



PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development

DATE: 17th September 2019

DEVELOPMENT: Demolition of existing farm building and the erection of a single storey dwelling

SITE: Heathenthorn Farm North Henfield Road Albourne West Sussex

WARD: Bramber, Upper Beeding and Woodmancote

APPLICATION: DC/18/2739

APPLICANT: **Name:** Miss Laura Plumer **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 appropriate conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The current application seeks consent for the erection of a new detached residential dwelling at Heathenthorn Farm, and the demolition of an existing farm office / store immediately adjacent.
- 1.2 The proposed dwelling comprises a modest single-storey 3-bed dwelling of a single-storey nature with a half-hipped roof and brick elevations, amounting to a footprint of some 8.2m x 13.7m (external area = 112.34sq.m, internal area some 99.65sq.m). A modest curtilage is proposed to the rear/west side of the dwelling.
- 1.3 A Preliminary Ecological Report and subsequent Protected Species Report have been submitted in support of the application.
- 1.4 The proposal is submitted on the basis of the fall-back position of DC/18/1125, which granted Prior Approval for the conversion of the existing farm office / store building on the site, under Class Q of the GPD, to form a 3-bed dwelling. This approval was subject to a pre-commencement condition relating to potential contamination risks at the site, requiring the submission of a preliminary risk assessment. This condition has not yet been discharged, but the Prior Approval remains extant.

- 1.6 The statement also refers to a number of benefits that would be available as a result of the new-build rather than the conversion of the existing agricultural structure, including the use of sustainable construction techniques, higher quality design and use of materials, and a reduction of floorspace of around 18sq.m.

DESCRIPTION OF THE SITE

- 1.7 The application site lies in open countryside, but comprises a group of farm, equestrian and residential dwellings that formerly fell under one agricultural property: Heathenthorn Farm. This farm has since been split into different functions and land holdings. The application site itself adjoins Glendon House Stud to the eastern side where a range of barns are situated close to the common boundary. Glenard Farm occupies a large area of land and buildings south of the access track and appears to have a current equine use, and includes a property (The Flat) set in a converted barn abutting the southern elevation of the farm office / store building on the application site.
- 1.8 To the south, and having use of the shared access track, is Heathenthorn Farm Cottage, which established independent residential use in 1998 (WK/20/98).

SITE HISTORY

- 1.9 It would appear that the site was formerly part of the wider Heathenthorn Farm Cottage. Applications in 1997 and 1998 established an agricultural barn and independent vehicular access around the adjacent Glenard Farm.
- 1.10 In 2014, the Council considered, and refused, a Prior Notification under the then Class MB for the conversion of the farm office / barn store to residential use (DC/14/2702). A subsequent appeal decision dated February 2016 allowed the Prior Notification, referring to the last use as a farm office and agricultural store.
- 1.11 In the intervening period, in late 2015, Prior Notification under Class Q was submitted under DC/15/2539 for the conversion of the farm office / barn store, which adjoins The Flat at Glenard Farm. This proposal under Class Q of the GDPO followed the earlier appeal decision DC/14/2702, and granted Prior Approval for the conversion.
- 1.12 More recently, in June 2018, a Prior Notification for the conversion of the same barn / farm office was approved, effectively extending the time period for the conversion to be undertaken. This remains extant and is subject to pre-commencement conditions.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

- 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 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 – Parking

2.4 RELEVANT NEIGHBOURHOOD PLAN

Woodmancote Neighbourhood Plan (Made June 2017)

Policy 1: Spatial Plan for the Parish

Policy 2: Housing Windfall Sites

Policy 3: Design

2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/18/1125	Prior approval for a proposed change of use of agricultural building to a dwellinghouse (Class C3)	Prior Approval Required and PERMITTED on 19.07.2018
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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 Environmental Health: Comment

- There is insufficient information to determine this application as commercial or agricultural buildings can be subject to significant contamination risks arising from their use, construction and storage of machinery equipment fuels or other chemicals. Potentially hazardous materials may also be incorporated in made ground, yards and hard standings.
- A recent site visit found a variety of materials and equipment stored in and around the buildings. During these visit/s it was noted that the building proposed for demolition is roofed with suspected asbestos cement sheeting and other asbestos containing materials may be present in the structure
- To ensure the application is properly determined a preliminary contamination risk assessment should be provided together with a copy of the asbestos register for the building.
- There is also evidence of made ground and deposition of potentially contaminative material on the site and evidence of burning was noted within the proposed curtilage.
- However, if you are minded to approve the application it is necessary to limit the future liability of the council and to ensure the site is suitable for the residential use.

