



TO: Planning Committee South

BY: Head of Development

DATE: 22nd September 2020

DEVELOPMENT: Demolition of agricultural buildings and erection of 5no. dwellings with associated landscaping

SITE: Threals Farm Threals Lane West Chiltington West Sussex RH20 2RF

WARD: West Chiltington, Thakeham and Ashington

APPLICATION: DC/20/0837

APPLICANT: **Name:** Mr A James **Address:** c/o Agent Batcheller Monkhouse 3-5 Swan Court Pulborough RH20 1RL

REASON FOR INCLUSION ON THE AGENDA: (1) The recommendation of the Head of Development would represent a departure to the adopted development plan;

(2) At the request of Thakeham Parish Council

RECOMMENDATION: To grant planning permission subject to appropriate conditions and a s106 agreement to secure a contribution towards improvements to Bridleway ROW2291.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application has been submitted following consent (under Part 3, Class Q of the General Permitted Development order) for the conversion of an existing agricultural unit on the site to 5 residential dwellings (comprising 4x 2-bed units, and 1x 4-bed unit). The application has been submitted in full to replace the extant Class Q consent, and proposes instead the redevelopment of the wider 0.81Ha site to create 5 detached dwellings, comprising 2x 4-bed houses and 3x 5-bed houses. The proposal includes 20 car parking spaces (4 for each unit).
- 1.2 Revisions to the originally submitted proposals were received by the Council on 21st July 2020. A full public re-consultation followed the submission of these revised plans. The revisions relate solely to the design and layout of the site, and replaced the original 5 detached dwellings with a 'farmstead' style development, still comprising 5 dwellings.
- 1.3 The 'farmstead' style comprises a mix of traditional rural dwelling styles and scales. Proposed materials include plain clay roof and hanging tiles, local Sussex stone, soft red

brickwork, and oak timber features. As existing, access to the site would be from Threals Lane. A landscaping scheme has been proposed which shows the retention of most of the site's existing trees and the planting of an additional 22 trees. New hedgerow and wildflower planting is also proposed. Three low-grade individual trees are proposed for removal, as well as two groups of trees.

- 1.4 Due to the demolition of all agricultural buildings on the site, the proposed development would result in a reduction of built-form on the site from the existing 2150sqm, down to 1618sqm (including garages). A reduction in hardstanding would also result due to the large curtilages proposed for each dwelling.

DESCRIPTION OF THE SITE

- 1.5 The site is located at the southern end of Threals Lane, and although situated in Thakeham Parish, the site is accessed via West Chiltington Common, and is positioned adjacent to (but outside) the defined built-up area boundary. The site extends to around 0.81Ha and comprises a number of redundant agricultural buildings. The northern, eastern and western boundaries of the site are defined by relatively mature vegetation which largely obscures the site from these directions. The southern boundary of the site is more open, and views towards open fields and countryside are readily available.
- 1.6 Threals Farm Cottages and Threals Barn (domestic properties) are located to the north-west of the site, and Bridleway (ROW2291) is located to the south-west of the site running in a southerly direction. The site is partly visible from this Bridleway. Existing dwellings in 'High Spinney' are located around 50m to the west of the application site, but due to dense vegetation, are not readily visible from the site itself.

2. INTRODUCTION

2.1 STATUTORY BACKGROUND

The Town and Country Planning Act 1990.

2.2 RELEVANT PLANNING POLICIES

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

National Planning Policy Framework (NPPF, 2019)

Horsham District Planning Framework (HDPF 2015)

- Policy 1 - Strategic Policy: Sustainable 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 27 - Settlement Coalescence
- 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 40 - Sustainable Transport
Policy 41 - Parking

West Sussex Joint Minerals Local Plan (2018)

Policy M9 - Safeguarding Minerals

Supplementary Planning Guidance:

Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Parish Design Statement:

Thakeham Parish Design Statement (2002)
West Chiltington Village Design Statement (2003)

2.3 RELEVANT NEIGHBOURHOOD PLAN

The application site is located within the Parish of Thakeham. The Thakeham Parish Neighbourhood Plan (TPNP) was formally made in April 2017. Alongside the HDPF, this document forms part of the Council's Local Development Plan.

The following policies are considered to be the most relevant to this application:

- Thakeham1 (A Spatial Plan for the Parish)
- Thakeham6 (Design)
- Thakeham9 (Development in the Countryside)

2.4 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/19/0213	Prior Approval for a proposed change of use of agricultural building to 5 x dwelling houses.	Prior Approval Required and PERMITTED on 26.04.2019
DC/16/2614	Prior Notification for Change of Use of Agricultural Barn to a residential dwelling house and associated operational development	Prior Approval Required and REFUSED on 13.01.2017
DC/15/2420	Outline application for the demolition of redundant agricultural buildings and erection of 5no. dwellings with all matter reserved except access	Application REFUSED on 22.12.2015

3. OUTCOME OF CONSULTATIONS

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

Due to the submission of revised plans received 21 July 2020, a full re-consultation was undertaken. Where relevant, the summaries below show comments received pursuant to both consultation periods.

