



TO: Planning Committee North

BY: Head of Development and Building Control

DATE: 02 March 2021

DEVELOPMENT: Demolition of existing buildings and erection of 3x two-storey residential dwellings.

SITE: Maxlands Farm Land North of Pear Tree Farm Northlands Road Warnham West Sussex RH12 3SH

WARD: Itchingfield, Slinfold and Warnham

APPLICATION: DC/20/1166

APPLICANT: **Name:** Robin Hoskin **Address:** care of agent Melton Lodge Rusper Road Newdigate RH5 5BX

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

More than eight persons in different households have made written representations within the consultation period raising material planning considerations that are inconsistent with the recommendation of the Head of Development and Building Control.

RECOMMENDATION: To approve planning permission subject to appropriate conditions.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks full planning permission for the demolition of 2no existing storage/agricultural buildings and the erection of 3no two storey dwellings. The existing buildings on site consist of two modern utilitarian agricultural barn style buildings, which consist of a combination of metal and fibre cement sheeting and blockwork to the external walls and roofs.
- 1.2 The change of use of one of the buildings on site to residential was granted under Prior Approval, application ref: DC/19/0798, through Class P of the General Permitted Development Order 2015 (GPDO), as amended. This prior approval established the conversion of the building and the principle of the creation of 4no two bedroom dwellings on the site. This current planning application seeks the demolition of the existing buildings and

the erection of 2no semi-detached two storey three-bed dwellings and 1no detached two storey four-bed dwelling as an alternative to the permitted development conversion of the existing building. The proposed dwellings would be located in the locations of the existing buildings to be removed.

- 1.3 The proposed dwellings would have traditional designs, consisting of Sussex hipped roofs and a natural materials pallet including; clay tiled roofs, brick, stone and timber cladding to external walls, timber framed windows and doors and conservation style rooflights. The proposed development would take its cues from the existing neighbouring properties to the south-east at Pear Tree Farm/Cottages, in terms of layout and configuration.
- 1.4 The overall GIA to be created would measure approximately 527sqm. The existing buildings to be removed measure approximately 498sqm in terms of GIA. In terms of overall footprint, the proposed dwellings would cover a floor area of approximately 356sqm and the existing buildings to be removed cover a floor area of approximately 520sqm (external footprint).
- 1.5 The proposals have been the subject of amendments and extensive officer consideration, with regards to the number of dwellings proposed, the quantum of development and the design, built form and layout of the dwellings. The application was initially submitted seeking planning permission for a total of 4no dwellings, with an inappropriate layout and design which were not considered to be acceptable. The proposals have subsequently been amended as follows –
 - Reduction in the number of new build dwellings from 4no to 3no.
 - Alterations to the designs of the properties taking into account the rural and countryside vernacular
 - Alterations to the layout of the site and configuration of the proposed dwellings
 - Confirmation and realignment of the access shown on plans, utilising the existing access from the A29 which currently serves the site
- 1.6 It is noted that no part of the development or access would encroach onto the land to the south of the site which consists of a Public Right of Way (PROW)/bridleway.

DESCRIPTION OF THE SITE

- 1.7 The application site is located to the east of the A29/Bognor Road and to the west of Northlands Road, outside of any designated built-up area boundary. The existing buildings on site consist of two modern utilitarian agricultural barn style buildings, which consist of a combination of metal and fibre cement sheeting and blockwork to the external walls and roofs. The wider site consists of an agricultural field which is enclosed to the north-east and east from wider views. The site and existing buildings is served by an existing gated access and track/drive from the A29/Bognor Road.
- 1.8 A (PROW)/bridleway runs to the south of the site . The PROW has an entrance point from the A29/Bognor Road which is adjacent to the entrance to the site. The proposed development would not affect or encroach onto the PROW in any way. The surrounding consists of sporadic residential properties and it is noted that there is an existing vehicular access present along the A29/Bognor Road, approximately 70m away from the entrance to the site, which serves a neighbouring dwelling at Chatfolds. Pear Tree Farm is located to the south-east of the site and consists of a large dwelling and the neighbouring properties of Pear Tree Cottages.
- 1.9 As set out above, the site benefits from Prior Approval for conversion to form 4no residential dwellings under Class P of the GPDO, granted under planning reference DC/19/0798. The principle of the creation of 4no dwellings on this site has therefore been established and represents a fall-back position which can be realistically implemented.

2. INTRODUCTION

STATUTORY BACKGROUND

2.1 The Town and Country Planning Act 1990.

2.2 National Planning Policy Framework

2.3 Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 4 - Strategic Policy: Settlement Expansion

Policy 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 30 - Protected Landscapes

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

RELEVANT NEIGHBOURHOOD PLAN

2.4 **Warnham Parish Neighbourhood Plan** was formally made on 26 June 2019. Of most relevance to this application are:

Policy 3: Vision and Objectives

Policy 4: Development Strategy.

