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Planning Department  
Horsham District Council  
Parkside, Chart Way  
Horsham  
West Sussex  
RH12 1RL

Dear Sir

**DC/21/0685: Demolition of existing farm buildings and erection of 5 dwellings creation of a new access and associated landscaping and parking.** Holly Farm, Winterpit Lane, Mannings Heath

### **Background**

This site is allocated for development in policy 3 of the Nuthurst Parish Neighbourhood Plan (NP), therefore development can be permitted provided it meets all the requirements of the NP. The key requirement of the NP is that the scheme consists primarily of 2 and 3 bedroomed semi-detached or detached houses within the built-up area boundary.

Although the Parish Council wanted to support a previous application (DC/20/1645) for the erection of 5 dwellings, it couldn't because there were two serious concerns about the application. These concerns were:

- *"The proposed development extends outside of the Built-up Area Boundary (BuAB) for Mannings Heath as shown in the attached diagram in contravention of policy 3.*
- *The proposed "2 bed +1" semi-detached houses are clearly intended to become 3 bed-houses and the 3 bed-houses will become 4 or 5 bed-houses, so that the scheme will no longer consist of "primarily 2 and 3 bedroomed semi-detached or detached houses" in contravention of policy 3ii."*

Horsham District Council (HDC) refused planning permission on the following grounds:

- *"The development would provide dwellings which would fail to be appropriately sized to meet the identified housing needs of the Parish for smaller two and three*

bedroomed properties. The proposal would therefore be contrary to Policy 3 of the Nuthurst Neighbourhood Plan (2015) and Policy 42 of the Horsham District Planning Framework (2015).

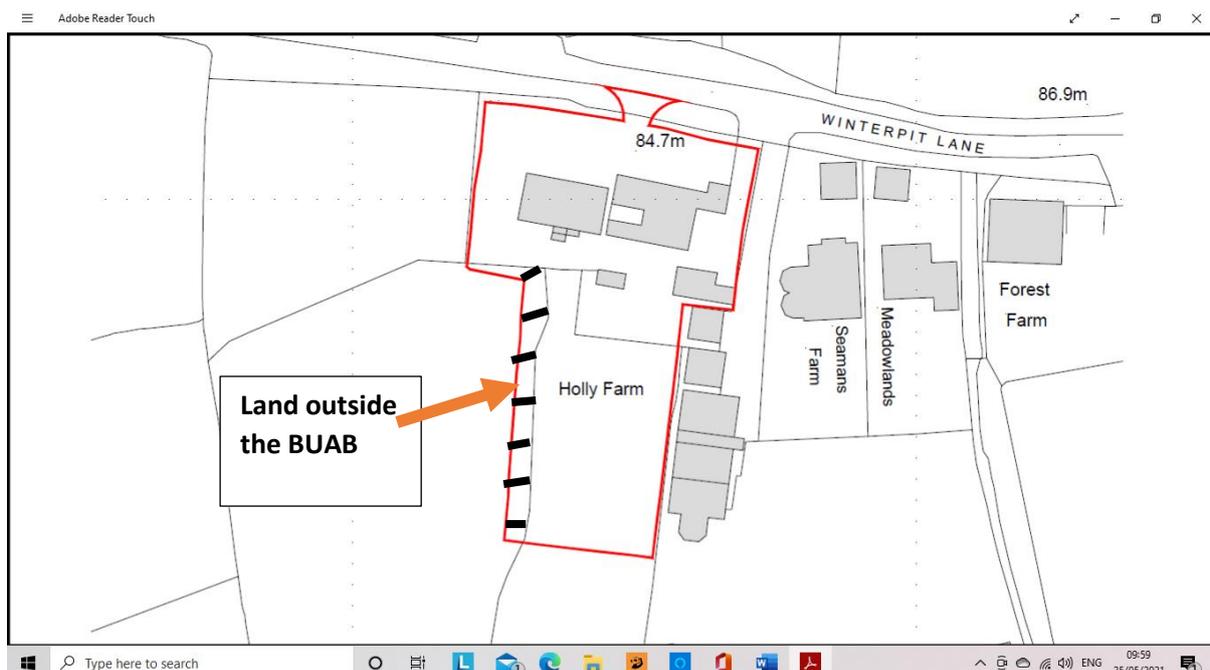
- The development, by reason of the scale and siting of Plot 4, would have an unacceptable impact on the amenity of the adjacent property, 'Hathaways', by virtue of loss of light and outlook. The proposal would result in significant harm to amenity for occupants of this property, contrary to policy 33 of the Horsham District Planning Framework (2015).
- The development would encroach beyond the defined built-up area boundary of Mannings Heath and would therefore be contrary to Policy 3 of the Nuthurst Neighbourhood Plan (2015) and Policy 3 of the Horsham District Planning Framework (2015)."