INTERNAL CONSULTATIONS

3.1 **HDC Environmental Health:** No Objection (conditions recommended)

[Summary of Subsequent Comments]: Previous comments remain valid.

[Summary of Initial Comments]: Given its previous agricultural use, the ground on the site has the potential to be contaminated (including asbestos contamination). Contamination assessments will therefore need to be undertaken to assess the risks to future site users, which can be secured through conditions. Conditions suggested include: (1) Scheme to deal with contamination, (2) Verification that contamination remediation has been implemented, (3) No importation or re-use of soils until chemically tested, (4) Method statement for safe asbestos removal, (5) Verification report for safe asbestos removal, (6) Construction hours restriction, (7) Construction deliveries restriction, (8) Waste removal, and (9) No burning on site.

3.2 **HDC Drainage Engineer:** No Objection (conditions recommended)

[Summary of Subsequent Comments]: No issues raised with revised drainage strategy.

[Summary of Initial Comments]: No overall objections to the drainage strategy proposed, therefore if this development is permitted I would recommend imposing suitable drainage condition.

OUTSIDE AGENCIES

3.3 **Ecology Consultant:** No Objection (conditions recommended)

[Summary of Subsequent Comments]: Comments are broadly the same as previous, recommended conditions remain the same. A HRA has now been prepared which concludes that the proposed development will *'not have a Likely Significant Effect on the designated features of the Habitats sites listed in this assessment, either alone or in combination with other plan and projects'*.

It is noted that there is now a reduced wildflower meadow to the south of the site, and the removal of the oak tree corridor to the southern boundary. However, we support the proposed biodiversity enhancements to secure measurable net gains for biodiversity.

[Summary of Initial Comments]: The site is approximately 9km south east of The Mens Special Area of Conservation (SAC). The LPA should prepare a HRA screening report of likely impacts on the Barbastelle bat which is a qualifying species for this Habitat site.

In accordance with the 'Sussex Bat SAC Planning and Landscape Scale Enhancement Protocol', details of all impacts need to be assessed by the LPA. We are satisfied that the submitted Preliminary Ecological Appraisal confirms that there will be no removal of trees, hedgerow or woodland, and the site does not contain any foraging or commuting habitats. A sensitive lighting scheme should be secured as a condition.

The Site lies within the 5km of the Arun Valley SPA, SAC and Ramsar site, but at 3.3km distance and given its location east of West Chiltington, we consider that

indirect impacts are unlikely, and conclude no Likely Significant Effect on these Habitats sites.

The mitigation measures identified in the Preliminary Ecological Appraisal should be secured and implemented in full. This is necessary to conserve and enhance Protected and Priority Species. We support the proposed reasonable biodiversity enhancements to secure measurable net gains for biodiversity.

No objection is raised (subject to a HRA), and conditions recommended include: (1) Mitigation and enhancements in accordance with the PEA, (2) Submission of a Biodiversity Enhancement Layout, and (3) Submission of a Wildlife Sensitive Lighting Design Scheme.

3.4 **WSCC Highways:** No Objection (conditions recommended)

[Summary of Subsequent Comments]: No additional comments raised.

[Summary of Initial Comments]: Compared to the previous agricultural use on this site, this proposal will attract a much lower number of movements, and these will not be farm vehicles. The current access into the site will not require any improvements. The layout of the internal roads enables emergency service vehicles to enter, turn and exit in forward gear.

The application is supported by a TS, which includes expected trip generation from the site, using TRICS data. The data concludes a low trip rate of 3 trips in the peak hour, which would not create any severe highway impacts on Threals Lane. There have been no recorded traffic incidents within Threals Lane in the past 5 years.

In line with Manual for Streets guidance, the site will form a cul-de-sac, and will not provide any footways. This is in keeping with the rest of the highway in the area, and due to the rural nature of the site is in keeping with the current layout.

Four parking spaces are allocated per dwelling, and WSCC are supportive of this allocation. EVC charging points must be created within each dwelling as standard, or at the very least 20% should be active, with the remaining provision provided passive to be connected later. Cycle parking should be provided for in sheds or garages of each dwelling.

No objection is raised to the development, subject to conditions securing: (1) a construction management plan, and (2) cycle parking.

3.5 **WSCC Fire and Rescue Service:** No Objection (condition recommended)

[Summary of Subsequent Comments]: Previous comments remain valid.

[Summary of Initial Comments]: Currently the nearest fire hydrant to the proposed properties is 210 metres away. The supply of water for firefighting for a domestic premises should be within 175 metres, therefore conditions have been recommended to secure details and installation of an additional hydrant on this site.

