective, so that it now includes the fostering of 'well designed, beautiful and safe places'. It is explicit in that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

Overall, whilst the proposed material finish would add to the visual variety of London Road, the resultant overall scale, bulk and appearance would be unduly prominent on the street and surrounding area, which would adversely impact on the wider character of the surrounding area. As such, the proposal is contrary to Policy 33 of the HDPF and the emphasis on well designed and beautiful places in the NPPF.

### **Amenity Impacts:**

Policy 33(2) of the Horsham District Planning Framework states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.

The site neighbours the end of a terrace of Victorian dwellings along London Road, opposite the north-eastern elevation of no. 36 London Road, separated by the existing access to the rear of the site and the access to the rear garages of the terrace. To the north-east, the building sits opposite the front garden curtilage of no. 38 London Road. The building neighbours London Road to the front elevation and the railway to the rear.

The proposed extension and roof addition, especially to the rear, would introduce opportunities of overlooking, specifically to the rear garden curtilage of no. 36 London Road. To its south-western elevation at first and second floor level, the proposal would introduce four bedroom windows (serving

as the principal and only source of natural light). At this height, these windows would enable clear overlooking to the neighbouring garden curtilage. As the principal source of light into the bedrooms, there is no opportunity to incorporate obscured or high level glazing to reduce this impact, without adversely causing harm to the outlook of potential future occupants.

Furthermore, given the scale of the proposed additions, coupled with the relative closeness to the neighbouring garden curtilages, the additional bulk would create a sense of undue overbearing. As the site is located north of the garden of no. 36 London Road, it is not anticipated that this would necessarily result in loss of direct sun / day light. However, the increase in size of the building would certainly increase a sense of enclosure, especially considering the narrow curtilage of the neighbour.

The proposal is in close proximity to a railway line. A noise assessment has not been submitted which shows what mitigation would be required to address the potential noise impact on the proposed flats. It is felt that, if recommended for permission, a condition requiring details of mitigation measures could be required to adequately address this.

As such, given the increased opportunities of overlooking and consequent sense of overbearing, the proposal would result in adverse amenity harm to the neighbouring property, contrary to Policy 33(2) of the HDPF.

### **Highways Impacts:**

Policy 40 of the HDPF states that transport access and ease of movement is a key factor in the performance of the local economy. Dispersed rural settlements, coupled with the limited access to public transport, results in a population that is highly reliant on the use of cars. The need for sustainable transport and safe access is vital to improve development across the district. Policy 41 of the HDPF required adequate parking to be provided as part of all development.

The proposal incorporates no parking provision, though includes private storage of cycles. The submitted planning statement suggests that this is due to the site being located within a 'sustainable transport area', being ten minutes' walk from the train station and nearby frequent bus routes. However, the application was not accompanied with any data to demonstrate that a zero-parking development in this location would not have a safety impact on the highway. Neighbouring comments relating to parking are noted. London Road is an A road (A29), with no parking provisions on street (with the exception of one layby north of the site to the front of Half Hidden).

New Place Road, which junction is near the front of the site, incorporates a layby, and has no parking restrictions in place. Residents of 25-36 London Road benefit from parking garages to the rear of the site, in which some neighbours have anecdotally expressed the reliance of New Place Road to occasionally accommodate their parking needs.

Whilst the Council does not fundamentally object to the provision of zero-parking development, the applicant has not suitably demonstrated, with evidence, that this is achievable on this site, and would be marketed as such. As noted by WSCC Highways, it is expected that the development of 6 two bedroom flats would generate some parking demand. In the absence of such evidence, the site and wider area may succumb to future reliance of vehicular use, resulting in increase on-street parking, pressures to accommodate parking in place of garden curtilage on site, or unlawful / dangerous parking on London Road.

As such, the applicant has not demonstrated that the parking needs of the site would be accommodated by the development, contrary to Policies 40 and 41 of the HDPF.

### **Ecology:**

Policy 31 of the HDPF states that proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate. The Council will support new development which retains and/or enhances significant features of nature conservation on development sites.

The application was not accompanied with any reports detailing the ecological make-up of the site. Given the site's current condition, it is unlikely that the curtilage would be host to any protected species. However, a desk survey on the Multi-Agency Geographic Information for the Countryside (MAGIC) map identifies that two European Protected Species licence for bats have been granted within approximately 2km of the development, the Arun Valley SPA, SAC, Ramsar and Site of Special Scientific Interest (SSSI) is approximately 1.2km to the south, and there are several Priority habitats, including deciduous woodland within 1km of the site. Additionally, Sussex Bat Group reports that a maternity roost for pipistrelle bats is located within the main building so they could be affected by the proposed development, further support by numerous neighbouring letters of representation.

As pipistrelle bats are a European Protect Species, for which there are records of their presence on site, it is incumbent of the Local Planning Authority to assess this as a material planning consideration in the determination of planning applications. Given the protection afforded to this species, this is not a matter that could be adequately controlled by way of condition, but should rather be dealt with upfront prior to determination. As such, the proposal is contrary to Policy 31 of the HDPF.

### **Climate change:**

Policies 35, 36 and 37 of the HDPF require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions mitigate the impact of development on climate change.

The application was not accompanied with any documentation supporting how the proposal would effectively combat the adverse impacts associated with development and climate change. However, the following could be put in place to reduce the development's impact on climate change, including:

- High insulation levels and air tightness performance
- All glazing to have low heat loss and be designed to maximise natural daylight and reduce summer solar gain
- Low energy lighting, heating and hot water systems to be used
- Low polluting insulation materials
- All water-using appliances to be of low mains water use such as low flow rate showers, aerated basin taps and dual flush WCs (limited to 110l per person per day)
- Reduction/attenuation of surface water runoff to hard surfaces to reduce surcharging of municipal sewer systems
- Compliance with Part L Building Regulations
- Electric vehicle charging spaces (where parking provision is required)
- Use of mechanical ventilation with heat recovery

The Local Planning Authority are satisfied that appropriate measures could be put in place to mitigate against any potential sustainability impacts, which could be secured by way of planning condition in the event that permission were to be granted.

