



**TO:** Planning Committee South

**BY:** Head of Development

**DATE:** 21<sup>st</sup> July 2020

**DEVELOPMENT:** Demolition of existing commercial storage buildings and erection of two semi-detached dwellings.

**SITE:** Townhouse Farm Coolham Road Thakeham RH20 3EW

**WARD:** West Chiltington, Thakeham and Ashington

**APPLICATION:** DC/19/1671

**APPLICANT:** **Name:** Tony Fowler **Address:** C/O Agent

**REASON FOR INCLUSION ON THE AGENDA:** The recommendation of the Head of Development would represent a departure to the development plan

At the request of the Parish Council.

**RECOMMENDATION:** To approve planning permission subject to appropriate 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 demolition of three existing storage buildings and the construction of two semi-detached, two storey dwellings. The existing buildings on site consists of two Nissan hut style buildings and a single storey storage building located to the south of these. The buildings consist of metal sheet roofing and blockwork to the walls.

1.3 Conversion of these buildings to residential was granted under Prior Approval application ref: DC/19/0685, under Class P of Schedule 2, Part 3 of The Town and Country Planning (General Permitted Development)(England) Order 2015, as amended (GDPO). This prior approval established that the existing buildings can be converted to form four dwellings. This current planning application seeks the demolition of these existing buildings and the erection of two semi-detached, two storey, three-bed dwellings as an alternative to the permitted development conversion of the existing buildings in a re-positioned location. The proposed dwellings would be located to the east of the two existing Nissan hut style buildings, approximately 13.5m away, and would be set back approximately 15.2m from the public highway further to the east at Coolham Road.

- 1.4 The proposed semi-detached pair of dwellings would be located in an area of grass and low grade trees and shrubs. The proposed semi-detached pair would have an overall width of approximately 18m when viewed from the front (eastern) elevation and overall depth of approximately 7.9m, with a stepped design to the dwellings when viewed from the rear (western) elevation. The proposed semi-detached property would have overall maximum height of approximately 7.65m which would vary slightly due to the topography of the site.
- 1.5 The proposed semi-detach dwellings would have a traditional design, with a barn hip style pitched roof, finished in handmade clay tiled with exposed rafter feet, waney edge timber weatherboarding and brick making up the external walls, oak framed windows and doors, and an oak framed porch to the front elevation. The properties will have a hipped roof projecting element to the rear elevation. The semi-detached design would take its cues from the existing properties to the south of the site which are positioned along Coolham Road.
- 1.6 The proposal would have a footprint of approximately 120sqm and an overall gross internal floor area of approximately 212sqm. This compares to the existing buildings to be removed which have a footprint and floor area of approximately 248sqm. As part of the proposals, six parking spaces would be created with three spaces serving each dwelling.
- 1.7 It is noted that the proposals have been amended during consideration of the application due to Officer concerns with regards to the design as initially submitted. The initial designs proposed the erection of two detached dwellings with a differing design. This was not considered to be an acceptable proposal for the site and, in order for the dwellings to be more in keeping with existing residential development within the immediate vicinity, the proposals were amended to a pair of semi-detached dwellings with a detailed design as described above.

#### DESCRIPTION OF THE SITE

- 1.8 The application site is situated outside of the defined built up area in a countryside location with no other statutory designations. The site is within a rural area characterised by farms, commercial uses and individually designed dwellings. The site is located on the western side of Coolham Road. Access currently exists to the site via a private access from Coolham Road which is shared with Townhouse Farm and two other dwellings. The existing buildings within the identified red line site area consists of two single storey Nissan hut style buildings and a single storey storage building. The proposed dwellings would be located just to the east of the existing Nissan hut style buildings on an area of grassland. It is noted that this area slopes down gently from north to south.
- 1.9 Looking at the wider site and surrounding area, to the south of the site are the residential dwellings of 1-4 Townhouse Cottages, which are two pairs of semi-detached, two storey properties. The wider site of Townhouse Farm, consists of a mixture of buildings and uses including a converted agricultural building used by "Focused Events Limited", as well as larger former agricultural buildings which are used for varying commercial and storage uses/purposes. To the south of the site is a public footpath, running east/west.