3.6 **WSCC Rights of Way:** Comment

[Summary]: The existence of a Public Right of Way (PROW Bridleway 2791) is a material consideration. Bridleway 2791 runs south to the junction with Footpath

2463_1 which will overlook the proposed site. The impact of development upon the public use, enjoyment and amenity of the PROW must be considered by the LPA. The DAS refers to the Public Right of Way as a 'Footpath' but this should be corrected to a 'Bridleway' as these rights include cycle and equestrian users. It also affects the specification of any surfacing proposed, and further information on this is required.

The granting of planning permission does not authorise obstruction of, interference to or moving of any Public Right of Way (PROW); this can only be done with prior consent. Any planning permission should include specific reference to the Bridleway and should ensure users are not inconvenienced during works and WSCC are fully consulted regarding any of the improvements mentioned to the surface.

3.7 **Southern Water:** No Objection

3.8 **Thakeham Parish Council:** Objection

[Summary of Subsequent Comments]: Strong objection raised. Core reasons for objection as previously stated remain valid. The revised appearance of the proposed dwellings would not look authentic in this location (farmstead patterns are more scattered, with buildings on a smaller scale and with very variable vernacular styles). The creation of 3x5-bed and 2x4-bed houses bears no relation to local housing need.

[Summary of Initial Comments]: Strong objection raised. Having considered all of the comparative benefits of this scheme, Council's view is that the Class Q scheme remains the better option. The site is visible from two very well-used rights of way, popular with local walkers, ramblers and tourists. It will not be possible to fully screen these visual intrusions from the viewpoints on the footpaths. The existing barns are an 'honest' feature in the rural/agricultural landscape. The Class Q consent would allow the building to be read as a former barn, whereas introducing 5 large houses in a suburban-style development would be intrusive and inappropriate. These concerns would apply irrespective of the design of the units, but Council also considers that the design style of the proposed dwellings bears no particular vernacular relation the surroundings or locality.

The location is already wholly rural and stands in no particular need of ecological enhancement. The net gain of 23 trees are only required in order screen the intrusion of 5 suburban houses into a rural landscape.

Although upgrading the surface of bridleway 2791 is a Parish priority, the Parish would prefer to secure this funding via other avenues, not by sanctioning inappropriate development.

One affordable unit to be built elsewhere is unlikely to benefit to Thakeham residents, whereas the 4 smaller (2 bed) units in the consented Class Q scheme would give local benefit, hence the Class Q fall-back is better aligned to local housing needs.

The proposal would create a suburban extension into the green gap between West Chiltington and Thakeham conflicting with HDPF Policies 25, 27 and 33. The proposal is outside the BUAB and not allocated for development in the HDPF or Thakeham NP. The development is not 'essential to the countryside location', and is an unsustainable form of development contrary to HDPF Policies 1, 2, 3, 4, and 26.

3.9 **West Chiltonington Parish Council: Objection**

[Summary of Subsequent Comments]: Same reasons as previously stated. In addition, the Parish Council supports Thakeham PC's objection including the charge that the application misuses the Prior Approval rules. The assertion that the barns were redundant is incorrect. It is considered that the amendments should have constituted a new application.

[Summary of Initial Comments]: The site is outside the built-up area boundary; dwellings are too big and dense; the aesthetic is also too urban; no local need for dwellings of such size; infill between West Chiltonington and Thakeham; contravenes Policies 26 and 4 of the HDPF.

PUBLIC CONSULTATIONS

3.10 During the initial round of public consultation, a total of 10 representations were received from 10 different households. Of these, 5 representations objected to the proposed development, and 5 representations supported the proposed development. During the second round of consultation (pertaining to the amended plans), one additional representation was submitted (from a repeat household), which raised an objection to the proposed amendments. In total therefore, 6x letters of objection have been received (from 5 different households), and 5x letters of support (from 5 different households).

3.11 The following summarises the main reasons for objection:

- Unallocated land
- Impact on setting of PROW
- Road safety
- Not in keeping with rural setting
- Foothold for further development
- Unsustainable location
- No need for larger homes
- Poor access.

3.12 The following summarises the main reasons for support:

- Makes better use of the site/land
- Removal of redundant farm buildings
- More attractive
- In keeping with nearby housing
- Improvement on the consented Class Q scheme
- High level of biodiversity.

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 consideration of this assessment is the principle of residential development in the location, and the associated impacts relating to:

- Character and Appearance
- Highways and Rights of Way
- Ecology
- Drainage
- Land Contamination
- Sustainability / Climate Change
- Other Matters – Size of Dwellings