Accordingly the following conditions should therefore be applied to cover Land contamination - Preliminary Risk Assessment, hours of building / demolition and CEMP and the ability to control subsequent external lighting to the building. Consideration should also be given to the provision of an electric vehicle charging point

OUTSIDE AGENCIES

3.3 **WSCC Highways:** No Objection.

- The site is accessed via a private access road from Henfield Road, a 'B' class road with a speed limit of 40mph in this location, with no intentions to alter the existing shared access from Henfield Road. The Local Highway Authority (LHA) has reviewed data supplied to WSCC by Sussex Police over a period of the last five years. There have been no recorded injury accidents at the junction between the private access road and Henfield Road. There is no evidence to suggest that the junction is operating unsafely, or that the proposed change of use would exacerbate an existing safety concern.
- The applicant has not shown the location of the parking for the new dwelling. However, the Local Highway Authority (LHA) anticipates that there would be sufficient space within the site to provide the 3 car parking spaces stated on the application form.
- The LHA would not anticipate the proposal to have a 'severe' impact on the highway and there would be no transport grounds to resist the proposal. If the Local Planning Authority are minded to approve the application the LHA would recommend securing condition to ensure the car parking space is constructed in accordance with plans to be submitted to and approved by the LPA prior to occupation

3.4 **Ecology Consultant:** No Objection

- Additional information has been received relating to the likely impacts on Protected Species (Great Crested Newts and Bats) - Protected Species Survey Report (Corylus Ecology, July 2019) to include a dusk emergence survey
- Demolition of the existing building will result in the loss of both identified bat roosts requiring a mitigation licence from Natural England to lawfully complete the works
- It is therefore considered that there is sufficient certainty of likely impacts on bats from demolition of the farm building in line with Natural England's licensing policy 4. It is recommended that a copy of the bat mitigation licence is secured under a condition of any consent to be provided to the LPA prior to commencement
- The Protected Species report states that the eDNA test result for pond P1 (85m to the north) was negative, indicating likely absence of GCN during the 2019 breeding season. The Natural England licence risk assessment tool was run as part of the PEA report (Corylus Ecology, November 2018) and the following conclusion was made: "If the licence risk assessment is run assuming that GCN are absent from P1 but are present in Pond P2, there would be loss of 0.08ha of terrestrial habitat within 100-250m and the risk of committing an offence is 'Green' or 'Offence Highly Unlikely.'"
- It is noted that the above statement is still applicable and agree that the impacts on GCN are considered negligible. It is therefore not considered necessary to survey pond P2 as an offence is highly unlikely even if GCN are present. However, avoidance measures and recommendations were also provided in the PEA report and these will still need to be applied, to avoid creation of habitats and avoid injury to small mammals, amphibians and reptiles.
- It is considered that these non-licensed avoidance measures are appropriate and that there is now sufficient certainty of likely impacts on GCN, and therefore recommend that the above GCN mitigation measures are secured by a condition of any consent.

- The Protected Species Report now provides certainty for the LPA of the likely impacts on Protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.
- The proposed reasonable biodiversity enhancements are also supported, which have been recommended to secure measurable net gains for biodiversity, as outlined under Paragraph 170d of the National Planning Policy Framework 2019. The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and should be secured by a condition of any consent. This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006

3.5 **Southern Water:** No Objection

PUBLIC CONSULTATIONS

3.6 **Woodmancote Parish Council:** No Objections but would ask that:

- All drainage and parking matters are dealt with
- No external floodlights are added
- The environmental assessment is positive

3.7 No neighbour representations have been received.

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

Principle of Development:

6.1 Policy 3 of the Horsham District Planning Framework (2015) states that development will be permitted within towns and villages that have defined built-up areas, with any infilling and redevelopment required to be of an appropriate nature and scale to maintain characteristics and function of the settlement. Policy 4 of the HDPF states that outside built-up area boundaries the expansion of settlements will be supported where; the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge; the level of expansion is appropriate to the scale and function of the settlement type; the development is demonstrated to meet the identified local housing needs and/or employment needs or will assist the retention and enhancement of community facilities and services; the impact of the development individually or cumulatively does not prejudice comprehensive long term development, in order not to conflict with the development strategy; and the development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced.