With the above in mind, the Local Planning Authority are satisfied that through the use of appropriately worded planning conditions, the above measures could be implemented to reduce the development's impact on climate change. To this regard, the Local Planning Authority does not object to the proposal on these grounds.

### **Water Neutrality:**

The application site falls within the Sussex North Water Supply Zone as defined by Natural England and which includes supplies from groundwater abstraction which cannot, with certainty, demonstrate no adverse impacts upon the defined Arun Valley SAC, SPA and Ramsar sites.

A recently received advice note from Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that

the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

The proposal falls within the Sussex North Water Supply Zone and would result in a greater level of water abstraction. Whilst it is accepted that this is a late issue raised by Natural England that the applicants will be unaware of, given the other reasons to refuse permission it is not considered necessary to seek further information at this stage. In the absence therefore of a strategy to demonstrate water neutrality through the incorporation of on-site measures and appropriate offsetting actions, there is no certainty that the proposal will not contribute further to the existing adverse effect on the Arun Valley SAC, SPA and Ramsar sites, contrary to policy 31 of the HDPF and NPPF paragraphs 179 and 180.

### **Conclusions:**

As the site is located within the built-up area boundary of Pulborough, and is not located within a primary or secondary retail area, the principle of the development is accepted. However, the proposed scale and resultant appearance of the proposal would appear unduly prominent within the wider surrounding area, and would adversely impact on the prevailing character of London Road. Furthermore, given the scale of the proposed development in relation to existing neighbouring properties, the development would increase opportunities of overlooking to the rear garden curtilage of no. 36 London Road, and would create an undue sense of overbearing. In addition, the applicant has not demonstrated that a zero-parking development in this location would not have a safety impact on the highway, nor detailed that protected ecological species have been responsibly considered as part of the scheme. As such, Officers recommend that the application is refused in accordance with the reasons detailed below, and that the development is contrary to Policies 31, 33, 40 and 41 of the HDPF.

Furthermore, insufficient information has been provided to demonstrate with a sufficient degree of certainty that the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Framework.

### **Recommendation: Application REFUSED**

#### **Reasons for Refusal:**

- 1 The proposed development, by virtue of its scale and massing, represents a significant increase to the built form on the site, which would otherwise result in an adverse impact on the setting and character of the wider surrounding area, contrary to Policy 33 of the Horsham District Planning Framework (2015) and the aims of Chapter 12 of the NPPF (2021): Achieving Well Designed Places.
- 2 The proposed development, by virtue of its increased height and additional windows to the south-western elevation, would introduce increased opportunities of overlooking to the rear garden curtilage of no. 36 London Road, and create a sense of undue overbearing, which would adversely impact on neighbouring amenity, contrary to Policy 33(2) of the Horsham District Planning Framework (2015).
- 3 The applicant has not demonstrated that a zero-parking development in this location would not have a safety impact on the highway, contrary to Policies 40 and 41 of the Horsham District Planning Framework (2015).
- 4 Insufficient information has been submitted to establish the protection of the ecological and biodiversity interests of the site and whether suitable mitigations or enhancements are necessary and achievable, contrary to Policy 31 of the Horsham District Planning Framework (2015).

- 5 Insufficient information has been provided to demonstrate with a sufficient degree of certainty that the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

#### 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.

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#### **Plans list for: DC/21/1861**

Schedule of plans/documents **not approved**:

| Plan Type      | Description                          | Drawing Number | Received Date |
|----------------|--------------------------------------|----------------|---------------|
| Location plan  | With existing floor plans            | 02             | 10.08.2021    |
| Floor plan     | Proposed                             | 01             | 10.08.2021    |
| Elevation plan | Existing and proposed                | 03             | 10.08.2021    |
| Section plan   | Existing and proposed with elevation | 04             | 10.08.2021    |

#### DELEGATED

Case Officer sign/initial      RHERMITAGE      Date: 21.10.2021

Authorising Officer sign/initial      J Hawkes      Date: 28.10.2021

Clive Hawkins  
Clive Hawkins Architects Ltd  
114 Mackie Avenue  
Brighton  
BN1 8RD

Application Number: DC/21/1861

TOWN & COUNTRY PLANNING ACT, 1990 (as amended)  
TOWN & COUNTRY PLANNING (Development Management Procedure) (England) Order 2015

On behalf of: Jerry McHale

In pursuance of their powers under the above-mentioned Act and Order, the Council hereby REFUSE to permit the works specified hereunder, that is to say:

**Demolition of disused store at rear, conversion and extension of existing building to form 6no residential dwellings.**

**Reflections Hair and Sunbed Centre 37 London Road Pulborough West Sussex**

as shown on Plan and Application Number DC/21/1861 submitted to the Council on 23/08/2021. The reasons for the Council's decision to refuse to permit the above works are specified hereunder.