Principle of Development

- 6.1 The application site lies in the countryside outside of the identified built-up area of any settlement, and as such, the principle of the proposal must in the first instance, be considered in the context of Policies 3, 4, and 26 of the Horsham District Planning Framework (HDPF) and Policy Thakeham1 of the 'made' Thakeham Neighbourhood Plan.
- 6.2 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 that 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 the HDPF or the 'made' Thakeham Neighbourhood Plan, and as such, the application proposals directly conflicts with these policies. On this basis, the proposal fails to accord with the spatial strategy as outlined in the adopted local Plan, and any approval of this planning application would represent a departure from the development plan.
- 6.3 Notwithstanding the departure from policy that this proposal would represent, it is acknowledged that the conversion of an existing agricultural barn within the application site to 5 dwellings was granted Prior Approval under Class Q (Part 3) of the General Permitted Development Order (reference DC/19/0213) in April 2019. This permission remains extant, and is therefore a key material consideration in the determination of this application. The existence of Prior Approval for 5 dwellings, could be implemented at any time until its expiry in April 2022, and therefore represents a viable and realistic fall-back position for development were the current application to be refused. A refusal of the current application would not therefore prevent the development of 5 residential dwellings on this site (albeit the units would be of a different scale and type).
- 6.4 It is acknowledged that the Prior Approval (Class Q) scheme only relates to one of the three existing agricultural buildings on the holding, which represents only a small proportion of the wider application site. If the current proposal (comprising 5 large detached dwellings set in large residential curtilages) was permitted, it would utilise the entire site (comprising around 0.8Ha), rather than the Prior Approval scheme which would restrict the 5 units to the confines of a single existing agricultural building of around 590m². The main consideration for the Council therefore, is whether the proposed scheme for 5 dwellings over the full 0.8Ha site would result in a better or worse development than the consented scheme under Class Q (including the realistic potential for use of the remainder of the site for non-residential purposes).

- 6.5 If the current proposal was refused, the Prior Approval (Class Q) scheme for the conversion of one of the existing agricultural buildings into 5 smaller dwellings could realistically be implemented, and is likely to result in one of the following three scenarios:
1. Previous agricultural practices on the site could be re-established, utilising the other adjacent buildings for farming-related purposes. Given the proximity of these agricultural buildings to the consented Class Q residential scheme; an agricultural use here is not likely to be conducive to residential amenity, and would create an unpleasant living environment for the future occupants.
 2. Under Class R (Part 3) of the General Permitted Development Order (GPDO) the applicant could consider changing the use of the adjacent agricultural buildings to a 'flexible commercial use'. This would be allowed under Permitted Development without planning permission, and would afford the Council little control over noise or other undesirable amenity impacts arising from such commercial uses.
 3. The adjacent farm buildings could remain redundant, and in the absence of an alternative use, would likely fall into an increased state of disrepair, which is an equally undesirable (and potentially unsafe) outcome for future residents.

In addition to the above outcomes concerning to the remainder of the site, the Class Q scheme as consented under DC/19/0213 is not itself considered by Officers to be of good quality design or layout. This is discussed further in the next section of this report.

- 6.6 Overall, in terms of principle, the existence of an extant Class Q consent for 5 dwellings on this site is a key material consideration which could be considered significant enough in the planning balance to justify a departure from the adopted development plan policy (as allowed for in Planning Law). With this in mind, the main consideration for the Council is whether the proposed scheme for 5 dwellings over the full 0.8Ha site would result in a better or worse development than the consented scheme under Class Q (including the realistic potential for ad-hoc and unplanned use of the remainder of the site for non-residential purposes as described in paragraph 6.5 above). Alongside other planning matters relevant to the proposed development, the key material consideration pursuant to the extant Class Q consent is considered in full within this report, and a final summary and Officer recommendation is provided in the concluding paragraphs.

Character and Appearance

- 6.7 The site is located in a rural setting, characterised by existing (albeit redundant) large agricultural buildings, and associated hardstanding. The nearest property (Threals Barn) is not included within the planning application site, but it is assumed that this property is (or was historically) associated with the agricultural holding as the main 'farmhouse'. Since the original submission of the application, the design and layout of the proposal has been revised. The revisions propose a development of 5 dwellings which have been designed to reflect more of a tradition 'Sussex farmstead' setting than an extension of the suburban house styles prevalent in the immediate area. Given the existing rural character of the site, and its peripheral location, it is considered that the layout of the site and the proposed design of the dwellings and associated car port structures, is acceptable. Whilst the site does not attempt to replicate the precise character of a Sussex farmstead, each of the plots have been designed to reflect building types that one would expect to see in a farmstead setting, including dwellings to reflect stable blocks, barns, and a central farmhouse.
- 6.8 The characteristics of the proposed buildings include features that are considered to be typical of a farmstead; including long-spanned roof forms, courtyard arrangements, simple design, mixtures of one and two storey heights, open-sided timber structures, and lean-to additions. The proposed development incorporates all these features, which help to create a bespoke rural design, which is more appropriate in this peripheral setting and which compliments the rural surrounds more appropriately. The proposed layout adds to the farmstead character due to its low density nature and its 'organic' form. The layout allows for generous private amenity spaces, which is a benefit when compared to the consented

Class Q scheme. Materials proposed include a mixture of timber framing, horizontal timber cladding, brickwork with quoining detail, and soft brown-red roof tiles. The precise details of the materials would be required by condition, but in principle the materials proposed are typical of those used on traditional farmsteads, and would enhance the quality of the development, which is welcomed.