## **2. INTRODUCTION**

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

## RELEVANT PLANNING POLICIES

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

### 2.3 **National Planning Policy Framework**

### 2.4 **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 25 - Strategic Policy: The Natural Environment and Landscape Character

Policy 26 - Strategic Policy: Countryside Protection

Policy 28 - Replacement Dwellings and House Extensions in the Countryside

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 40 - Sustainable Transport

Policy 41 - Parking

### 2.5 **Thakeham Neighbourhood Plan (January 2017)**

Thakeham1 - A Spatial Plan for the Parish

Thakeham5 - Employment Sites

Thakeham6 - Design

Thakeham9 - Development in the Countryside

Thakeham10 - Green Infrastructure and Valued Landscapes

## PLANNING HISTORY AND RELEVANT APPLICATIONS

2.6 The most recent and relevant planning history relating to the site is as follow:

DC/19/0685	Prior Approval for a change of use from storage (Class B8) to Dwellinghouse (Class C3)	Prior Approval Required and PERMITTED on 19.05.2019
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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](http://www.horsham.gov.uk)

### INTERNAL CONSULTATIONS

3.2 **HDC Tree Officer: No Objection.**

The trees in question, despite being visible in the public domain when passing along Coolham Road, are generally unremarkable and not, in my view, specimens of any especial or particular merit. They are not worthy of formal protection or retention that would preclude the possibility of development on the site. I therefore register no objection to their removal.

### OUTSIDE AGENCIES

3.3 **WSSC Highways:** Comment.

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts 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.

3.4 **Southern Water:** No Objection.

3.5 **Ecologist:** No Objection.

Limited impacts have been predicted and as such, we are satisfied that there is sufficient ecological information available for determination and this provides certainty of likely impacts on Protected species and Priority habitats and species.

With appropriate mitigation measures secured and implemented in full, the development can be made acceptable. We also recommend conditions to support reasonable biodiversity enhancements on any consent to deliver measurable net gain.

#### PARISH COUNCIL CONSULTATION

3.6 **Thakeham Parish Council:** Objection.

- Unsustainable location - residents would be reliant on cars for transport
- Site is outside of built up area and not allocated for development or essential to the location
- Contrary to Policy 1 of the Thakeham Neighbourhood Plan and the spatial strategy as set out in the HDPF
- Significant vehicle movements already present on/within the site
- Potential impact on bridleway to south of site
- Front rooflights should be removed to better reflect design of neighbouring properties

#### PUBLIC CONSULTATIONS

3.7 2 letters/emails of objection have been received which can be summarised as follows:

- Unsustainable location
- Contrary to Thakeham Neighbourhood Plan
- Highway safety concerns both within the site and with the site access
- Loss of trees
- Overdevelopment of the site
- Loss of habitat used by wildlife
- Impact on neighbouring amenity

## 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 main issues are the principle of the development in the location and the effect of the development on:
- The principal of development in this location
  - The character of the dwelling and the visual amenities of the countryside
  - The amenities of the occupiers of adjoining properties
  - The highways impacts of the proposal

### Principle of Development

- 6.2 The National Planning Policy Framework (NPPF) sets out that there is a presumption in favour of sustainable development and that this should run through both plan-making and decision-taking. In terms of the determination of planning applications this should mean the approval of developments that accord with the development plan without delay, and that where the development plan is silent or relevant policies are out of date, that permission be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or policies of the NPPF indicate otherwise.
- 6.3 The application site lies in the countryside outside of the identified built-up area of any settlement. Given this location, the initial principle of the proposal must to be considered in the context of paragraph 79 of the NPPF, policies 3, 4, and 26 of the Horsham District Planning Framework (HDPF) and policy Thakeham1 of the Thakeham Neighbourhood Plan.
- 6.4 Policies 3 and 4 of the HDPF set out that development will be permitted within towns and villages which have defined built up areas, and outside built up areas expansion of settlements will be permitted where, amongst other criteria, a site has been allocated in a local plan or neighbourhood plan. Policy 26 of the HDPF states that the rural character and undeveloped nature of the countryside will be protected against inappropriate development, and that any proposal must be essential to its countryside location. The application site is located within the countryside, outside of any defined settlement and is not allocated in either a Local Plan or the 'made' Thakeham Neighbourhood Plan and thus the application proposals directly conflicts with these policies. On this basis, the proposal therefore fails to accord with the spatial strategy as outlined in the HDPF and approval of this planning application would represent a departure from the development plan.
- 6.5 Paragraph 79 of the NPPF states that '*Planning policies and decisions should avoid the development of isolated homes in the countryside*'. One of the criteria set out in Paragraph 79 of the NPPF which would allow such development is as follows:
- 'e) the design is of exceptional quality, in that it:*
- is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
  - development which 'would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area' will be supported.'*
- 6.6 The application is not being justified against the above criteria, and while the design of the dwellings (which is considered in detail below) would represent an enhancement when compared to the existing utilitarian buildings, it would not be truly outstanding or innovative. The proposal could not therefore be justified under paragraph 79 of the NPPF.
- 6.7 Notwithstanding the above, it is noted that the conversion of the existing buildings within the red lined site area were granted Prior Approval under Class P of the GPDO to form four dwellings (under DC/19/0685) in May 2019, with this permission being extant. This is a material consideration in the determination of this current planning application. The presence of prior approval for four dwellings, which could still be implemented, represents a viable and realistic fall-back position were the current application to be refused. A refusal of the current