- 1 The proposed development, by virtue of its scale and massing, represents a significant increase to the built form on the site, which would otherwise result in an adverse impact on the setting and character of the wider surrounding area, contrary to Policy 33 of the Horsham District Planning Framework (2015) and the aims of Chapter 12 of the NPPF (2021): Achieving Well Designed Places.
- 2 The proposed development, by virtue of its increased height and additional windows to the south-western elevation, would introduce increased opportunities of overlooking to the rear garden curtilage of no. 36 London Road, and create a sense of undue overbearing, which would adversely impact on neighbouring amenity, contrary to Policy 33(2) of the Horsham District Planning Framework (2015).
- 3 The applicant has not demonstrated that a zero-parking development in this location would not have a safety impact on the highway, contrary to Policies 40 and 41 of the Horsham District Planning Framework (2015).
- 4 Insufficient information has been submitted to establish the protection of the ecological and biodiversity interests of the site and whether suitable mitigations or enhancements are necessary and achievable, contrary to Policy 31 of the Horsham District Planning Framework (2015).
- 5 Insufficient information has been provided to demonstrate with a sufficient degree of certainty that the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National

Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

Schedule of plans/documents:

| Plan Type      | Description                          | Drawing Number | Received Date |
|----------------|--------------------------------------|----------------|---------------|
| Location plan  | With existing floor plans            | 02             | 10.08.2021    |
| Floor plan     | Proposed                             | 01             | 10.08.2021    |
| Elevation plan | Existing and proposed                | 03             | 10.08.2021    |
| Section plan   | Existing and proposed with elevation | 04             | 10.08.2021    |

Note to Applicant – Community Infrastructure Levy (CIL):

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1<sup>st</sup> October 2017. **This development constitutes CIL liable development.**

CIL is a mandatory financial charge on development. To avoid additional financial penalties, the requirements of CIL must be managed before development is commenced (including in the event of any successful appeal).

Payment must be made in accordance with the requirements of the CIL Demand Notice issued.

Note To Applicant:

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.



Emma Parkes  
Head of Development and Building Control

Date: 28/10/2021

## **ADDITIONAL INFORMATION**

### **Right of Appeals**

If you are aggrieved by the decision to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

You must appeal within 12 weeks of the date of the decision notice for a householder application or 'minor commercial' (shop front) development, and within 6 months for other types of planning applications. There are different timescale – usually 28 days – if an enforcement notice is/has been served for the same (or very similar) land and development. Please note, only the applicant possesses the right of appeal.

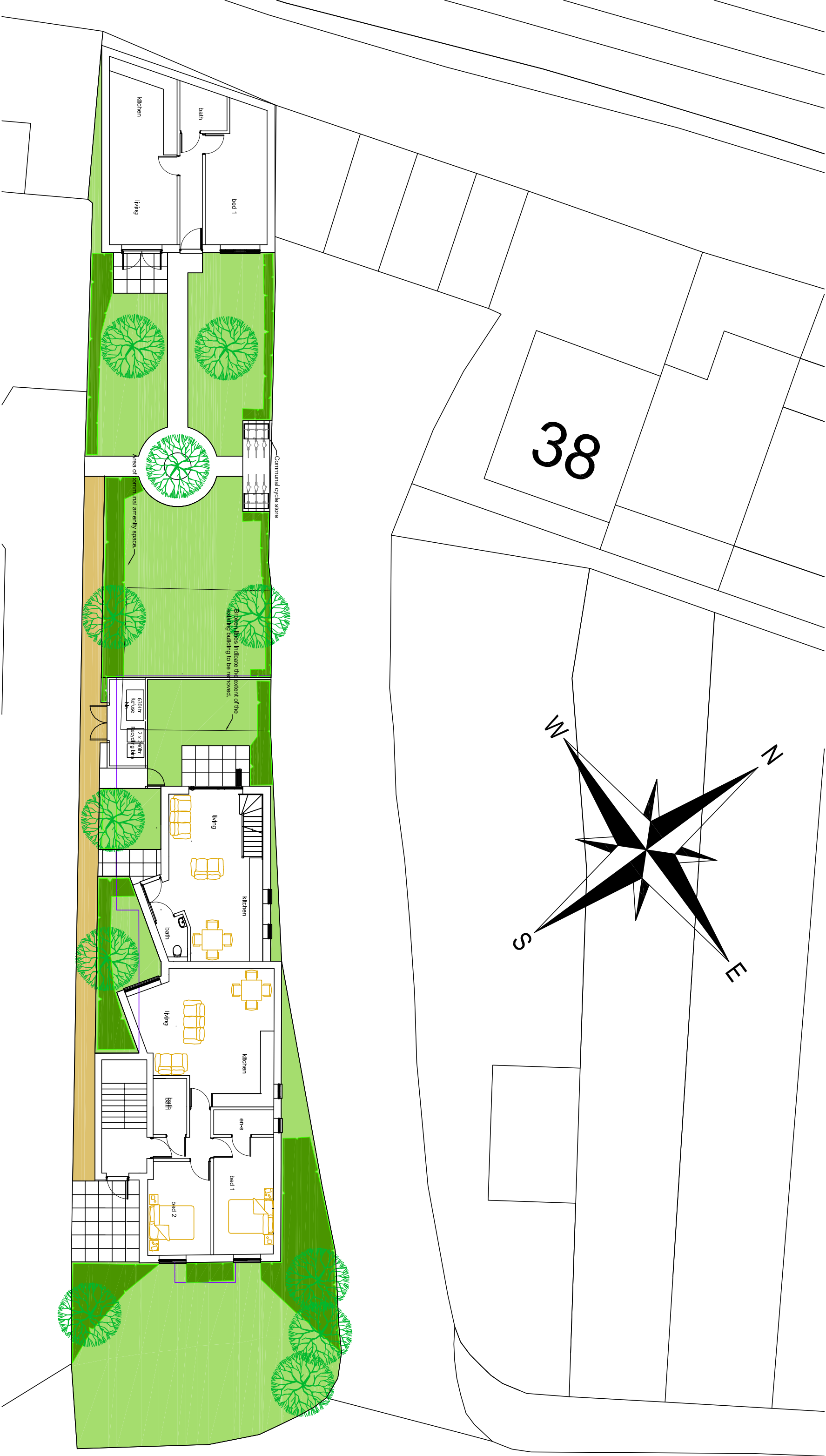
Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

