



PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development

DATE: 02 July 2019

DEVELOPMENT: Erection of a detached dwelling, detached garage and associated landscaping

SITE: The Mount Ifield RH11 0LF

WARD: Colgate and Rusper

APPLICATION: DC/18/2215

APPLICANT: **Name:** Mrs R Bensley **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 planning permission for the erection of a detached dwellinghouse on land to the south of a kennel building. 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 propose dwelling would comprise a modular building with a footprint and form which would ‘weave’ around an existing hedgerow, which forms a strong feature of the site and allows the scheme to employ the cover provided of landscaping. The proposed form comprises ground and first floor elements which would allow the creation of a series of external spaces, some of which are secluded and some of which have a more open character. The dwelling would be constructed from brick at ground floor levels with upper floors dominated by thatched panels.

DESCRIPTION OF THE SITE

1.4 The application site comprises an area of scrub land sited to the south of The Mount, a small enclave of residential development which includes a series of commercial and equestrian related activities to the south-eastern end of the settlement. The site is isolated from neighbouring settlements and is surrounded by open countryside. The site slopes to the south, with extensive views across agricultural pastures, which in places are heavily wooded.

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

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 There is no made plan.

PLANNING HISTORY AND RELEVANT APPLICATIONS

- 2.5 There is no relevant history for the site.

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:** The building has been subject to various design reviews which have refined the design, sustainability and efficiency of the entity and its curtilage.
- 3.3 The design does not respect the organic and undulating landform nor the openness of the landscape to the east and south of the site – rather it imposes itself upon the landscape. The ‘Home in the Hedge’ concept may utilise physical elements of the landscape in an attempt to integrate the building into its surroundings - but it still does not achieve true assimilation into the wider landscape.
- 3.4 The Design and Access statement claims that the building integrates with the topography – but this is only on the ground plane – the building form then projects upwards and loses

any connection with the landform and therefore disconnects itself from its surroundings, rising above the vegetation and breaking the skyline.

- 3.5 If the building had perhaps nestled itself – in its entirety - into the landscape then it may have presented a better proposition in this location. This would also provide a physical break and sound barrier between the house and the commercial land behind. As it stands the imposing angular and glazed building will be incongruous and alien in the landscape.
- 3.6 **HDC Conservation:** The house will not be intervisible with the listed building, The Mount Farm, and as such there is no objection on heritage grounds. However, the architectural form contrasts with the organic and sculptured landscape forms that surround the building. While appreciating the positive relationship between the built form and the private open spaces but otherwise feel this building would be neither more nor less successful in another location.
- 3.7 **HDC Environmental Health:** The proposed development is directly adjacent to a well-established kennel business for boarding and breeding dogs. The proposed layout of the development means that habitable rooms do not directly overlook the kennels. However, there will still be line of sight from upper floor rooms to the kennels and exercise area. Together with provision of amenity space immediately adjoining the exercise area of for the kennels, it is considered likely that there will be conflicts between the amenity of the proposed residential development and the kennelling business. This development is likely to give rise to conflict between the new occupiers of the proposed property, and the owners of the established kennel business which this department will not be able to resolve.

OUTSIDE AGENCIES

- 3.8 **WSCC Highways:** The LHA does not consider that the proposal for a single dwelling would have '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.
- 3.9 **Southern Water:** a formal application for connection and on-site mains would need to be made by the applicant or developer.

PUBLIC CONSULTATIONS

- 3.10 **Rusper Parish Council:** Objects to this application as it is inappropriate for the area, it can be seen from the road and would change the skyline, and is too close to the neighbouring kennel block.
- 3.11 Three representations have been received objecting to the proposal for the following reasons:-
- Impact on adjoining commercial uses which offer specialist care and facilities for dogs;
 - Noise environment for future occupants of the dwelling;
 - Impact on the landscape;
 - Impact on roads.

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 dwellinghouse 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 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 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 an extensive pre-application process which included design review panels led by Design: South East, an independent organisation which seeks to ‘facilitate understanding between local authorities, developers and communities’. The Design Panel concluded that the proposed development would meet the relevant tests set out above in para.6.3 and resolved to support the proposal. The quality of the design, and the conclusions of Design Review Panel are considered further below.

‘is truly outstanding or innovative, reflecting the highest standards in architecture, and would help raise standards of design more generally in rural areas’

