



TO: Planning Committee North

BY: Head of Development

DATE: 5 June 2019

DEVELOPMENT: Erection of a two storey three bedroom dwelling with creation of a new highway access, laying of associated hardstanding/parking, landscaping works and construction of a pedestrian pathway to Warrenhurst

SITE: Land Adjacent To Warrenhurst Plumtree Cross Lane Barns Green
Horsham West Sussex RH13 0NL

WARD: Itchingfield, Slinfold and Warnham

APPLICATION: DC/17/2687

APPLICANT: **Name:** Mrs Della Perryman **Address:** C/O Agent

REASON FOR INCLUSION ON THE AGENDA: The application, if approved, represents a departure from the development plan.

RECOMMENDATION: To approve planning permission subject to conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks full planning permission for the erection of a 3-bedroom dwelling to be positioned to the south of the existing dwelling known as Warrenhurst. The proposal has been submitted under paragraph 79 of the NPPF (previously paragraph 55) as being of an "exceptional quality" and "...truly outstanding or innovative, reflecting the highest standards in architecture."

1.3 The proposed dwelling would consist of a two storey curved building that would measure to a total length of approximately 34m and a total depth of 8.8m. The proposed dwelling would be inset into the ground, and would extend appropriately 8m above the highest ground level.

1.4 The dwelling would incorporate a curved footprint, with the roof sloping upward to the south. A sloping clay brick wall would sit around the western perimeter of the dwelling, with formal landscaping extending concentrically to the south-east. The dwelling would be finished in a material palette consisting of unfired clay bricks to the western elevation, with the use of fired clay bricks, larch cladding and solar photovoltaic roof tiles elsewhere.

1.5 The proposal would provide 3 bedrooms, study and cinema room to the lower ground floor, with kitchen/dining room, living room, and utility room on the upper ground floor. A formal

landscaped garden is proposed to the south, with 2 no. terraces proposed to the north-east and south-west of the dwelling.

- 1.6 An access is proposed to the west of the site, with the provision of hardstanding and a designated parking area for 3 no. vehicles.

DESCRIPTION OF THE SITE

- 1.7 The application site is positioned to the south of the existing dwelling known as Warrenhurst, on the eastern side of Plumtree Cross Lane. The site lies outside of the designated built-up area of Barns Green, which sits some 250m to the south.
- 1.8 The site currently comprises the northern half of an open field, bounded by hedging to the west and woodland to the east. The site gently slopes from east to west, with the surrounding residential properties positioned approximately 100m to 150m to the north and south respectively.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

2.2 **National Planning Policy Framework**

2.3 **Horsham District Planning Framework (HDPF 2015)**

Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 24 – Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 40 - Sustainable Transport
Policy 41 - Parking

2.4 RELEVANT NEIGHBOURHOOD PLAN

Itchingfield Neighbourhood Development Plan

- Designated (Regulation 7) September 2015. To date no draft Plan has been prepared.

PLANNING HISTORY AND RELEVANT APPLICATIONS

- 2.6 No relevant planning history

3. OUTCOME OF CONSULTATIONS

- 3.1 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.

INTERNAL CONSULTATIONS

- 3.2 **HDC Landscape Architect:** No Objection. The proposal would not stand out as being unduly dominant or incongruous in this location, with the innovative and well thought out design, proposed scale and style of the building considered appropriate to the site and immediate surroundings. The proposed development positively contributes to the local distinctiveness of the area and contributes to successfully integrating the dwelling within the landscape.
- 3.3 **HDC Design and Conservation Officer:** The proposed house is definitely an interesting design. The use of current building technologies to create a sculptured form is certainly unusual in the District. The intention to place this organic and sculptured form within the landscape is important and I appreciate the attempt to do this by the grading of the site to create a perception of integration with the land. Building with unfired bricks made from clay taken from the site is an environmentally positive use of resources. Taken together I am satisfied these elements of the design will result in a dwelling of exceptional quality. I am also satisfied the setting of the listed building to the south will not be harmed.
- 3.4 **HDC Building Control:** No Objection. The additional information on the sustainability design demonstrates that a higher than required standard is being aimed for but the exact level won't be provable until later in the design stage. Further technical detailing would be required for the unfired clay bricks when a Building Control application is submitted.