- 6.9 The layout and design of the site is also considered to be appropriate in terms of its impact on the wider landscape character. Views of the site from Threals Lane (to the north and west) are limited, but the site is much more open to the south and south-east which affords it long-views towards the open countryside and to/from the nearby Bridleway (ROW 2791). Whilst it is accepted that the buildings proposed are large, the overall scale and mass of built structures is less than the scale of the existing agricultural buildings on site. Given the farmstead design that has been proposed (including the use of long-spanned roof forms and traditional materials) it is not considered that the development would look wholly out of place in its setting when viewed from afar. In addition, the retention of a large proportion of open green space to the rear of Plots 1, 2 and 4 (and use of informal post and rail fencing and hedgerow boundaries as opposed to formal close boarded fencing or boundary walls) helps to retain the natural links to the countryside beyond, and assists with the transition from built development to countryside. A condition is suggested to prevent the erection of and other boundary treatments on this site (other than those approved).
- 6.10 Given the site's historic use as a farmstead, the quantum of built-form and hardstanding resulting from the proposed development would reduce significantly. The existing built form covers approximately 2,150m² and the proposed built form would cover approximately 1,618m² (representing a 25% reduction). This again, is another improvement on the consented Class Q scheme. The areas of hardstanding as proposed would comprise the access road with a rural surface treatment to match Threals Lane, parking areas to be surfaced in loose gravel, and a cobbled courtyard space fronting plots 1 and 2. To preserve the character of the site and to retain the high quality finishes and materials, a condition is suggested to prevent the laying of any hard surfacing under permitted development, other than those approved.
- 6.11 A scheme of soft landscaping has been proposed which includes the planting of 22 new trees within the site together with new sections of native hedgerow. All existing boundary vegetation will be retained, with the exception of 5 trees (Category 'U' and 'C'). A new wildflower meadow is proposed at the southern end of the site, which links into the existing pond at the south-east corner. The planting scheme is another improvement on the Class Q scheme which does not require an applicant to provide any additional soft landscaping.
- 6.12 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*”.
- 6.13 With regard to the consented Prior Approval (Class Q) scheme, whilst it could be argued that the conversion of a large agricultural building helps to retain a typical rural/agricultural character to the site, Officers are of the view that the conversion of this large building to 5x dwellings would result in a building that is incongruous in its setting, particularly when considering the surrounding empty agricultural buildings and extent of hardstanding. Whilst external materials have been conditioned as part of the Class Q consent, the elevations offer no design interest or quality, and are overly-simplistic and unimaginative. The layout of the site does not afford the opportunity for any private external amenity space for future residents, and no additional planting would be included. The consented Class Q plans

show a line of informal car parking to the southern boundary of the site which is highly visible from key countryside views and from the Bridleway, introducing an undesirable and poorly placed urban feature. In all, Officers are of the view that when compared to the scheme presented in the proposed planning application, the consented Class Q scheme fails to provide a high-quality 5-unit development that preserves the sensitive rural character of its wider countryside surrounds.

- 6.14 In summary, it is considered that whilst the design and layout of the proposal differs from the more sub-urban character more readily seen within West Chiltington Common, the proposed farmstead character is considered to be appropriate in this rural and more peripheral setting. The site is visible from the nearby Bridleway and from long views to the south of the site, but the bespoke farmstead design with open green spaces and informal boundaries to the south helps to integrate the site into the landscape character by creating structures of a scale and design that are not wholly out of place in their setting. The proposal is considered to be a significant improvement on the consented Class Q scheme, and the character and appearance is considered to accord with Policies 25, 32 and 33 of the HDPF and policy 'Thakeham6' of the Thakeham Neighbourhood Plan.

Highways and Rights of Way

- 6.15 West Sussex County Council (WSSC) as the Highways Authority have reviewed the proposed development and have raised no objection in highways terms. WSSC note that the redevelopment of the site to residential use is likely to result in a reduction in vehicle movements, and movement by farm vehicles would cease, which with regard to the narrow access roads leading to the site, is welcomed. The absence of footways within the site is consistent with the rest of the highway in the area and is not considered to be problematic.
- 6.16 Access to the site is proposed from the existing site access at the southern-most end of Threals lane. WSSC have confirmed that no improvements would be needed to this access. The application is supported by a Transport Statement (TS) which indicates that the trip rates associated with the proposed development would be low, and would not give rise to a 'severe' highways impact on Threals Lane.
- 6.17 The parking strategy for the site allocates 4 spaces per dwelling, which is in line with the 2019 WSSC Parking Standards, and therefore in accordance with HDPF Policy 41. In accordance with the 2019 WSSC Guidance, 28% of the proposed parking spaces should be fitted with electric charging points. This can be secured by condition. Cycle parking is not shown, but it is considered that there is sufficient space within proposed garages for this. A condition has been drafted to require these details to be submitted and approved.
- 6.18 The submitted planning statement notes that the applicant is agreeable to making a contribution towards the upgrade of the nearby Bridleway (ROW 2791). The details of this proposed upgrading have not been proposed, but it is assumed that it would include re-surfacing to a specification to be agreed by WSSC. As per the Officer Recommendation, the mechanism for securing this contribution in a s106 agreement will be explored further in consultation with the Council's Legal team and WSSC.