### The current application

This is for 5 dwellings comprising 1 x 2 bed house; 3 x 3 bed houses and 1 x 4 bed chalet bungalow. The dwellings have been reduced in size and rooms such as studies/offices, that could have been converted into additional bedrooms, have been removed. **Thus the applicant appears to have overcome one of the previous objections and reasons for refusal and therefore the proposal meets one of the main requirements of the NP, namely to provide "primarily 2 and 3 bedroomed semi-detached or detached houses"**.

However, there is concern that the houses could easily be extended in the future to have more bedrooms thus negating the primary aim of the NP to provide small houses. Therefore the Parish Council recommends that HDC considers a condition on any approval that removes permitted development rights.

**However, development still extends beyond the built-up area boundary (BUAB) for Mannings Heath as shown below.**



The BUAB follows the field boundary and therefore the development includes a sliver of land to the west that is not within the BUAB. The applicant has therefore not dealt with one of the previous objections and reasons for refusal. This could easily be rectified by the applicant by submitting a new plan with the site boundary to the west aligning precisely with the BUAB, since this sliver of land is not required for the development and should not be part of the development site.

The Parish Council notes that the applicant has proposed the 4 bed chalet bungalow instead of a three bed detached house adjacent to the property "Hathaways". This has reduced the ridge height from 8.4 m to 7.3m. Thus the applicant appears to have overcome the third reason for refusal by reducing the impact on "Hathaways". However, the impact could be further reduced by re-configuring the chalet bungalow so that there is a shorter length of building immediately adjacent to "Hathaways".

The Parish Council notes that one requirement of the Neighbourhood Plan is to retain the screen of trees and bushes on the eastern boundary. The applicant is proposing to remove existing trees on this boundary and plant some new trees, but the Parish Council considers that this is not sufficient to adequately screen the existing properties to the east from the proposed houses in the development. This could easily be dealt with by retaining the existing trees along with the planting of more new trees. The Parish Council recommends that HDC consults its Arboricultural Officer on this matter.

The Parish Council is very concerned that the applicant is still proposing a gate to provide access from the development into the field to the west of the site to "maintain access into the adjoining fields of Forest Farm". **This gate is not necessary for access to the field as there is already an access to this field from a gate off Winterpit Lane.** This gate suggests that the applicant intends to extend development into this field in the future. This field is outside the BUAB where development is not permitted. HDC should therefore not permit this gate and new access.

The Parish Council notes that there is a Preliminary Ecology Appraisal (in three parts with some redactions). It is clear from part 3 that there is badger activity on the site as badger latrines, holes, paths and entry points have been identified. In part 1 there is a summary of mitigation measures for other species, but there does not appear to be any mitigation for badgers. The Parish Council recommends that HDC consults its own ecologist and Natural England to make sure that adequate mitigation measures are taken to protect the badgers.

The Parish Council notes that residents are concerned that insufficient onsite parking is proposed thereby leading to unsafe parking on the narrow Winterpit Lane. The Parish Council recommends that HDC consults West Sussex County Council Highways to obtain their comments on the sufficiency or otherwise of the on-site parking arrangements.

## **Conclusion**

The Parish Council supports this application in principle because it complies with the main requirement of the NP to provide primarily 2 and 3 bedroomed semi-detached and detached houses.

However, the Parish Council has serious concerns about some aspects of the proposal and asks HDC to consider these concerns in consultation with the appropriate authorities as follows:

- 1) The proposed development extends outside of the Built-up Area Boundary (BuAB) for Mannings Heath as shown in the above diagram in contravention of policy 3 of the NP. This can easily be rectified by HDC asking the applicant to submitting a new plan with the site boundary to the west aligning precisely with the BUAB, since this sliver of land is not required for the development and should not be part of the development site.
- 2) Although the proposal meets the requirement to provide primarily small houses, there is concern that the houses might be extended in the future. HDC is asked to place a condition on any approval that removes permitted development rights.
- 3) The gate providing access to the field to the west of the site is unnecessary as there is already an access gate to this field from Winterpit Lane. HDC is asked to require the applicant to remove this gate.
- 4) HDC considers asking the applicant to reconfigure the chalet bungalow to further reduce the potential impact on "Hathaways".
- 5) HDC consults its Arboricultural Officer regarding the retention of existing trees and planting of new trees on the eastern boundary to ensure that the existing properties to the east are adequately screened from the new development.
- 6) HDC consults its own ecologist and Natural England to make sure adequate mitigation measures are taken to protect the badgers that are present on the site.
- 7) HDC consults West Sussex County Council Highways regarding whether the on-site parking provision is sufficient or not in order to avoid dangerous parking on Winterpit Lane.

Yours sincerely  
*Sarah Hall*

Clerk, Nuthurst Parish Council