OUTSIDE AGENCIES

- 3.5 **WSCC Highways:** No Objection. The proposed single dwelling would not have a 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.
- 3.6 **Ecology Consultant:** No Objection, works should take place in accordance with the recommendations within Section 5 of the Preliminary Ecological Appraisal (PEA) by The Ecology Co-op dated July 2016 and Section 6 of the Reptile Presence/Absence Survey Report by the Ecology Co-Op dated September 2018.
- 3.7 **Southern Water:** No Objection

PUBLIC CONSULTATIONS

- 3.8 **Itchingfield Parish Council:** Objection on the following grounds:
- Development is outside of the built-up area boundary and is a Greenfield site
 - Proposal is out of keeping with character of Parish
 - Will encourage ribbon development

3.9 Five letters of support were received from 4 separate households. These can be summarised as follows:

- Attractive development
- In keeping with surroundings
- Well thought out design
- Acceptable access conditions

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

4.1 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 this application, Consideration of Human rights forms part of the planning assessment below.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

6.1 The application seeks full planning permission for the construction of a single 3-bed dwelling with associated access and landscaping under paragraph 79 (previously paragraph 55) of the NPPF.

Principle of Development

6.2 Planning policy at both local and national level directs development to be located within sustainable locations. The application site is located outside any defined built-up area boundary as categorised under Policy 3 of the Horsham District Planning Framework (HDPF) and as such, from a policy perspective, is considered to be within a countryside location. Policies 4 and 26 of the HDPF further restrict development outside of built-up areas, requiring any proposal to meet a number of listed criteria in order to be considered acceptable. As the application site is outside of the built-up area boundary and is not essential to the countryside location the development therefore falls contrary to the HDPF.

6.3 Paragraph 79 of the NPPF states that, *“Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:-*

- *there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of works in the countryside;*
- *the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*
- *the development would re-use redundant or disused buildings and enhance its immediate setting;*
- *the development would involve the subdivision of an existing residential dwelling; or*
- *the design is of exceptional quality, in that it:*
 - *is truly outstanding or innovative, reflecting the highest standards in architecture, and would help raise standards of design more generally in rural areas; and*
 - *would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.”*

- 6.4 The application site is in a countryside location and would be reliant on neighbouring settlements for day to day needs and services. The key issue is therefore whether the proposed development can be justified as being in accordance with paragraph 79 of the NPPF, and whether there are any other material considerations which would justify a departure from the spatial strategy.
- 6.5 Paragraph 131 of the NPPF states that, *“in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help to raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings”*.
- 6.6 Establishing whether or not the proposal is a truly outstanding or innovative design is invariably a subjective matter; however advice contained within the NPPF and Planning Practice Guidance states that Local Planning Authorities should have design review arrangements in place to provide assessment and support to ensure high standards of design. Paragraph 129 of the NPPF states that *“Local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development...These are of most benefit if used as early as possible in the evolution of schemes...In assessing applications, local planning authorities should have regard to the outcome of these processes, including any recommendations made by design review panels.”*
- 6.7 The proposed scheme has evolved through the pre-application process, with guidance provided from the Bristol based Urban Design Forum. The Urban Design Review Panel summarised that the sculptural architectural form and references to local material character resulted in an ‘outstanding’ design. It was furthered that the spatial experience of the swept, curved volumes, and positive connection with the landscape setting in relation to orientation, sunlight, and microclimate, contribute to a unique house that integrates with the landscape setting. The Panel also considered that the use of site excavated material, to be used as part of the dwelling’s construction, was an innovative approach that contributed to a sustainable dwelling that could be an exemplar of similar development within the UK. Further considerations were provided by the Bristol Urban Design Panel, including testing of the unfired brickwork to ensure viability, and further testing and confirmation of the energy strategy.
- 6.7 The Design Panel considered that the project represented an interesting dynamic, where the dwelling is driven by modern technologies, with the use of traditional methods and built vernacular. It was therefore concluded that the sculptural architectural form and references to material character resulted in an “outstanding dwelling”.
- 6.8 The quality of the design, and the conclusions of the Urban Design Forum are appraised individually below.
- Is the design truly outstanding or innovative and represent the highest standards in architecture?*
- 6.9 The proposed dwelling seeks to create a multi-generational, mutually supportive family estate, which in the applicant’s words, would represent an important social model for the future to minimise care costs. The design intent has sought to provide a home which enables a symbiotic relationship with the whole family and the wider landscape and ecology of the site. The self-build dwelling seeks to resonate with the specific site conditions, geology, and history of the area; creating a highly sustainable and sympathetic contemporary dwelling that draws inspiration from local vernacular.