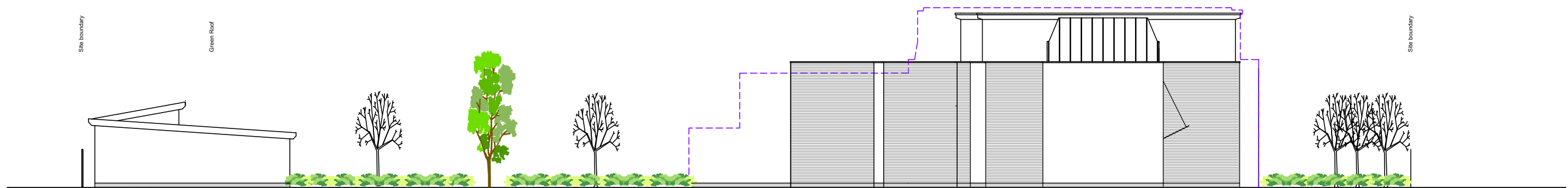
The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are at <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>.





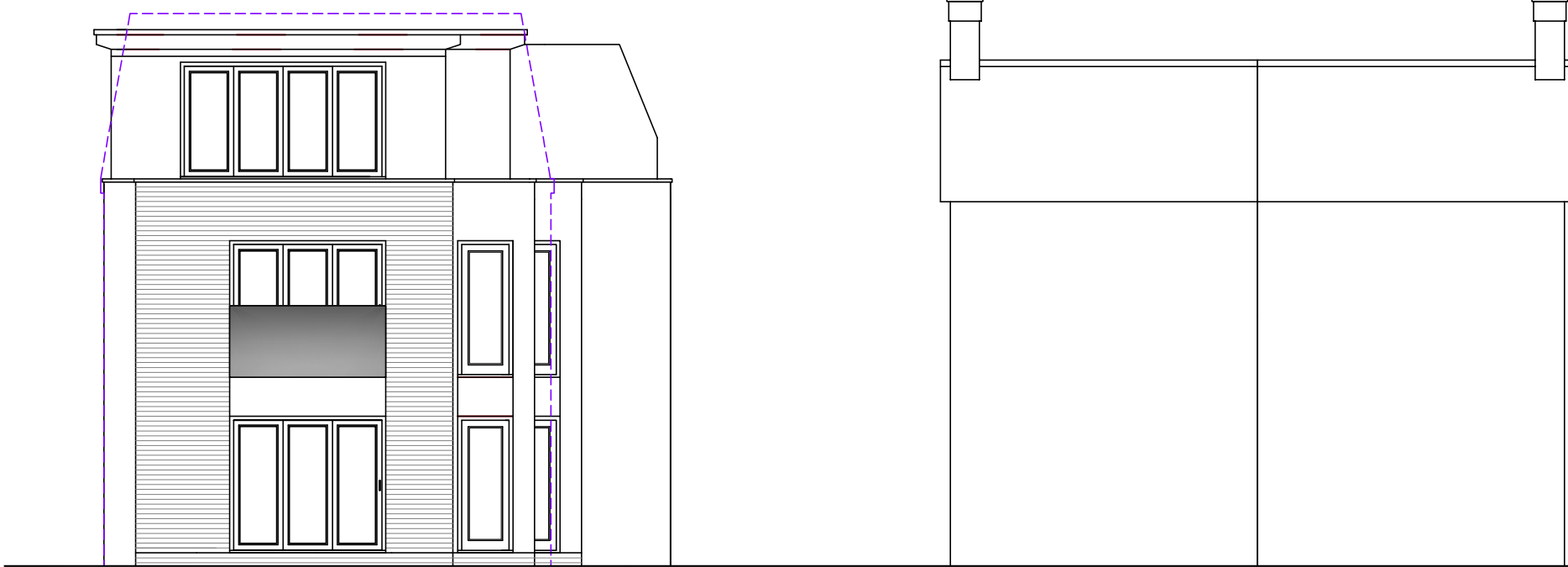


Side Elevation

0 1 2 3 4 5 6 7 8 9 10m  
1:200 Scale Bar



Front Elevation



Rear Elevation

0m 1m 2m 3m 4m 5m 6m 7m 8m 9m 10m  
1:100 Scale Bar

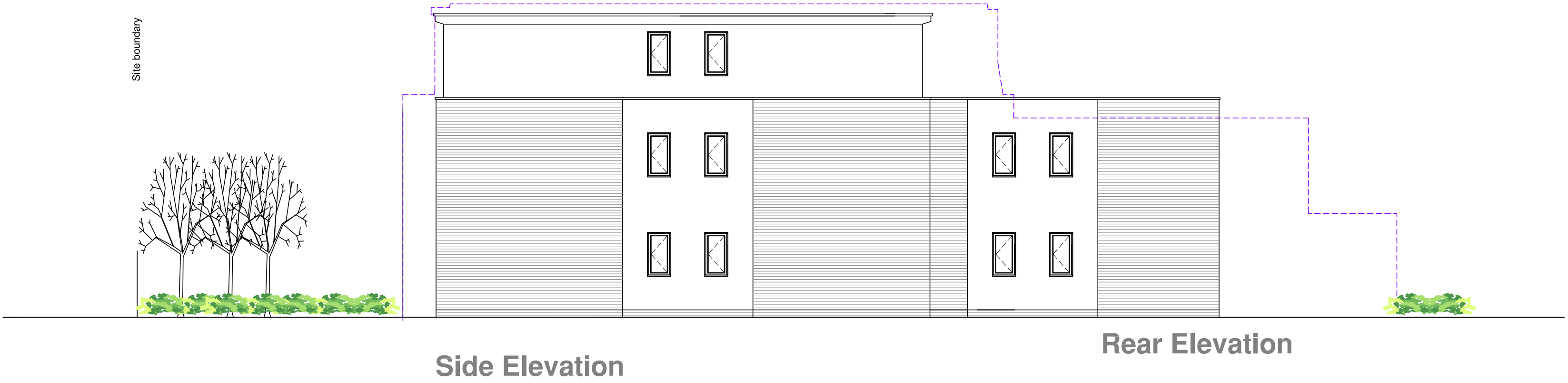
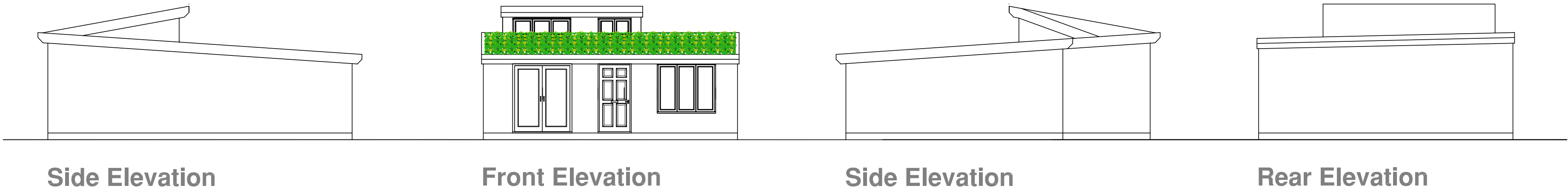
**fulcrum** design

Address Suite 7 Taxiholme  
Guildford Road, Bookham  
Surrey KT23 4HB  
Tel 01372 451425  
Fax 01372 459620  
Web www.fulcrumarchitects.co.uk  
Email info@fulcrumarchitects.co.uk

Proposed Elevations

**Mr. J. McHale**  
**37 London Road, Pulborough, RH20 1AS.**

|           |            |          |          |                 |                 |
|-----------|------------|----------|----------|-----------------|-----------------|
| Site Area | Paper Size | Drawn by | Date     | Scale           | Drawing No.     |
|           | A2         | GS       | 18-04-24 | 1:100/<br>1:200 | <b>23-17-03</b> |