- 6.8 The proposed design is based on a series of concepts which have developed and evolved throughout the pre-application process in response to comments raised at Design Review. The resulting scheme proposes a dwelling which seeks to assimilate with the defining characteristics of the site and preserving the existing dominance of the ridge that the site occupies. The dwelling would ‘weave’ around an existing hedgerow which forms a strong feature of the site and allows the scheme to employ the cover provided of landscaping. The proposed form comprises ground and first floor forms which would allow the creation of a series of external spaces, some of which are secluded and some of which have a more open character reflective of the wider surrounding landscape.
- 6.9 The proposed dwelling would extend above and break the existing skyline along the ridge and this would be highly visible from the wider surrounding area. The Council’s Landscape Officer has raised concerns as to this approach, which they consider to be imposing. The scale and form of the building, including the impact on the skyline, was also considered extensively as part of the Design Review process. As part of this Review it was considered that the concept of a ‘beacon in the landscape’ was an appropriate response to the site, with precedent within view of the site with a traffic control tower on the opposite side of the valley. It is considered that while the proposed dwelling would be visible, this would not in itself be a reason to consider the proposal harmful, particularly as the building has been designed and evolved to reflect the presence of the ridge and surrounding landscape.
- 6.10 The proposal seeks to be innovative, utilising a number of technologies to create a sustainable, low energy dwelling with a combination of passive and active measures driven from the orientation of the site and its extensive southerly aspect. The proposed design would allow for responsive solar shading with measures to assist in natural air flow around the building and optimise the generation of renewable energy, including ground source heat pumps, photovoltaic arrays and storage for energy created through these measures. 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.
- 6.11 As stated by the applicant, the proposed dwelling assumes a simple, utilitarian form unique to the setting. The design has been undertaken in a collaborative manner with demonstrable improvements made in response to comments from the Design Panel, and significant weight is attached to their position that the dwelling would fulfil the policy requirements of the NPPF in respect of design.

‘would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.’

- 6.12 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). The existing site is on the edge of The Mount, an unclassified settlement comprising a small number of dwellings set amongst the open countryside which disperses to the south with a commercial kennel building and equestrian related land uses.
- 6.13 The Design Panel noted that the proposed development had potential to create a legible edge to the cluster of dwellings, with this 'edge' evolving through the pre-application process to create a concept based on 'the home in the hedge'. This approach is based on the integration of landscape and architectural proposals, with the site, which is somewhat unkempt, partly characterised by the presence of a hedge which follows the southern boundary before dissipating and failing to link with a further hedge on the opposing side of the site. The proposed dwelling would wrap through the hedge, being designed to allow the hedge to be reconnected and to envelop the south-western wing. This approach would create a pleasing transition from both site, and The Mount area in general, to the landscape beyond.
- 6.14 This transition between built-form and countryside would be supplemented by the proposed landscaping proposals, which would create a series of distinct garden and landscaped areas around the dwelling. The main approach to the site would comprise a functional external space characteristic of a rural farm house, this would be lined by the hedgerow to the south of the site. This would contrast with the approach elsewhere on the site, which would create an enclosed garden area and a more open area to the south-west which would allow for informal wild flower planting, with lower terraces, which would sit above a ha-ha, providing a seamless barrier / boundary to the site. This landscape-led approach would create an effective transition from the dwelling to the landscape beyond, making use of and enhancing existing landscape features of the site, including the falling ground levels to the south. The Design Panel found that this approach was 'convincing' with the narrative strong and appropriate to the site.
- 6.15 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.
- 6.16 The locality is characterised by sporadic residential development, with the application site marking the transition between The Mount and open agricultural land to the south. The dwelling would not reflect a traditional vernacular, with the design comprising a series of rectangular forms. While this approach does not seek to imitate existing styles on the locality the proposed use of materials is based on a modern interpretation of building design and construction.
- 6.17 The ground floor of the building would comprise red stock bricks, which, where possible, would be reused from the local area, with the first floor clad in thatched panels coordinated with windows and other articulated features. The applicant believes the use of thatch in such a manner would be the first on a residential building in the UK, with the use of such a material developing a traditional and rural skillset for new applications. The thatch panels would be the dominant external material of the building and would soften the appearance of the building and help it integrate into the wider landscape.

- 6.18 The combination of thatch and the integrated landscape scheme is considered to result in a building which would be sensitive to the defining characteristics of the locality. This is reflected by the comments of the Design Review Panel, who commented that:-

“We feel landscape and architecture have now been brought together to collectively demonstrate how this proposal can significantly enhance its immediate setting, and this has the potential to represent outstanding design quality”

Summary of Principle Considerations

- 6.19 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”*.
- 6.20 As set out, while the comments of the Council’s Landscape Officer are noted the proposed dwelling is considered to represent an outstanding and innovative design, with this view shared by an independent Design Review Panel led by Design: South East, and would help raise standards of design more generally in rural areas, and would significantly enhance its immediate setting.
- 6.21 The NPPF confirms that 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.
- 6.22 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 considered on balance to justify a departure from the spatial strategy in this instance.

Heritage Impacts

- 6.23 Policy 34 of the HDPF states that development should be 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.
- 6.24 The proposed dwelling would not be indivisible with Mount Farm, a Grade II Listed Building approximately 90m to the north, and the proposal would not adversely impact on the setting of this building, in accordance with the above policy.

Amenities of the occupiers and users of adjoining properties and land

- 6.25 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.

- 6.26 The application site lies physically separate from the sporadic residential development comprising the locality, with the neighbouring sensitive properties located some distance to the north. 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).