- 6.10 The proposal seeks to be innovative, utilising a number of technologies to create a sustainable, low energy dwelling. The design of the dwelling, configured in a circular form with a sloping roof, seeks to maximise the gains from these technologies, whilst also seeking to provide a contemporary twist on the local Sussex vernacular. It is considered that the design facilitates these innovative technologies, as much as the technologies create and direct the design of the dwelling. This mutual relationship is considered to enrich the innovative nature of the design, further enhancing the quality of the proposed dwelling.
- 6.11 The particular technologies and design features which seek to be truly innovative include the use of unfired brick and the objective for a zero carbon home which also generates an energy surplus which is fed to the neighbouring dwelling at Warrenhurst.
- 6.12 Unfired bricks are generally a widely used material (although not at an expansive scale within the UK) for internal non-loadbearing applications, and are not generally considered to be innovative in itself. However, as outlined by Professor Pete Walking within the letter submitted to support the application, the detailed design of the proposal seeks to use these unfired brick both internally and externally in a sustainable and innovative manner. The proposed dwelling seeks to utilise unfired clay brick that have been sourced from, and made on site. Through excavation works to inset the dwelling within the landscape, the excavated clay material will then be moulded and dried on site to form the unfired bricks. Apart from being an innovative method of construction, it is outlined that the advantages of this include reducing the need to remove spoil from the site; reducing the need to bring materials onto the site; and the significant reduction in energy use from manufacturing.
- 6.13 The design of the dwelling, and the placement and breadth of the unfired bricks, has been guided with durability and robustness in mind. Unfired clay needs to be protected from excess moisture and sited above the damp-proof course. To provide adequate protection, the proposed design incorporates deep eaves which double up to provide an entrance way to the house. The depth of the eaves at 1.5m seeks to prevent rain from directly hitting the external wall, with the orientation of the dwelling positioned away from prevailing weather. In this manner, the design of the dwelling facilitates the use of this innovative technology as much as the technology creates and determines the design.
- 6.14 The proposed dwelling has been sited and oriented in response to both solar orientation and an existing micro-climate, with the pitched and descending roofline responding to the solar path during the day, afternoon and evening to maximise the energy absorption of the Tesla photovoltaic roof tiles energy as efficiently as possible. The dwelling has been designed to take advantage of south-westerly winds for ventilation purposes, with the vaulted roof design seeking to take advantage of solar gain and reduce overall heat demand, whilst also promoting circulation. In addition, incorporating surrounding landform seeks to take advantage of stable ground temperature within the earth and reduce the heating demand, with the positioning of windows to ensure that each space receives sufficient daylight. The proposal has sought to exceed 'passivehouse' standards, with the end result generating an energy surplus that can feed back to the adjacent property of Warrenhurst.
- 6.15 The design philosophy seeks to achieve and exceed best practice guidelines, with the dwelling in line with the now archived Code for Sustainable Homes Level 5 (Regulated Zero Carbon) or 6 (Zero Net CO₂ emissions). This is significantly beyond current Building Regulations, and demonstrates that a higher than required standard is being sought. The Council's Building Control team were consulted to assess the technologies proposed and determine the sustainability of the design. It was confirmed by the Building Control Officer that the information submitted in support of the application indicates that a higher than required standard is being sought. Therefore, it is considered that the proposed dwelling has been designed not only to facilitate the most sustainability gain, but has also been designed to enhance this through innovative means and technology.

- 6.16 The proposal seeks to reflect a Sussex vernacular, whilst distorting the historic and traditional character of this built form through a twisted roof. As stated by the applicant, this design has been undertaken in a sustainability driven, sculptural way, where style follows sustainability. The design rationale is driven by the symbiotic relationship between design and technology; resulting in a dwelling that embodies a contemporary twist in traditional vernacular, which is designed to incorporate modern and innovative technologies. The proposal is therefore considered to be innovative, and of a high standard of design and architecture.

Would the design significantly enhance its immediate setting?