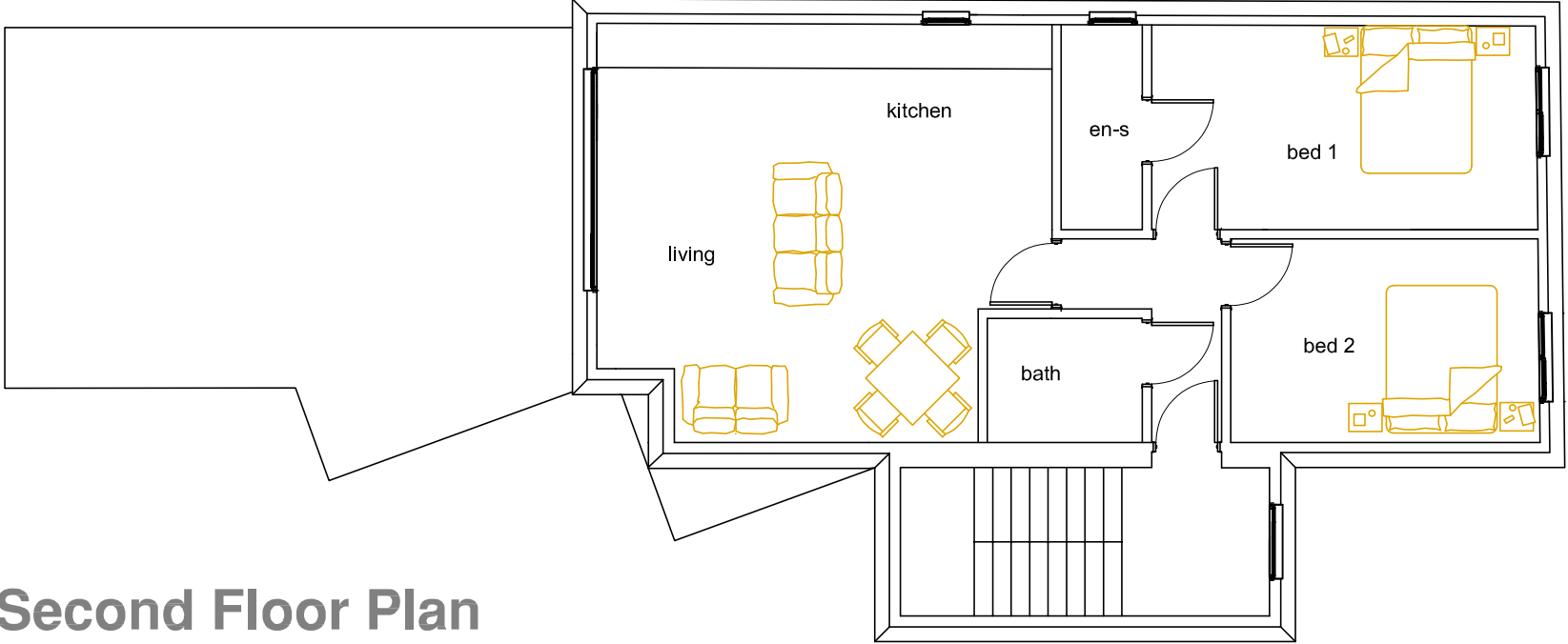


0m 1m 2m 3m 4m 5m 6m 7m 8m 9m 10m  
1:100 Scale Bar

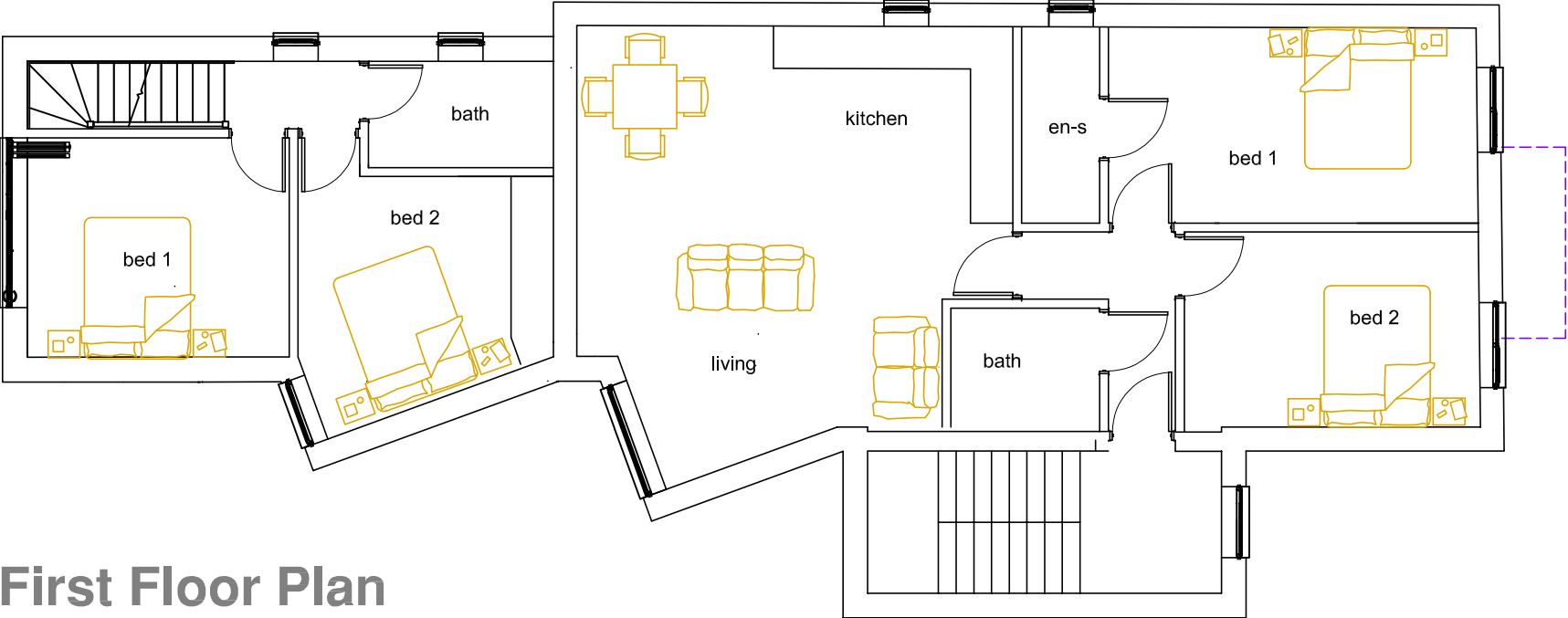
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Proposed Elevations II  
Mr. J. McHale  
37 London Road, Pulborough, RH20 1AS.  
Site Area Paper Size Drawn by Date Scale Drawing No.  
A2 GS 18-04-24 1:100 23-17-04



Second Floor Plan



First Floor Plan

- KEY**  
**Floor Plans**
- Proposed new walls
  - Existing walls to be retained
  - Proposed new floor area  
Total floor area = m²
  - Existing floor area to be retained  
Total floor area = m²
  - Grey broken lines indicates  
extent of demolition
  - Area approved under previous application  
Total floor area = m²
  - Purple broken lines indicate extent of  
existing buildings to be removed
  - Red broken lines indicates area  
approved under previous application

- KEY**  
**Site Layout**
- Existing tree to be retained
  - Existing tree to be removed
  - Proposed new tree
  - Proposed new planting  
areas
  - Tree protection zone
  - Existing areas of planting to  
be retained
  - Grassed areas
  - Purple broken lines indicate extent of  
existing buildings to be removed
  - Red broken lines indicates area  
approved under previous application