6.2 In addition, paragraph 79 of the National Planning Policy Framework states that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Isolated homes in the countryside should be avoided unless there are special circumstances such as the essential need to for an agricultural worker to live at or near the site; where such development would represent the optimal viable use of a heritage asset; where the development would re-use redundant

or disused buildings and lead to enhancement of the immediate setting; or the exceptional quality or innovative nature of the design of the dwelling. Consistent with this, Policy 26 of the HDPF states that any development should be essential to its countryside location and should support the needs of agriculture or forestry, enable the extraction of minerals or the disposal of waste, provide for quiet informal recreational use or enable the sustainable development of rural areas.

- 6.3 Although the buildings lie within a rural area, poorly served by public transport options and public footpaths to local services and community facilities, it is noted that there is a degree of residential accommodation immediately around the application site, and the site is located just off the busy B2118. Therefore, the site is not considered to be 'isolated' in its context in relation to paragraph 79 of the NPPF.
- 6.4 Since the adoption of the Horsham District Planning Framework in November 2015, the Council is able to demonstrate a full 5-year housing land supply to meet the needs of the District to 2031. The policies within the development plan set out the spatial strategy for sustainable development within the District by establishing a development hierarchy, and setting out policies that allow settlements to grow and expand over the lifetime of the plan.
- 6.5 As stated within Policy 4 of the Horsham District Planning Framework, development outside of built up areas will only be supported where the site is allocated in the Local Plan or in a Neighbourhood Plan. The application site is not allocated for development in the Local Plan. The Woodmancote Neighbourhood Plan has been formally 'Made' but does not designate the site for housing.
- 6.6 Therefore, it is considered that the principle of the proposed development within the countryside is contrary to the overarching spatial strategy and principles of the National Planning Policy Framework and Local Development Plan.
- 6.7 However, of material reference is the Prior Notification on the site that exists for the conversion of the existing agricultural storage building and farm office to form a residential property (most recently under DC/18/1125). Whilst there is no apparent evidence of material work having been commenced on site to implement the Prior Approval, beyond general repair work to the building, the recent re-confirmation of the Prior Approval consent is considered sufficient to show a clear intent to implement a dwelling on this site.
- 6.9 This extant Prior Approval consent expires on 19 July 2021 and is a material planning consideration in the context of this current full planning application, notwithstanding the overall policy conflict with the HDPF. This extant permission represents a viable and likely fall-back position for the applicant and as such it forms a material consideration that weighs heavily in favour of the proposed development as it establishes a precedent on the site for residential use. The weight to be attributed to this fallback position is therefore significant, but only on the basis that the agricultural barn subject to the prior approval under DC/18/1125 is demolished as it would not occupy the same position as the proposed dwelling and could therefore continue to be implemented alongside this proposal. A condition to this effect is included in the recommendation.

Design and Appearance:

- 6.10 HDPF policy 25 requires development to protect, conserve and enhance the landscape and townscape characters across the District, taking account of settlement characteristics and settlement separation. Policy 32 of the HDPF requires new development to 'Complement locally distinctive characters and heritage of the district' and 'Contribute a sense of place both in the buildings and spaces themselves and in the way they integrate with their surroundings'. Policy 33 requires developments to relate sympathetically with the built surroundings.