Ecology

- 6.19 A Preliminary Ecology Appraisal (PEA) has been submitted in support of this application. Whilst no protected species were found on site, the site contains features that provide potential habitats for nesting birds, hedgehogs, and bats. All such areas of potential habitat are proposed to be retained and enhanced as part of the development. In addition, whilst the existing pond to the south-east of the site is of low-ecological value, it too will be retained and enhanced to increase foraging opportunities for amphibians and reptiles. The PEA recommends mitigation measures (including the installation of bat and bird boxes on

buildings and trees, and hibernacula for reptiles and amphibians) and these measures have been drafted as conditions.

- 6.20 The Council's consultant ecologist has reviewed the submitted information in detail and initially advised that given the site's relatively close proximity to The Mens Special Area of Conservation (SAC), the Council would be required to prepare a Habitats Regulations Assessment (HRA) of likely impact on the Barbastelle bat. A HRA has now been prepared which concludes that the proposed development will *'not have a Likely Significant Effect on the designated features of the Habitats sites listed in this assessment, either alone or in combination with other plan and projects'*.
- 6.21 The Council's ecologist has also noted that the development does not proposed the removal of any significant numbers of trees, woodland or hedgerows, and notes that the enhancement features (such as additional hedgerow and tree planting and wildflower meadow) will help to secure a net gain in biodiversity as required by paragraph 170d of the NPPF.
- 6.22 In summary, no objection is raised by the Council's ecologist, subject to the mitigation and enhancement measures (outlined in the PEA) being secured and implemented in full. The ecologist has recommended conditions to that effect, which have been drafted in this report. The proposal is therefore considered to accord with HDPF Policy 31 and Paragraph 170d of the NPPF.

Drainage

- 6.23 In support of the application a Drainage Strategy (V1.2) has been submitted. The development is proposed to include a sustainable drainage system which will discharge surface water either by ground infiltration (including the installation of 134m³ storage crates), or to the existing pond located to the south-east of the site. The pond will provide sufficient storage, including storage capacity for 1:100 year rainfall events, with a 40% allowance for climate change. Foul drainage is proposed to be discharged via an on-site pumping station leading to the public foul sewer (beneath Threals Lane, 75m to the north of the site). It is noted that the redevelopment will reduce the impermeable surface on site in half, from approximately 4,400m² to 2,200m².
- 6.24 The Council's Drainage Engineer has reviewed the revised Drainage Strategy (V1.2) and has confirmed that the proposed method for surface and foul water disposal is acceptable. Precise surface and foul water drainage design details will be secured by condition.

Land Contamination

- 6.25 The Council's Environmental Health Officer has advised that agricultural buildings and associated land can be subject to significant contamination risks arising from their use, construction and storage of mechanical equipment, fuels or other chemicals. Potentially hazardous materials may also be incorporated in made ground, yards and hard standings. A recent site visit by the EHO confirmed that it was apparent that corrugated cement sheeting (a likely asbestos containing material), has been used in the construction of the buildings on this site. There was also evidence of waste disposal and made ground in certain parts of the application site. Given the above, the EHO is of the view that the ground on the site has the potential to be contaminated, and has recommended conditions for this to be investigated further, and safely addressed. It should be noted that removal of asbestos is not a planning matter and is covered by other legislation.

Sustainability / Climate Change

- 6.26 Policies 35, 36 and 37 of the HDPF require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk,

reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. In support of the application an Energy Statement has been submitted. The Energy Statement lists the following measures to build resilience to climate change and reduce carbon emissions:

- using good insulation in building fabric to reduce heat loss and maximise air tightness performance;
- glazing designed to maximise natural daylight;
- use of low energy heating and hot water systems;
- use of low energy lighting;
- provision of secure and covered cycle storage;
- use of low-polluting insulation materials;
- use of long-life durable materials;
- provision of household recycling facilities;
- sanitary appliances and fittings will be low mains water use;
- reduction of impermeable hard surfacing;
- improved ecological value of the site (planting etc.);
- Implementation of a construction site waste management plan.

6.27 In addition to these measures, conditions are attached to secure the following:

- Securing of a sustainable surface water drainage systems;
- Dedicated cycle parking facilities;
- Biodiversity mitigation and enhancement ;
- 5x (minimum) electric vehicle charging points.

Subject to these conditions it is considered that the proposed development will suitably mitigate its impact on climate change in accordance with local and national planning policy.