  - Site boundary
  - Land to which application relates to.
  - 1.8m high closeboarded fence
  - Existing spot levels
  - Proposed spot levels

0m 1m 2m 3m 4m 5m 6m 7m 8m 9m 10m  
1:100 Scale Bar

**fulcrum** design

Address Suite 7 Taxiholme  
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Web www.fulcrumarchitects.co.uk  
Email info@fulcrumarchitects.co.uk

Proposed Floor Plans  
Mr. J. McHale  
37 London Road, Pulborough, RH20 1AS.

|           |            |          |          |       |             |
|-----------|------------|----------|----------|-------|-------------|
| Site Area | Paper Size | Drawn by | Date     | Scale | Drawing No. |
|           | A2         | GS       | 18-04-24 | 1:100 | 23-17-02    |



Jonathan Pickup  
Town and Country Planning Solutions  
4 St Andrews Place  
Hassocks  
West Sussex  
BN6 9QE

Our ref: PE/25/0196  
Your ref:  
Officer: Shazia Penne  
Email: Shazia.Penne@horsham.gov.uk  
Tel: 01403 215 258  
Date: 24th February 2026

Dear Sir/Madam,

**Location:** 37 London Road Pulborough West Sussex RH20 1AS

**Details:** Extension of existing building to create apartment building containing four flats.  
Demolition of existing garage and erection of single storey dwelling at the rear of the site.