application would not therefore prevent the introduction of additional residential units on the site, with this current application proposing two dwellings rather than four as granted under the prior approval.

- 6.8 It is therefore considered, subject to detailed considerations, that refusal of the application on the basis of the conflict with policies 3, 4 and 26 of the HDPF and policy Thakeham1 of the Neighbourhood Plan would not be warranted and would not prevent four additional dwellinghouses from being created on the site. On this basis the principle of development, proposing the creation of two dwellings, is considered acceptable, subject to any permission requiring the demolition of the existing buildings on the site which benefit from prior approval under DC/19/0685 (to avoid both developments being carried out) and other relevant detailed considerations as discussed below.

### **Character and Appearance**

- 6.9 With regards to design, Paragraph 131 of the NPPF states that “...*great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in an area*”. Policies 25, 32 and 33 of the HDPF require development to be of high quality design which is sympathetic to the character and distinctiveness of the site and surroundings. Policy Thakeham6 of the Thakeham Neighbourhood Plan requires “*the scale, density, massing, height, landscape design, layout and materials to reflect any architectural or historic characteristics of particular merit in, and the scale of the surrounding building and in the wider area.*”
- 6.10 The proposal would involve the creation of two semi-detached dwellings located in close proximity to two existing Nissan hut style buildings to be demolished and removed from site along with another single storey storage building located further to the south. The proposed semi-detached dwellings would be similarly scaled and sited when compared to the existing semi-detached properties located further to south which also adjoin the Coolham Road to the east. The proposed semi-detached pair would be designed utilising a half-hipped, barn style roof design, and would be made up of a mixture of natural materials including hand-made clays tiles and exposed timber rafter feet to the roof, waney-edged oak weatherboarding and brick to the external walls and oak framed windows and doors.
- 6.11 The design and appearance of the existing buildings to be removed are not considered to be of any architectural merit or value, and from a Case Officer site visit it was evident that some elements of these buildings had fallen into a bad state of repair. Following their demolition, the area of land which the two Nissan hut style buildings currently occupy, located to the west of the proposed location for the two dwellings, would be restored to grassland and would form part of the residential curtilage of the proposed dwellings. This area would also be partly utilised for the creation of the proposed parking spaces, with additional planting also proposed. The positioning of the parking spaces to the west of the proposed dwellings would be similar to the configuration and siting as the neighbouring residential properties to the south.
- 6.12 The proposed design, as well as the proposed materials palette to be used for the dwellings, are considered to be appropriate for this countryside setting. It is considered that the design of the proposed dwelling would represent an enhancement to the site when compared to the existing buildings to be removed. The existing buildings, whilst it acknowledged that they have prior approval to be converted to dwellings, would be limited in terms of the resulting design and appearance that can be achieved. The proposed semi-detached pair would have a smaller overall footprint when compared to the three existing buildings to be removed and the proposals would create a very similar gross internal floor area. Given the modest size and scale of the proposal, coupled with the design of the proposed dwellings, which are considered to relate sympathetically with the landscape, and the location of the site and materials to be used, it is considered that the proposed dwellings would represent an enhancement when compared to the scheme as approved under the prior approval. It is

considered that the scheme the subject of this application would be appropriate for this the countryside location, introducing properties of architectural merit and interest, especially when compared to the existing buildings which are to be removed.