- 6.11 The overall mass and scale of the proposed dwelling would be comparable to the existing building that adjoins the neighbouring property and barns (The Flat), and would represent a reduction in floor area compared with the barn to be demolished, albeit with an increased ridge height. Whilst the proposed dwelling would be detached, repositioned and re-orientated from the existing building, the resulting scale and location of the proposed development would be visible only as part of the cluster of existing barns and dwellings on the site, and is therefore judged to respect the rural character of the site. The current application would give greater control to the eventual development of the site, particularly in respect of detailed design and landscaping matters by way of condition. This weighs in favour of supporting the current scheme, which is considered to accord with Policies 25, 32 and 33 of the HDPF.
- 6.12 The resulting size of the curtilage to the new dwelling would adjoin the wider area of farmland which lies within the wider land ownership of the applicant, and would retain a vehicular right of access through to the southern neighbouring property and land at Heathenthorn Farm Cottage. The curtilage proposed is considered commensurate to the size of the dwelling and the character of the cluster of buildings at the site.
- 6.13 Furthermore, future development within the curtilage could be controlled, to an extent, by way of permitted development (PD) rights. To ensure that any subsequent development within the plot remains suitable to the rural location of the site, it is considered that a planning condition would be appropriate to remove PD rights for extensions, roof alterations and all other structures within the curtilage.
- 6.14 In summary, the proposal is of a scale, massing and appearance which relates sympathetically to the built surroundings, open space and prevailing landscape pattern when compared to the existing buildings on and adjacent to the site and their permitted conversion to residential use. As such, it would not unduly erode the rural character of the area and the appearance of the countryside, and would maintain the overall character and appearance of the countryside, in accordance with local policies 25, 32 and 33.

Amenity Impacts:

- 6.15 Policy 33 of the HDPF (2015) states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.
- 6.16 The proposal is considered to lie sufficiently distanced from the neighbouring residential elements of adjoining properties and land uses. However, the proposal does involve the demolition of an existing building which appears to share a party wall with The Flat to the south. No details have been provided as part of this current application for how this is to be managed, and so it is suggested that a planning condition be included to secure 'making good' details of this party wall. This would not free the applicant or developer of their obligations under the Party Wall Act.

Ecology Impacts:

- 6.17 The HDPF policy 31 requires development to consider the likely impacts on existing biodiversity. Where any likely impacts cannot be suitably addressed by way of mitigation and enhancement measures, then permission should be refused. This stance is echoed by the NPPF.
- 6.18 The submitted Ecological Appraisal and subsequent Protected Species Report and dusk emergence survey take account of the buildings and habitats present on the site, including the nearby ponds, recognising that the existing building on the site would be demolished as

part of the proposal. A low number of bats were discovered, using parts of the barn as a roost, although it is unlikely this is used as a maternity roost. Accordingly, mitigation measures are advised and a bat mitigation license will be required before works commence on site. This approach has the support of the Council's Ecology Consultant.

- 6.19 Accordingly, there are conditions which are advised to secure the advised mitigation measures, and to seek an element of control over the development and any effects of artificial lighting.

Highways Impacts:

- 6.20 Policies 40 and 41 of the Horsham District Planning Framework states that development should provide a safe and adequate access, suitable for all users. Chapter 4 of the National Planning Policy Framework sets out that 'development should only be refused on transport grounds where the residual cumulative impacts of development are severe'.
- 6.21 The Local Highways Authority has assessed the proposal as not having an adverse material increase in vehicular activity at the site compared to the extant permission, with all access to be via the existing site access point. For this reason no objection is raised to the proposed development, which is considered to accord with policies 40 and 41.

Conclusions:

- 6.22 The proposed development would be located outside of a built up area boundary and on a site not allocated for development within the HDPF or an adopted neighbourhood plan. The Council is able to demonstrate a 5 year housing land supply and consequently this proposed development would be contrary to the overarching strategy and hierarchy approach of concentrating development within the main settlements. Furthermore, the development is not considered essential to this countryside location. The proposal therefore fails to comply with policies 1, 3, 4 and 26 of the Horsham District Planning Framework (2015).
- 6.23 Although contrary to the above policies, there is an existing extant permission for the conversion of the existing barn / farm office to be demolished, into residential dwellings under Class Q of Schedule 2, Part 3 of the General Permitted Development Order 2015, which has established the principle of residential use on the site. This current proposal seeks the demolition of this existing building and the erection of a new-build dwelling of a largely identical scale and form as an alternative to the extant permission, albeit relocated within the site. The extant permission for the conversion of the existing building to form a new dwelling on the site represents a viable fall-back position for the applicant and a material consideration that weighs heavily in favour of development.
- 6.24 The proposed development is considered to be of an appropriate scale, design and separation which would not have a detrimental impact upon neighbouring amenity or the prevailing countryside character of the area. Therefore, having regard the fall-back position afforded by the extant permission, this current application to reposition the permitted dwelling, along with associated curtilage creations and associated parking areas within the site is considered to be acceptable as a departure from local and national planning policy. Furthermore, the proposal is also considered to secure a higher quality of development on this site, taking account of the ecological implications and requirement to secure the necessary bat mitigation licenses from Natural England.
- 6.25 On this basis, the application is recommended for approval as a departure from the development plan.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