Please accept my apologies for the delayed reply. Your enquiry has been considered and I can advise as follows:

### **Background and Planning History**

Planning application DC/21/1861 sought the demolition of a rear store and the conversion and extension of the main building to form six dwellings. This was refused for five reasons:

1. Scale, bulk and massing – excessive built form harmful to the character of the area.
2. Neighbouring amenity – undue overlooking and overbearing impact on No. 36 London Road.
3. Highways and parking – no evidence provided that a zero-parking scheme would be acceptable.
4. Ecology – insufficient information on biodiversity protection/mitigation.
5. Water neutrality – no information to demonstrate compliance with the Habitats Regulations.

### **Changes in the Current Proposal**

The scheme has been amended to:

- Reduce the scale, massing and footprint of the apartment building. It is now narrower and shallower, with the third floor only at the front portion.
- Introduce triangular projections with north-facing windows to eliminate overlooking of No. 36 London Road.
- Increase separation from the south-western boundary, reducing over-bearing impact.
- Provide a communal garden for the apartments and a redesigned single storey dwelling at the rear, with bin/bike storage.

## **Principle of Development**

Policies 2 and 3 of the Horsham District Planning Framework (HDPF) state that the district has a distinctive settlement pattern, which the framework seeks to retain and enhance. Development within the built-up area boundaries is accepted in principle, and that appropriate development, including infilling, within the built-up areas will be prioritised. The site is located within the built-up area of Pulborough. Pulborough has been identified as a 'Small Town / Larger Village' under Policy 3 that has a good range of services, facilities and strong community networks with local employment provision, and reasonable good rail/bus services. Residents are reliant on larger settlements for access some of their requirements.

Policy 1 of the Pulborough Parish Neighbourhood Plan defines the built-up area boundary of Pulborough. Development proposals located inside this boundary will be supported provided they accord with the other provisions of the development plan.

It is noted that the development would result in the loss of a Class E unit, which is currently occupied by 'Reflections' hair and beauty salon. Whilst the Council seeks to retain retail units and employment sites more generally, the site is not located within a defined primary or secondary retail area. In any case, the loss of viable employment / commercial space should be supported with evidence that suitable alternatives are available nearby and/or it is demonstrated that there is no demand for the building in its current use.

Given the location of the site within the built-up area boundary of Pulborough, the principle of the development would be acceptable to establish new residential units in this location (subject to all material planning considerations being considered acceptable otherwise). Any loss of commercial area would also be required to be suitably justified.

## **Character and Appearance**

Policy 33 of the HDPF states that development proposals should make efficient use of land, integrate effectively with the character of the surrounding area, use high quality and appropriate materials, retain landscaping where feasible (and mitigate loss if necessary) and ensure no conflict with the character of the surrounding town or landscape.

Policy 15 of the Pulborough Parish Neighbourhood Plan states that all housing and other buildings must be well-designed, sustainable and take account of climate change. The scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing building, will be required to reflect the architectural and historic character and scale of the surrounding buildings and landscape.

The current proposal has been redesigned and now seeks the extension of the existing building to provide four flats, alongside the erection of a single storey dwelling to the rear. Compared to the previous scheme, the apartment building has been reduced in scale, bulk and footprint. The rearward projection has been reduced, and the second and third floors are now more limited, ensuring the building sits more comfortably within its plot.

While this has gone some way to reduce the overall scale and massing of the scheme, there remains some concern that the proposed development, given it's overall height, would exacerbate the scale of the building, particularly when viewed against the neighbouring terrace to the south-west. It is considered that the proposal, while of a reduced scale to the rear and side, would still appear visually prominent within the street scene, and would compete with the proportions of the nearby built form.

Although it is recognised that the proposed development has sought to reduce the scheme when compared to the previous refusal, there remains concerns that the proposal is of a scale, height and proportion that poorly relates to the nearby built form. Further consideration would need to be

given to the overall height of the development, where it would be expected that this be reduced to sit in line with the ridgeline of the adjacent properties.

### **Amenity Impact**

The revised scheme incorporates windows on the side elevation set at an angled projection, seemingly to reduce the impact of overlooking to the neighbours to the side by comparison the previous scheme. Furthermore, a noticeable reduction in window apertures on this elevation and general lowered scale would contribute significantly to overcoming the previous reason for refusal on amenity grounds.

Conversely, the proposal includes windows on the northern elevation to compensate for the reduction on the opposite side. From the floor plan, these appear to serve en-suites and secondary windows to kitchens. In order to avoid overlooking to the northerly neighbours, it is advised that the bathroom windows are obscured and kitchen windows partially obscured to avoid adverse amenity impact.

Given the above, and provided that mitigations can be incorporated to protect the amenities of the neighbours to the north, I am satisfied that this previous concern would fall away.

### **Building to the Rear**

The revised proposal include a small single storey unit to the rear of the site that backs on to the railway. This unit lies in very close proximity to the railway line and is shown without any meaningful private amenity space, thus would likely suffer from adverse interior noise disturbance that would be harmful to the occupant's amenity. Even if a Noise Impact Assessment demonstrates that satisfactory internal conditions can be achieved, the constrained setting and absence of defensible outdoor space raise serious concerns about the quality of accommodation and the living environment for future occupiers. On this basis, the rear dwelling is not considered acceptable in its current form and is unlikely to be supported at application stage.

### **Parking and Highways**

Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.

