
Appeal Decision

Site visit made on 10 January 2017

by Paul Jackson B Arch (Hons) RIBA

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 January 2017

Appeal Ref: APP/D3830/W/16/3158499

Golf House, Horsham Road, Pease Pottage, West Sussex RH11 9SG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Denton homes Ltd against the decision of Mid Sussex District Council.
 - The application Ref DM/16/0549, dated 5 February 2016, was refused by notice dated 27 July 2016.
 - The development proposed is demolition of existing buildings and redevelopment of site to provide 25 No. new dwellings with associated access, parking, landscaping and other associated works.
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Decision

1. The appeal is dismissed.

Reasons

2. The appeal site forms part of a former golf range and small golf course on the western side of Pease Pottage, a village just off the M23 south of Crawley. The site lies on the north side of Horsham Road, which passes through Pease Pottage. The eastern part of the golf range which is adjacent to the site, is being developed with 95 homes following an earlier permission. This scheme is nearing completion. The appeal site consists of the former clubhouse, car park and surrounding land.
3. The character of the area stems mainly from the ribbon development of mixed housing along Horsham Road, now augmented by the much deeper adjacent new scheme, which merges into countryside further west. A row of mature trees is a prominent feature along Horsham Road.

Design, layout and landscaping

4. The Council does not object to the development in principle. The first reason for refusal concerns the layout, design, landscaping, and materials of the proposed dwellings. As regards the layout of the scheme, there is sufficient space at the front of the site to provide for landscaping and tree planting which would avoid an overly intrusive urbanising effect in the street scene, and could be ensured by imposing suitable conditions. There are significant gaps between the houses and the overall impression would be of a development similar in appearance to that allowed on the adjacent site.
 5. The new footway along Horsham Road is not presently proposed to connect with a similar footway on the adjacent site. There is a footway on the opposite
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- side of the road but future residents going to the centre of the village would be required to cross Horsham Road, which is very busy at times with traffic approaching and leaving the M23. The development of adjacent sites provides an opportunity for 'joined up' planning and the lack of a safe means of reaching the village centre without crossing this road is a disadvantage of the scheme.
6. The arrangement of car parking within the development would be adequate. The abrupt end to the right hand spur road shown on the application drawings appears not to have been completely thought through in terms of landscape treatment, but this is a matter that could be dealt with by imposing a condition requiring appropriate surface materials and detailing.
 7. As regards aspects of design, the proposed dwelling elevations are fairly standard for developer-led schemes of a kind that can be seen in many parts of the country, and would not be dissimilar to the adjacent larger development. They have been improved in the latest submission which is before me. Whilst they do not particularly attract the eye, on the other hand they do not offend. The National Planning Policy Framework (NPPF) is not prescriptive as to architectural style. This matter does not weigh against granting planning permission.
 8. Turning to landscaping, whilst the Council's concerns regarding the proximity of proposed dwellings to trees is noted, I do not find grounds to conclude that there would necessarily be an undue degree of pressure to prune any trees. This is because of the orientation of dwellings, the distance between them and houses and the size of the trees in question. In any event, it is not a foregone conclusion that all future occupiers will desire the same level of sunlight or insist on the removal of boughs and branches.
 9. If I was otherwise minded to allow the appeal, I consider that the roots of trees that are to remain can be adequately protected during construction by imposing suitable conditions. The potential conflicts identified by the Council do not indicate that the development would conflict with any of the core planning principles set out at paragraph 17 of the NPPF.
 10. Taken as a whole, the scheme would not conflict with the design quality aims of saved policy B1 of the Mid Sussex Local Plan of 2004 (LP). The development would not be well connected in terms of pedestrian links and would conflict to a degree with that aim of emerging policy DP24 of the Mid Sussex District Plan 2014 – 2031 (submission version). Whilst that policy attracts limited weight as it has not been adopted and may yet change, the provision of safe access for pedestrians is a priority in the NPPF at paragraph 35. The lack of a continuous footway to the centre of the village (and beyond that, the Motorway Service Area) is a notable failing, given the redevelopment of the adjoining site (once in the same ownership) and the opportunity that should have provided.

Infrastructure contributions

11. The second reason for refusal concerns the lack of a S106 agreement or undertaking to facilitate the provision of affordable housing and contributions towards education, formal sport, play space, community buildings and libraries. Having regard to the advice in Supplementary Planning Document *Development and Infrastructure* of 2006 and the County Council's justification of 24 November 2016, the specified contributions are reasonable and necessary. However, no signed and dated S106 undertaking has been

provided. The failure to ensure such contributions leads to a conflict with policies G4 and H4 of the LP.

Other matters

12. I have taken into account all the other matters raised. The amount of traffic generated is likely to be less than that generated by the golf range and consequently there would not be any unacceptable new impact on the level of traffic or congestion. There may be much development pressure in Pease Pottage but there is nothing to suggest that it is not properly considered and dealt with under LP policies or national guidance. Whilst services are limited in the village itself, there are other facilities accessible at the motorway services a short distance away and there are bus services to Crawley and further afield. There is nothing to suggest that the location is inherently unsustainable.

Conclusion

13. I conclude that whilst the layout, design and landscaping would be acceptable, the failure to ensure a safe continuous pedestrian route to the village is a disadvantage of the scheme. However the failure to ensure affordable housing or essential infrastructure contributions is decisive. The appeal must be dismissed.

Paul Jackson

INSPECTOR