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	100		100
		Total Gain	
		Total Demolition	124

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 Approve the application subject to the following conditions:

1 Approved Plans Condition

2 Standard Time Condition: The development hereby permitted shall begin 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 the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

(a) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses, including the potential for asbestos containing materials
- a conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from contamination at the site.

The following aspects (b) - (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

(b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.

(c) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (b) and an options appraisal.

(d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

The scheme shall be implemented as approved. Any changes to these components require the consent of the local planning authority.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 4 **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until the following construction site set-up details have been submitted to, and approved in writing by, the Local Planning Authority.
- i. the location for the loading and unloading of plant and materials, site offices, and storage of plant and materials (including any stripped topsoil)
 - ii. the provision of wheel washing facilities (if necessary) and dust suppression facilities
 - iii. the arrangements for public consultation and liaison during the construction works;
 - iv. measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s);
 - v. the parking of vehicles of site operatives and visitors;
 - vi. measures to control the emission of dust and dirt during construction;
 - vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

The approved details shall be adhered to throughout the construction period.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 5 **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 will 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).

- 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 a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality 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, 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
- Ecological enhancement measures set out in the Preliminary Ecological Appraisal (Corylus Ecology, Nov 2018) and Protected Species Survey Report (Corylus Ecology, July 2019). (This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details)

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), and to conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with Policy 31 of the Horsham District Development Framework (2015).

- 8 **Pre-Occupation Condition:** No building hereby permitted shall be first occupied until a lighting design scheme for biodiversity has been submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species), and in accordance with Policy 31 of the Horsham District Planning Framework (2015).

- 9 **Post-Occupation Condition:** Upon the occupation of the dwelling hereby permitted the existing building indicated on plan 1837/02 rev A shall cease to be used for any purpose whatsoever and within a period of 3 months thereafter such existing building shall be demolished (including the removal of foundations) all materials arising from such demolition removed from the site and the site of the demolished building restored in accordance with details of landscaping which have been submitted to and approved in writing by the Local Planning Authority prior to demolition works commencing.

Reason: The retention of existing buildings together with the new buildings would result in the proliferation of buildings on the site, detracting from the character of the area which would be contrary to Policy 33 of the Horsham District Planning Framework (2015).

- 10 **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, a plan showing the layout of the proposed development and the provision of car parking spaces (including garages where applicable) for vehicles 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 parking spaces associated with it have been provided in accordance with the approved details. The areas of land so provided shall thereafter be retained for the parking of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of all highways in accordance with Policy 40 of the Horsham District Planning Framework (2015)

- 11 **Regulatory Condition:** The development hereby permitted shall be undertaken in strict accordance with the ecological mitigation and enhancement measures set out in the Preliminary Ecological Appraisal (Corylus Ecology, Nov 2018) and Protected Species Survey Report (Corylus Ecology, July 2019).

Reason: To enhance Protected and Priority Species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with Policy 31 of the Horsham District Development Framework (2015).

- 12 **Regulatory Condition:** No demolition of the existing building indicated on plan 1837/02 rev A shall commence until the applicant has obtained and complied fully with either:
- a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorizing the specified activity/development to go ahead; or
- a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason: As this matter is fundamental to conserve Protected and Priority species, allowing the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 and s17 Crime & Disorder Act 1998, and in accordance with Policy 31 of the Horsham District Development Framework (2015).

- 13 **Regulatory Condition:** The materials and finishes of the new external surfaces used in the 'making good' of the exposed walls, soffits and roofing to the adjoining building known as The Flat, following demolition of the existing barn, shall match in type, colour and texture those of the existing building.

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

- 14 **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 and E of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of the development 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 rural location of the property in accordance with Policies 26 and 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/18/2739