A Parking Technical Note has been submitted which draws on recent beat surveys and census data. This shows that local streets currently operate at around 45% parking stress at peak times, which would rise to 65% once the demand from the development is factored in. As this falls below the 85% threshold normally considered problematic, the evidence suggests a car-free development could be supported. While the applicant's consultant concludes that on-street capacity exists to accommodate demand, the Council remain concerned about cumulative pressures on parking in Pulborough and to strengthen the acceptability of the scheme it is recommended that the applicant explore opportunities to incorporate dedicated parking to the rear of the site. Reconfiguring this area for car spaces would ease reliance on the public highway and address lingering concerns.

The Local Highway Authority (LHA) operate their own pre-application advice service further details of which can be found through the following link:

<https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/pre-applicationadvicefor-roads-and-transport/>

This may be useful to understand the impact the proposal may have on an intensified use of the existing access, as well sustainable transport assessments, and any change to the site's parking

requirements, as HDC is not able to fully assess the impact that the development may have on highway and its use.

It should also be noted that the LHA may require that a Section 278 (Work on Public Highways, Highways Act 1980) highways agreement to be sought if additional works are needed to service or improve the existing access. It is advised that the Applicant contact the LHA to engage in discussions to begin this process prior to the submission of a formal planning application.

## **Climate Change**

In accordance with policies 35, 36 and 37 of the HDPF, any future planning application should actively seek to take into account measures by which the development can help to address the issues associated with climate change. This is a matter that is high on the agenda of elected Members at present and is therefore something we suggest you consider in detail. Any future planning application for this site should include a statement to explain how the development accords with Policies 35, 36 and 37 of the HDPF, and what specific mitigation measures are being proposed to address climate change (for example, EV charging points, renewable energy sources, recycling systems, biodiversity enhancements, cycle storage etc).

## **Water Neutrality**

The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

A Water Neutrality Statement would be required with any future submission, further details of which can be found through the following link:-

<https://www.horsham.gov.uk/planning/water-neutrality-in-horsham-district>

## **Ecology**

Policy 31 of the HDPF states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate.

The site is located within the Mens SAC bat sustenance zone, thus there is a possibility that the site and building are used for foraging / commuting bats. Furthermore, given the age of the building and its location in this area, there is also a possibility that the building contains bat roosts. The previous application made no such assessment of this matter at submission, and formed a reason in which the application was refused. As such, any future application should be accompanied with a preliminary ecological appraisal and a bat roost survey to demonstrate that the development would not result in adverse ecological harm to protected species present on the site.

## **Biodiversity Net Gain**

Biodiversity Net Gain (BNG) is an approach introduced under the Environment Act 2021, to ensure that developments and land management leave the natural environment in a better state than it was before. It contributes towards nature recovery by helping to deliver habitat creation and enhancements as part of the design of new development.

A Biodiversity Calculation and Statement would be required with any future submission, further details of which can be found through the following link:-

<https://www.horsham.gov.uk/planning/planning-applications/biodiversity-net-gain>

## **Water Neutrality**

The previous proposal was also refused on water neutrality grounds following the publishing of Natural England/s position statement in September 2021. In October 2025, this position statement was withdrawn and thus water neutrality is no longer a material planning consideration in the assessment and determination of planning applications.

## **Community Infrastructure Levy**

You should be aware that any development that proposes one or more new dwellings is CIL liable, charged at £157.66 per square meter (Index linked). More information about CIL and the Council's CIL Charging Schedule can be found on the Council's website.

Further information and the rates charged by Horsham District Council are set out in the CIL Charging Schedule which can be viewed online at [www.horsham.gov.uk/planning/apply/cil](http://www.horsham.gov.uk/planning/apply/cil)

## **Conclusion**

In conclusion, the current scheme represents a notable improvement over the previously refused development. The reductions in scale and careful re-design of the apartment building appear to overcome the first two reasons for refusal, and the parking evidence provides a basis to defend a car-free approach, although the introduction of on-site parking would strengthen the proposal. The rear dwelling, however, remains highly problematic due to its poor relationship with the railway and lack of amenity space, and is unlikely to gain support in its present form. Subject to removing or significantly re-designing this element and providing the necessary technical information, the proposal could potentially be capable of support at planning application stage.

However, should an application be submitted, the following information would be required in support of the application:

- Location Plan
- Block Plan
- Proposed Floor and Elevations Plan
- Planning Statement
- Heritage Statement
- Water Neutrality Statement
- Preliminary Ecological Appraisal (including a bat roost survey)
- Relevant Biodiversity Net Gain Metric

The above comments are given as the opinion of the Case Officer and do not prejudice any outcome of a subsequent application. Should you submit a formal planning application, please quote reference number PE/25/0196 in your submission.

Yours faithfully

## **COMMUNITY INFRASTRUCTURE LEVY (CIL)**

Horsham District Council implemented a Community Infrastructure Levy (CIL) Charging Schedule on 1st October 2017.

The Community Infrastructure Levy is a charge placed on new development. The funds raised will help to pay for a wide range of infrastructure to support development across Horsham District.

Most new development which creates net additional floorspace of 100m<sup>2</sup> or more, or creates a new dwelling, (including permitted development), is potentially liable for the levy.

### **How does it affect you?**

Applications for CIL liable development which are determined on or after 1st October 2017 are required to pay the Community Infrastructure Levy (unless the development qualifies for relief or exemption).

Further information and the rates charged by Horsham District Council are set out in the CIL Charging Schedule which can be viewed online at [www.horsham.gov.uk/planning/apply/cil](http://www.horsham.gov.uk/planning/apply/cil)

### **General Consent e.g. Permitted Development**

Developments which are permitted by way of a general consent (such as permitted development) may still be liable to pay the Community Infrastructure Levy if they meet the above criteria.

In these circumstances, you must submit a Notice of Chargeable Development (CIL form 5), notify us of the person who will assume liability to pay the CIL and make any applications for relief or exemption, before the development is commenced.