- 6.13 Notwithstanding the above considerations, the Council are able to deploy more stringent controls over the development within this application when compared to the provisions set of within the GPDO under the prior approval procedures, with suitable conditions pertaining to the materials and landscaping proposals considered to be appropriate.
- 6.14 Whilst it is accepted that the proposed semi-detached dwellings would be located closer to the public highway when compared to the existing buildings benefitting from prior approval, and would be clearly visible from this vantage point, given the design, scale and position of the proposed dwellings, which would be similar to the neighbouring properties to the south, it is not considered that the proposals would have a detrimental impact on the streetscene. Indeed, it is noted that the site, as well as sloping down from north to south, also gently slopes down from east to west. As such, the proposed dwellings would appear lower in height when viewed from Coolham Road and would not appear a prominent addition from this vantage point.
- 6.15 It is noted that a Public Right of Way (PROW) runs from east to west to the south of the application site. Whilst there have been comments received with regards to the proposed development and views from the PROW, given the distances maintained and existing development present between the area where the proposed dwellings would be located and the public right of way, it is considered that the proposals would not be visible from this vantage point or have an impact on the setting of the public right of way.
- 6.16 The proposals would represent a development which would be of an appropriate scale, and would represent a reduction when compared to the overall footprint of the existing buildings to be removed. It is considered that the overall design in terms of the form and character of the properties, and the pallet of materials to be used, would result in a markedly improved appearance when compared to the existing situation within the site area and the existing buildings. The design of the semi-detached dwellings would result in an enhancement when compared to the dwellings which would result from implementation of the existing prior approval, and would lead to an enhancement of the overall setting of the countryside location. This current full planning application gives greater control over the eventual development of the site, particularly in respect of the detailed design and landscaping matters, and results in the creation of two dwellings rather than four dwellings and these elements are considered to weigh in favour of supporting the current scheme. As a consequence of the circumstances described above, it is considered that the proposals would accord with policies 25, 32 and 33 of the HDPF as well as paragraph 131 of the NPPF and Policy Thakeham6 of the Thakeham Neighbourhood Plan.

#### **Impact on neighbouring amenity**

- 6.17 Policy 33 of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land. The proposed dwellings would be located approximately 13.5m away from the closest neighbouring properties known as 3 and 4 Townhouse Cottages and located to the south. Given the distances maintained, it is considered that the proposal would not have an overbearing impact or lead to any overshadowing or loss of outlook to neighbouring properties.
- 6.18 It is noted that the proposals include first floor windows to the northern and southern (side) elevations which would act as secondary windows to a bedroom to each dwelling. Whilst there are no properties to the north of the proposed dwellings, there are existing properties to the south (Townhouse Cottages). Given that these windows would be secondary and there would be a main window serving these rooms to the rear western elevation, it is considered

appropriate to attach a suitable condition requiring that these windows are obscured to avoid any potential harmful overlooking. Taking the above into account, it is considered that the proposals would not have a detrimental impact on neighbouring amenity and are considered to be acceptable in this regard.

### **Highways Impacts**

- 6.19 Policies 40 and 41 of the HDPF states that development should provide a safe and adequate access, suitable for all users. The proposed development would be served by the existing access point from Coolham Road to the east. The proposed semi-detached dwellings would be served by three parking spaces each, to be located to the west of the dwellings in the location of existing Nissan style hut buildings to be removed. This configuration of parking spaces, being located to the west (rear) of the dwellings, is considered to be appropriate and reflects that of the neighbouring properties.
- 6.20 It is noted that both Thakeham Parish Council and neighbouring residents have raised the issue of traffic within the site being increased along with the use of the access onto Coolham Road. Following consultation with West Sussex County Council as the Local Highway Authority, the proposal is considered to be acceptable on highway safety and transport grounds, with WSCC advising that the proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network. The proposal would result in a reduced number of additional dwellings on the site from the four approved under the prior approval procedure.

### **Ecology Considerations**

- 6.21 Policy 31 of the HDPF states that proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate. The Council will support new development which retains and/or enhances significant features of nature conservation on development sites.
- 6.22 The Council's Ecology Consultant has not raised any objections to the proposal following consideration of the ecology matters. Conditions have been recommended to ensure ecological mitigation measures and enhancements are put in place. In order to ensure that the proposal does not result in a detrimental impact on ecology, it is considered that such conditions are reasonable and necessary. It is considered overall that the proposals are acceptable in this regard and accord with Policy 31 of the HDPF.

### **Loss of Trees**

- 6.23 It is noted that there a number of Category C Grade trees are present on site. The proposals would require the removal of these trees in order to accommodate the proposed semi-detached dwellings. The Council's Arboricultural Officer, who has raised no objections to the application, has stated that despite the trees being visible from the public domain, the trees are generally unremarkable and are not specimens of any especial or particular merit. It has been further advised that they are not worthy of formal protection or retention that would preclude the possibility of development on the site. Therefore, whilst the loss of the existing trees is regrettable, having considered the advice provided, it is considered that the removal of the existing trees, to facilitate the proposed development, would be acceptable.