Amenities of future occupants

- 6.27 The application site is located to the south of a commercial dog kennels which is understood to specialise in the care of bulldogs. The siting of the proposed dwelling would create an uncomfortable relationship with the adjoining commercial use, with limited separation between the built forms. The applicant has submitted a Noise Assessment, which confirms that barking dogs, during both day and night, has potential to cause annoyance for future occupants of the proposed dwelling; with the Council's Environment Health Team confirming that the nature of this noise unlikely to represent a statutory nuisance, with no future action against any complaint therefore likely to be possible.
- 6.28 In response to the above, the applicant has confirmed that the surrounding noise environment was acknowledged early in the design process, with the site falling just south of the Gatwick flight path and therefore not within a tranquil part of the countryside. The submitted survey and energy statement indicate that the proposed ventilation system would allow for air circulation without the necessity to open windows, and while windows could be opened there would be no requirement to do so. It has further been suggested that both internal (day and night-time) and external (daytime) noise levels can be mitigated through the use of perimeter screening and façade/glazing sound reduction.
- 6.29 On balance, it is considered that the design of the dwelling and the measures to be incorporated within the construction would reduce the likelihood of noise from the adjoining kennels creating a poor standard of accommodation for future occupants. It is considered that a refusal of the application on the basis of potential noise disturbance, and the resulting impact on amenity for occupants of the dwelling, would not therefore be warranted, with a condition recommended to secure final details of noise attenuation measures to be incorporated in the design.

Ecology and Trees

- 6.30 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.
- 6.31 As set out above, the design approach of the development seeks to retain and enhance existing key planting on the site and in particular the hedgerow to the southern boundary. The application is also accompanied by an Ecological Appraisal which confirms that the development would not have any adverse impact on protected species, with the site dominated by scrub, bare earth and semi-improved grassland. The application is also accompanied by an Enhancement Strategy which set out a series of measures which can be incorporated within the development and which can be secured through condition. It is considered that subject to development taking place in accordance with the submitted details the proposal would accord with the provisions of Policy 31 of the Horsham District Planning Framework (2015).

Existing Parking and Traffic Conditions

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

- 6.33 The proposed dwelling would be accessed from the existing private access lane off of The Mount. The junction with The Mount is approximately 125m north of the proposed site. There is no objection to this arrangement, with no evidence to suggest the access is operating unsafely, or that the proposed dwelling would exacerbate an existing safety concern. The proposed dwelling would incorporate a double garage with 2 further external parking spaces. This level of provision would be sufficient to meet the parking needs of the dwelling, with sufficient space available on site for manoeuvring and access.
- 6.34 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

- 6.35 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.
- 6.36 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. 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.
- 6.37 On balance, Officers are of the view the proposal would be of outstanding quality and of an innovative design, with the great weight accorded to the outstanding and innovative design of the proposal by paragraph 131 of the NPPF, 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 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging 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	370	0	370
		Total Gain	370
		Total Demolition	0

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

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 Condition:** No relevant works shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority. The works must not be executed other than in complete accordance with these approved details:

a) Drawings to a scale not smaller than 1:5 fully describing:

- i) windows & external doors. These drawings must show:
- materials
 - decorative/protective finish
 - cross section of frame, transom, mullions, glazing bars, etc
 - formation of openings including reveals, heads, sills, arches, lintels, dormer construction, etc
 - method of opening
 - method of glazing

ii) Roof and wall details including sections through:

- roof ridge
- eaves
- verges
- flat roof perimeters
- parapets
- hatch panels including junction with brickwork and coping

b) Specification of brickwork, including material, colour, texture, face bond, components of the mortar, and jointing/pointing profile.

Reason: As this matter is fundamental to ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

5 **Pre-Commencement Condition:** No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing

equipment, machinery or materials onto the site, until the following preliminaries have been completed in the sequence set out below:

- All planting on the site shown for retention on the approved drawings, as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).
- Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.
- Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 6 **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).

- 7 **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).

- 8 **Pre-Commencement (Slab Level) Condition:** No development shall commence until a scheme for sound attenuation against external noise has been submitted to and approved by the Local Planning Authority. The scheme shall have regard to the recommendations set out in the submitted Noise Report. The approved sound attenuation works shall be completed before the dwelling is occupied and be retained thereafter.

Reason: As this matter is fundamental in the interests of residential amenities by ensuring an acceptable noise level for the occupants of the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 9 **Pre-Occupation Condition:** The development hereby permitted shall not be occupied until an ecological enhancement plan has been submitted to and approved by the Local Planning Authority in writing. The plan shall reflect the measures set out in the Ecological Enhancement Strategy (dated September 2018). The ecological enhancement plan shall be implemented in accordance with the approved details prior to the first occupation of the dwelling.

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

- 10 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the car parking spaces (including garages where applicable) necessary to serve it have been constructed and made available for use in accordance with the approved drawings. The car parking spaces permitted shall thereafter be retained as such for their designated use.

Reason: To provide car-parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 11 **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
- Details of all hard surfacing materials and finishes
- Details of all boundary treatments
- Details of all external lighting

The approved landscaping scheme 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: 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).

- 12 **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).

- 13 **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).

- 14 **Regulatory Condition:** The dwelling hereby approved shall strictly accord with the Energy Strategy Report, prepared by ama and dated 28 September 2019.

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/18/2215