- 6.17 Design encompasses not only the built form itself, but also the way in which it sits within the landscape and relates and interacts with its surroundings. The NPPF requires designs to significantly enhance their immediate setting). In this case, the immediate setting is informed by scattered development typically settled along Plumtree Cross Lane to the north of the site and Sandhills Road to the south, with generous dwellings set in large gardens as well as open rural countryside. The site retains a rural landscape character, with the wider surroundings comprising trees that form a well-defined green corridor within the landscape. The topography is undulating, and the site itself slopes from the boundary adjacent to the road towards the east.
- 6.18 The Urban Design Panel concluded that the initial landscape proposal to embed the building within the site and the wider landscape was an interesting strategy. The Panel advised that the landscape scheme should match the quality and ambition of the building, ensuring that the building be sufficiently rooted within the landscape. It was concluded that the landscape design makes use of rainwater, landform, and planting strategies to better integrate the proposal within the landscape, in order to enhance its setting.
- 6.19 The dwelling is proposed to sit inset within the landscape, sunk into the ground. The spoil from the excavation work will be used to make unfired clay bricks, and also to create wildflower mounds within the wider site. The proposal therefore seeks to minimise its effect on the environment, both in the short and long term.
- 6.20 Following consultation with the Landscape Architect, it is stated that changing the use of a green field to residential will inevitably have negative landscape effects, but these can be mitigated and occasionally enhanced by improving the landscape resource and visual amenity of the proposed development site and its wider setting. Enhancement can take many forms, including improved landscape management or restoration of habitat and the creation of new landscape or habitat. This enhancement may then give rise to positive landscape effects.
- 6.21 The landscape concept for the site is to take the curved form of the building and extend it into the landscape. This, in combination with the setting of the building into the ground, will allow for a series of spaces to be created. An enclosed space linked to the dwelling is proposed, with this extending further into the wider landscape through the provisions of small mounds that would follow the contours adjacent to Parson's Brook to the east, reflecting a traditional ridge and furrow landscape.
- 6.22 The proposed landscaping will allow the building to be embedded and interpreted as part of the landscape, and will thus be intrinsically linked to the surroundings. It is also the design intent to create various spaces subject to different ground conditions, generating opportunities for different habitats to develop, and increasing the biodiversity of the local area.
- 6.23 The proposal is considered to sit well in the landscape and relate sympathetically to its immediate surroundings. Whilst the proposal would impact on the landscape character of the site, it is considered to contribute positively to the visual attraction and interest of the site through its design and wider landscaping. The proposed scheme is considered to positively

contribute to the visual attraction and immediate setting of the site and surroundings, enhancing the context of the site to the benefit of the local landscape and biodiversity.

Would the design be sensitive to the defining characteristics of the local area?

- 6.24 The locality is characterised by sporadic residential development, with the application site and the wider surroundings defined principally by relatively unspoilt, open agricultural land.
- 6.25 The proposed scheme has been designed to sit into the ground to reduce the visual prominence of the dwelling, with the built form reflecting a contemporary twist on traditional Sussex vernacular. The dwelling is an imitation of a Sussex barn style, with a curved built form and sloping roof. The proposed dwelling would utilise a mixed material palette of unfired clay brick, fired clay brick, and timber cladding, with the roof incorporating solar photovoltaic tiles.
- 6.26 The wider surroundings are characterised predominantly by Sussex vernacular, utilising materials and finishes that include clay brick, tile hanging, and cladding. These dwellings sit within relatively large and spacious plots within the rural locality, with a higher density of development within the built-up area of Barns Green.
- 6.27 The proposed dwelling seeks to reflect the Sussex vernacular, whilst distorting the historic and traditional character of this built form through a twisted roof. The proposal is considered to reflect the rural character of the area, with the setting of the dwelling within the landscape considered to reduce the visual prominence of the dwelling. Furthermore, the proposed landscaping is considered to further integrate the built form within the landscape character of the locality.
- 6.28 When considered against the context of the rural locality and landscape character, the proposed scheme is considered to reflect the locally distinctive vernacular and setting of the locality.

Summary of Principle Considerations

- 6.29 The proposed development would not accord with the spatial approach to housing set out in the HDPF. However, paragraph 79 of the NPPF set out a number of exceptions where isolated dwellings in the countryside can be justified, with paragraph 131 of the NPPF stating that, *“in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help to raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings”*.
- 6.30 As set out, the proposed dwelling is considered to represent an outstanding and innovative design, with this view shared by the Urban Design Forum and the Council's Landscape and Conservation and Design Officers. The outstanding and innovative quality of the proposed development, which reflects the highest standards in architecture, would help raise standards of design more generally in rural areas, and would significantly enhance its immediate setting.
- 6.31 As outlined within paragraph 131 of the NPPF, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area. The outstanding and innovative design of the proposed scheme is considered to be a material consideration of great weight in the consideration of the application, with the resulting development considered to raise the standard of design in the area. On this basis the proposed development, which would be of outstanding quality and innovative design, is considered to be in compliance with the NPPF.