### **Conclusion**

- 6.24 The site is within a countryside location and has not been allocated for residential development in either the local plan or a neighbourhood plan, and does not represent a use essential to this countryside location. The proposal therefore conflicts with policies 4 and 26 of the HDPF and Policy Thakeham1 of the Thakeham Neighbourhood Plan. However, the principle of residential development on the site has been established by the recent grant of



prior approval for the conversion of the existing buildings on the site to form four dwellings. This is considered to form a realistic fall-back position carrying significant weight in the planning balance. The proposed development would provide two purpose built dwellings, which represents a reduction in the number of dwellings which could be created as a result of the implementation of the prior approval scheme, and would represent an improved appearance to the site and landscape compared to the development that could otherwise come forward on the site under the prior approval consent.

6.25 Therefore, whilst being a departure from the development plan, the proposal is considered to enhance the immediate setting compared to the alternative permitted development and would ensure that the development would not result in harm to the countryside setting, neighbouring amenity or highway safety. These benefits compared to the fall-back position provided by the extant prior approval consent are considered to outweigh the conflict with policies 4 and 26 of the HDPF, such that the grant of planning permission is recommended.

6.26 Conditions are suggested to ensure adequate boundary treatment, details of the materials to be used, a landscaping scheme to confirm all hard and soft landscaping details/materials, the removal of the existing buildings within the red line site area and the definition of the residential curtilage to serve the proposed dwellings.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

6.28 **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	212	211	1
		<b>Total Gain</b>	<b>1</b>
		<b>Total Demolition</b>	<b>211</b>

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

6.30 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 It is recommended that planning permission is permitted subject to the following conditions-

- 1 A list of the approved plans
- 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 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
  - 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) The intrusive site investigation results following (b) and, based on these, a detailed method statement, giving full details of the remediation measures required and how they are to be undertaken.
- (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 development shall thereafter be carried out in accordance with the approved details. 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 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).

- 5 **Pre-Commencement Condition:** Prior to the commencement of relevant works for the erection of the dwellings hereby approved, the existing buildings, as shown on drawing no. 000, received 01 November 2019, indicated on the plan as 'To Be Demolished' shall be fully demolished (including the removal of foundations) and all materials arising from such demolition removed from the site.

Reason: In the interests of the amenities of the locality and 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 a schedule of materials and finishes and colours to be used for external walls, windows, roofs and doors 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-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).

- 8 **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 Biodiversity Enhancement Layout, providing the finalised details and locations of enhancement measures to include protection of the neighbouring woodland (this includes the 'lopping and topping' of any trees on site particularly those with potential for roosting bats), integrated and external bat roosting opportunities, new bat friendly planting, and should also consider the inclusion of hedgehog homes and cut-outs in fences, bug boxes, nest boxes for birds. The Biodiversity Enhancement Layout shall be submitted to and approved in writing by the local planning authority.

The enhancement measures shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

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 Planning Framework.

- 9 **Pre-occupation Condition:** Prior to first occupation of each dwelling hereby permitted, a lighting design scheme for biodiversity shall be 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 allow 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 (Priority habitats & species) and in accordance with 31 of the Horsham District Planning Framework.

- 10 **Pre-occupation Condition:** Prior to the first occupation of each dwelling hereby permitted, 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: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

- 11 **Pre-Occupation Condition:** No part of the development shall be first occupied until the vehicle parking spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking for the development and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 12 **Pre-occupation Condition:** No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and in accordance with Policy 40 and 41 of the Horsham District Planning Framework (2015).

- 13 **Pre-occupation Condition:** Notwithstanding previously submitted information, prior to the first occupation of the new dwellinghouse 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/residential curtilage treatments
- Details of any external lighting
- Existing and proposed lands levels

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).

- 14 **Pre-Occupation Condition:** The proposed dwellings hereby permitted shall not be occupied until a scheme for the provision of electrical vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. The scheme shall have regard to the requirements for electric vehicle charging within the

latest West Sussex Parking Standards (2019). The approved scheme shall be installed prior to first occupation of the dwellings and shall thereafter remain as such.

Reason: To provide electric vehicle car charging space for the use in accordance with Policies 35 and 41 of the Horsham District Planning Framework (2015) and the WSCC Parking Standards (2019).

- 15 **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

Reason: To safeguard the amenities of neighbouring properties along Coolham Road in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 16 **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 and E of Part 1 or Class A of Part 2 of Schedule 2 of the order shall be erected, constructed or placed within the curtilages 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 control the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/19/1671  
DC/19/0685