Other Matters – Size of Dwellings

6.28 Officers acknowledge a point made by Thakeham Parish Council regarding the size of dwellings proposed as part of this application (2x 4-bed and 3x 5-bed). The Parish Council are of the view that additional large dwellings (such as those proposed) are not needed in the Parish, and that the smaller, more affordable dwellings already permitted under the Class Q consent are required more urgently. Whilst the provision of an appropriate mix of housing to meet locally identified needs is a valid point, it must also be noted that the key housing needs required within Thakeham Parish have been identified and addressed via policies contained within the 'made' Thakeham Neighbourhood Plan. The housing need in Thakeham has, for now, been accommodated via Neighbourhood Plan allocations, and the development of this site is considered therefore to be a 'windfall' site. In addition, whilst the site is located within the boundary of Thakeham Parish, it abuts the built-up area boundary of West Chiltington Parish. Arguably therefore, the site is more closely associated with the services, functions and community connections of West Chiltington, rather than those of Thakeham. Work on the West Chiltington Neighbourhood Plan is underway, but West Chiltington Parish do not currently have a 'made' Neighbourhood Plan to draw upon. As such, the housing needs in West Chiltington are less understood at this stage so it would be premature to suggest that only smaller homes are needed to fulfil future needs within the Parish. Notwithstanding this, the suitability of 5 large houses in this location must also be acceptable in character terms, and this has been assessed in more detail in earlier sections of this report.

Conclusion

- 6.29 The site is located within a countryside location and has not been allocated for residential development. The proposal therefore conflicts with policies 4 and 26 of the HDPF and Policy Thakeham1 of the Thakeham Neighbourhood Plan. However, the principle of the erection of 5x residential units on the site has already been established by the grant of Prior Approval (Class Q) for the conversion of an existing agricultural building on the site to form 5no dwellinghouses. This is considered to form a realistic fall-back position carrying significant weight in the planning balance.
- 6.30 Whilst the proposed development of 5x large detached houses would constitute development across a larger site area, Officers are of the view that it would result in a much improved appearance to the site as a whole, when compared to the poorer quality and incongruous development that could otherwise come forward on the site under the Class Q consent. The proposal gives the Council more control over the layout and quality of the development (including a higher quality of materials, boundary treatments, planting and ecological enhancements), as well control over the associated amenity impact on future residents. The proposed development would also afford more certainty about the site's future by preventing further ad-hoc development which is not conducive to residential amenity (including undesirable agricultural or commercial uses, or the further dilapidation of the existing agricultural buildings on site if no alternative use for them is pursued).
- 6.31 The concerns highlighted by Thakeham Parish Council regarding the lack on need for larger homes in Thakeham is acknowledged. However, when considering the benefits offered by the proposed development compared to the consented Class Q scheme, it is the view of Officers that the proposal justifies a departure from adopted in policy in this particular case. The benefits of the proposed development when compared to the Class Q scheme are therefore considered to outweigh the conflict with the Local Plan policies such that the grant of planning permission, on balance, is recommended.

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
			Total Gain
			Total Demolition

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 It is recommended that the Committee delegated approval of the application to the Head of Development, subject to the following conditions, and subject to the completion of a s106 legal agreement to secure a financial contribution for improvements to Bridleway ROW2791.

Conditions

1. List of Approved Plans

2. **Regulatory (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 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. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate, but not necessarily be restricted to the following matters:

- i. the anticipated number, frequency and types of vehicles used during construction;
- ii. the method of access and routing of vehicles during construction;
- iii. the parking of vehicles by site operatives and visitors;
- iv. the loading and unloading of plant, materials and waste;
- v. the storage of plant and materials used in construction of the development;
- vi. the erection and maintenance of security hoarding;
- vii. the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders); and
- viii. details of public engagement both prior to and during construction works.

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).

4. **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 pre-demolition 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) – (c) 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 a

verification plan providing details of what data will be collected in order to demonstrate that the remedial works are complete.

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).

5. **Pre-Commencement Condition:** No development shall commence until precise details of the existing and proposed finished floor levels and external ground levels of the development in relation to nearby datum points adjoining the application site have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

6. **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 trees on the site shown for retention within the approved Arboricultural Impact Assessment (by PJC Consultancy, ref: 5526/20/02), 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).

7. **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).

8. **Pre-Commencement Condition:** No development shall commence until details showing the proposed location of 1no. fire hydrant or stored water supply (in accordance with the

West Sussex Fire and Rescue Guidance Notes) have submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Services. The fire hydrant shall thereafter be installed in the approved location, and connected to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting.

Reason: In the interests of amenity and safety, in accordance with Policies 33 and 39 of the Horsham District Planning Framework (2015), and with the F&RS Act 2004.

9. **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 all approved buildings has been submitted to and approved by the Local Planning Authority in writing. 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).

11. **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 Strategy for Protected and Priority species has been submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:
- a) Purpose and conservation objectives for the proposed enhancement measures;
 - b) detailed designs to achieve stated objectives;
 - c) locations of proposed enhancement measures by appropriate maps and plans;
 - d) persons responsible for implementing the enhancement measures;
 - e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

12. **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 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 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. No other external lighting shall be installed without prior consent from the local planning authority.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

13. **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).