- 6.32 Given the weight accorded to paragraph 131 of the NPPF, the public benefit arising from the outstanding and innovative quality of the design, which would help raise the standard of design in the area, is therefore considered on balance to justify a departure from the spatial strategy in this instance.

Ecology and Trees

- 6.33 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.
- 6.34 The applicant submitted a Preliminary Ecological Appraisal (PEA) by The Ecology Co-op dated July 2016. This report suggests that there could be some loss of potential reptile habitat, with the need to relocate the population to a nearby area if identified. The Applicant has submitted a Reptile Presence/Absence Survey Report dated September 2018 which found that there is likely to be a low population of slow worms on the site, and therefore minimal mitigation is necessary. This will include habitat manipulation of the construction area to make it unsuitable for reptiles, and in the unlikely event that reptiles are found, they will be moved to suitable habitat in the surrounding area. In addition, it is concluded within the Preliminary Ecological Appraisal that if any trees or hedgerows are removed, these should be replaced by native planting for nesting and foraging. There are no trees on the site itself, although an existing Oak Tree adjacent to the road will need to be removed to facilitate the access. This tree is not considered to be of such amenity value to secure its retention, with the Applicant confirming that this tree does not provide for bat roosts.
- 6.35 The Report sets out a number of precautionary measures to be undertaken, along with measures to enhance the ecological interest of the site. The Council's Ecologist raises no objection to the proposal, with conditions recommended to secure these measures. It is therefore considered that the proposal accords with the provisions of Policy 31 of the Horsham District Planning Framework (2015).

Amenities of the occupiers and users of adjoining properties and land

- 6.36 Policy 33 of the HDPF states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.
- 6.37 The application site lies physically separate from the sporadic residential development comprising the locality, with the neighbouring properties positioned at a distance of between approximately 100m and 150m from the proposed siting of the dwelling. The existing dwelling of Warrenhurst is positioned approximately 55m to the north, and would be separated by the landscape area proposed to the north.
- 6.38 Given the distance from the surrounding residential properties, it is not considered that the proposed development would result in harm to the amenities or sensitivities of neighbouring properties, in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Heritage Impacts

- 6.39 Policy 34 of the HDPF states that development should be reinforced to reinforce the special character of the historic environment through appropriate siting, scale, form and design; and should make a positive contribution to the character and distinctiveness of the area. Proposals should preserve and ensure clear legibility of locally distinctive vernacular building forms and their settings, features, fabric and materials.

- 6.40 Sandhills is a grade II listed building located to the south-west of the application site, at a distance of approximately 150m. Given the distance between the application site and the nationally designated heritage asset, it is not considered that the proposal would result in harm to the setting or significance of the listed building and therefore the proposal accords with Policy 34 of the Horsham District Planning Framework (2015).

Existing Parking and Traffic Conditions

- 6.41 Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.
- 6.42 The proposal would incorporate an area of hardstanding and parking to the north-west of the application dwelling, with access provided from Plumtree Cross Lane. The proposed access would measure to a width of 5.5 metres, with visibility splays of 24 metres by 63.1 metres provided to the north and 2.4 metres by 65.7 metres provided to the south.
- 6.43 Following consultation with West Sussex County Council as the Local Highway Authority, the proposed access and visibility splays are considered acceptable and are not considered to result in harm to the safety and function of the public highway. In addition, the amount of hardstanding and designated parking area is considered adequate for the number of anticipated vehicles.
- 6.44 The proposed scheme is not considered to result in harm to the function or safety of the highway network and is considered to accord with Policy 41 of the Horsham District Planning Framework (2015).

Conclusion

- 6.45 The application site is located outside of the defined built-up area, where development is not usually considered acceptable unless it meets specific criteria as required by policies 4 and 26 of the HDPF. However, paragraphs 78 and 131 of the NPPF are material considerations of weight in the assessment of the application.
- 6.46 It is acknowledged that the application site lies within 270m of the built-up area of Barns Green, within close proximity to sporadic residential development along Plumtree Cross Lane. As guided by the Braintree High Court decision, the site does not therefore lie in an 'isolated' location in terms of proximity to other built development. However, Paragraph 78 of the NPPF directs that small scale development can be capable of enhancing and maintaining the vitality of the rural area and supporting services in nearby villages.
- 6.47 Furthermore, the conclusions of the Design Panel Review are considered to be of great weight in the consideration of the application, outlining that the dwelling is of exceptional and outstanding quality that would enhance its immediate setting and be sensitive to the defining characteristics of the local area. In addition, the proposal promotes high levels of sustainability and provides the opportunity to enhance design more generally, as supported by Paragraph 131 of the NPPF.
- 6.48 On the balance of all material considerations, Officers are of the view the proposal would be of outstanding quality and of an innovative design, in a location that is within a reasonable proximity to Barns Green. While acknowledged that the site would remain outside of a defined settlement boundary, the great weight accorded to the outstanding and innovative design of the proposal by paragraph 131 of the NPPF, is considered on balance to justify a departure from the spatial strategy in this instance.
- 6.49 On this basis, the proposal is recommended for approval as a departure from the development plan as it is considered to accord with paragraphs 78 and 131 of the NPPF and is considered to be acceptable in all other matters as discussed within this report.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

6.50 Schedule which took effect on 1st October 2017.

6.51 **It is considered that this development constitutes CIL liable development.** At the time of drafting this report the proposal involves the following:

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	574	0	574
		Total Gain	574
		Total Demolition	0

6.52 Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

6.53 In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

7. RECOMMENDATIONS

7.1 That the application is approved, subject to the conditions below.

1 Approved Plans Condition

2 **Standard Time Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3 **Pre-Commencement Condition:** No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

4 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until confirmation has been submitted, in writing, to the Local Planning Authority that the relevant Building Control body shall be requiring the optional standard for water usage across the development. The dwellings hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to 110 litres per person per day. The subsequently approved water limiting measures shall thereafter be retained.

Reason: As this matter is fundamental to limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015).

- 5 **Pre-Commencement (Slab Level) Condition:** Prior to the first occupation of each dwelling, the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabytes per second through full fibre broadband connection shall be provided to the premises.

Reason: As this matter is fundamental to ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

- 6 **Pre-Occupation Condition:** The landscaping scheme, as shown on plan no. RF-061-001 rev. B received 03.04.2018, shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development.

Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: As this is fundamental to the acceptability of the proposed scheme, and to ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 7 **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, the parking turning and access facilities shall have been implemented in accordance with the approved details as shown on plan ref. 06500-HYD-XX-XX-DR-TP-0101 rev. P2 received 03.04.2018 and shall be thereafter retained as such.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 8 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied unless and until provision for the storage of refuse/recycling has been made for that dwelling in accordance with details to be submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 9 **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, visibility splays of 2.4 metres by 63.1 metres to the north and 2.4 metres by 65.7 metres to the south shall have been provided at the proposed site vehicular access onto Plumtree Cross Lane in accordance with approved plan reference 09212-HYD-XX-XX-DR-TP-0102 rev. P2 received 03.04.2018. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety, and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 10 **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, details of secure (and covered) cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the approved cycle parking facilities associated with that dwelling or use have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 11 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved plans references P-158 and P-159 received 15.12.2017.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 12 **Regulatory Condition:** The residential curtilage of the new dwelling hereby permitted shall be as indicated by the dashed red outline on approved plan reference P-002 received 15.12.2017.

Reason: In the interests of visual amenity and the landscape character of the area within the countryside location, and in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

- 13 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order) no development falling within Classes A, B, C, D, E, F, G or H of Part 1, and within Class A of Part 2 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage of the new residential dwelling hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and due to the sensitivity to change in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 14 **Regulatory Condition:** The development hereby permitted shall be undertaken in strict accordance with recommendations in Section 5 of the Preliminary Ecological Appraisal (PEA) by The Ecology Co-op dated July 2016 and received on 30.11.2017 and Section 6 of the Reptile Presence/Absence Report by The Ecology Co-op dated September 2018 and received on 08.10.2018.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

- 15 **Regulatory Condition:** No external lighting or floodlighting shall be installed other than with the permission of the Local Planning Authority by way of formal application.

Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 16 **Regulatory Condition:** The dwelling hereby approved shall strictly accord with the Energy Strategy as outlined within the letter from Hydrock reference 06500-HYD-LT-JB-0001 dated 12.03.2018 and received 21.03.2018.

Reason: As this is fundamental to the acceptability of the proposal, and in accordance with Policy 37 of the Horsham District Planning Framework (2015).

Background Papers: DC/17/2687