14. **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
- A written outline soft specification, including ground preparation, cultivation and other operations associated with plant and grass establishment
- Details of all hard surfacing materials and finishes
- Details of all boundary treatments (including fencing, walls etc.)

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 or retained 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).

15. **Pre-Occupation Condition:** The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification that the contamination remediation scheme required and approved under the provisions of condition 4(c) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 4(c), unless otherwise agreed in writing by 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).

16. **Pre-Occupation Condition:** No dwelling hereby permitted shall be first occupied until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved drawing numbers [TF_06 Rev B, TF_07 Rev B, TF_11, TF_13, TF_15, TF_16, and TF_19]. The cycle parking facilities shall thereafter be retained as such for their designated use at all times.

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

17. **Pre-Occupation Condition:** No dwelling hereby permitted shall be first occupied until provision for the storage of refuse and recycling has been made for that dwelling in accordance with drawing numbers [TF_06 Rev B, TF_07 Rev B, TF_11, TF_13, TF_15, TF_16, and TF_19]. These facilities shall thereafter be retained for use at all times.

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

18. **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, a plan showing a minimum of 1no. fast electric vehicle charging points per dwelling (5no. total across the site) shall have been submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging points shall be made available for use prior to the first occupation of the development hereby permitted, and shall be retained as such for their designated use.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

19. **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, all existing building on site indicated on 'Existing Site/Block Plan' reference [TF_01] shall have been demolished (including the removal of foundations) and all materials arising from such demolition removed from the site.

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).

20. **Regulatory Condition:** No soils shall be imported or re-used within the development site until the developer has submitted details of the chemical testing and assessment of the soils which demonstrates the suitability of the soils for the proposed use. The assessment shall be undertaken by a suitably qualified and competent person and full details shall be submitted to and approved in writing by the local planning authority. Prior to the first occupation (or use) of any part of the development hereby permitted, a written verification report shall be submitted which demonstrates only soils suitable for the proposed use have been placed. The verification report shall be submitted and approved, in writing, by 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).

21. **Regulatory Condition:** No works relating to the construction of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

22. **Regulatory Condition:** No deliveries of construction materials or plant and machinery and no removal of any spoil from the site, shall take place outside of 08:00 hours to 18:00 hours

Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

23. **Regulatory Condition:** All works shall be executed in full accordance with the submitted Arboricultural Impact Assessment/Method Statement by PJC Consultancy, dated 27 April 2020, (ref: 5526/20/02).

Reason: To ensure the successful and satisfactory protection of important trees, shrubs and hedges on the site in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).

24. **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 by PJC Consultancy, dated 21 January 2020 (ref: 4235E/19).

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

25. **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 Class A (extensions), Class B (roofs) or Class F (hard surfaces) of Part 1 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 the sensitive rural character of the site, in accordance with Policy 33 of the Horsham District Planning Framework (2015).

26. **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 Class A (gates, fences, walls) 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 the sensitive rural character of the site, in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Informatives:

1. Please be advised that there are conditions on this notice that will require the submission of details to be submitted for approval to the Local Planning Authority. To approve these details, you will need to submit an "Application for approval of details reserved by condition" with an application form and pay the appropriate fee. Guidance and the forms can be found at www.planningportal.gov.uk/planning/applications/paperforms
2. Please note that Southern Water require a formal application for connection to the public foul sewer in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire (tel: 0330 303 0119) or www.southernwater.co.uk

3. WSCC Public Rights of Way Informatives:

Access along a public bridleway other than as a walker, cyclist or equestrian whether by the applicant, construction personnel or future site occupiers, will only be lawful if the applicant can prove a private right of access exists. It will be an offence under the Road Traffic Act 1988 section 34(1) if motorised access is undertaken without a private access right existing.

The path is not to be obstructed by vehicles, plant, scaffolding or the temporary storage of materials and / or chemicals during any works; these will constitute an offence of obstruction under the Highways Act 1980.

The applicant must be advised it is an offence to damage / change the surface of a public right of way without the prior consent of WSCC. Where it is necessary to undertake works within the path width, e.g. install utilities, the applicant must be advised to apply to WSCC for a temporary path closure; the applicant must be advised there is no guarantee an application will be approved and that a minimum of 8 weeks is needed to consider an application.

Any damage to the footpath surface reasonably arising from access to and from the site, both during construction and during future occupation, will be the responsibility of the applicant or occupier; they will be held liable and required to make good the surface to a standard satisfactory to the WSCC.

Any change to the surface of the right of way must be agreed with WSCC as Highways Authority prior to any work commencing and the granting of planning permission does not negate the need for this consent.

4. Given the likely presence of asbestos containing materials on the site, the applicant is advised to seek professional advice regarding its removal in accordance with current regulations.

Background Papers:

DC/19/0213 (Prior Approval, Class Q)

DC/20/0837 (Current Application)