2.5 Warnham Parish Design Statement

2.6 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/19/2378	Retrospective application for the change of use of an agricultural building to a B8 (Storage or Distribution) building for commercial usage	Application Permitted on 09.04.2020
DC/19/0798	Prior Approval for a change of use from storage (Class B8) to dwellinghouses (Class C3)	Prior Approval Required and PERMITTED on 03.06.2019

3. OUTCOME OF CONSULTATIONS

3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

INTERNAL CONSULTATIONS

3.2 **HDC Compliance Team:** No Comments

3.3 **HDC Arboricultural Officer:** Verbal Comments, No Objections.

- No objections raised with removal of tree within the site

- No considered to be of any especial amenity value given countryside location and set back from highway
- Has some standing deadwood
- No objection to its removal to facilitate the proposed development
- The development would not have a detrimental impact on trees to south of site.

OUTSIDE AGENCIES

3.4 **WSCC Highways: No Objections**

An established access point will serve the proposed dwelling and currently serves commercial/agricultural barns and field. No changes to the access are proposed. The change in use of anticipated vehicle types from large tractor trailers to small domestic vehicles would be an improvement to the use of the access, with vehicles no longer needing to cross into the opposite carriageway when egressing.

An inspection of data supplied to WSCC by Sussex Police over a period of the past five years reveals that there have been no recorded injury collisions within the vicinity of the site. Therefore, there is no evidence to suggest that the existing access is currently operating unsafely. With all the above considered, the LHA would not anticipate that the proposal would generate a highways safety concern at the existing access.

In addition, no objections raised with regards to parking provision. 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.

3.5 **WSCC Fire and Rescue: Comment**

Fire hydrant condition recommend

3.6 **Southern Water: No Objection.**

PUBLIC CONSULTATIONS

3.7 **Parish Council Consultation: Objection.**

- Site not allocated in Neighbourhood Plan and did not come forward in call for sites
- Warnham has taken fair share of housing allocation in HDPF
- Proposals do not comply with HDPF policies
- Highways and access concerns.

3.8 A total of 20 letters of objection from 12 separate households/bodies have been received for this application. The nature of the objection can be summarised as follows –

- Access not suitable and highways safety concerns
- Drainage issues and provision of utilities
- Proposal not appropriate in this location, contrary to housing policies
- Contrary to neighbourhood plan
- Detrimental Impact on ecology and trees

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 dwellings 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 moves to be considered in the context of paragraph 79 of the NPPF and policies 3, 4, and 26 of the Horsham District Planning Framework (HDPF).
- 6.4 HDPF Policy 3 and 4 advises 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 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 Local Plan or the Warnham Neighbourhood Plan and thus the application proposals directly conflicts with these policies. On this basis, the proposal therefore fails to accord with the HDPF strategy for development and the grant of this planning permission 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 which would allow such developments is as follows –

Planning policies and decisions should avoid the development provided 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 designs of the dwellings (which is considered in detail later in this report) would represent an enhancement when compared to the existing buildings on site, they would not be truly outstanding or innovative. The proposal could not therefore be justified under p.79 of the NPPF.
- 6.7 Notwithstanding the above, it is noted that the conversion of one of the buildings on site to form a total of 4no residential dwellings has Prior Approval under Class P of the GPDO (DC/19/0798, dated 03 June 2019) and is permitted development. This is a significant material consideration in the determination of this current planning application.
- 6.8 The presence of a Prior Approval for 4no residential 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 a 4no residential units on the site, where this current application is proposing 3no dwellings.
- 6.9 It is therefore considered, subject to detailed considerations, that refusal of the application on the basis of the conflict with Policies 4 and 26 of the HDPF would not be warranted and would not prevent 4no dwellinghouses from being created on the site. On this basis, the principle of development, proposing the creation of 3no dwellings, is considered acceptable, subject to any permission requiring the demolition of the existing buildings on site (to avoid both developments being carried out) and other relevant detailed considerations.

Character and appearance

- 6.10 With regards to design, Paragraph 131 of the National Planning Policy Framework (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".
- 6.11 Policies 26 (countryside protection), 32 (quality of new development) and 33 (Development Principles) of the HDPF require development to be of high quality design which is sympathetic to the character and distinctiveness of the site and surroundings.
- 6.12 The proposal would involve the creation of 2no semi-detached dwellings and 1no detached dwelling which would be sited in the location of two storage/agricultural barn style buildings to be demolished and removed from the site. The proposed dwellings would be designed to appear as traditional Sussex style half hipped barn conversions and are configured to read as a larger detached dwelling coupled with smaller semi-detached cottages. This design character would take its cues from the neighbouring properties to the south-east of the site at Pear Tree Farm and Pear Tree Cottages and is considered to be typical of and commensurate with the countryside location.
- 6.13 The proposed dwellings would incorporate a traditional, natural materials pallet and detailing including; clay tiles making up the roofs, brick, stone and timber weatherboarding making up the various external walls, timber framed fenestration and doors and conservation style rooflights.
- 6.14 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 there were various commercial and agricultural apparatus, materials and associated paraphernalia scattered around the site, which were considered to detract from the site and surroundings, notwithstanding the existing uses.
- 6.15 It is considered that the design of the proposed dwellings would represent an enhancement to the site when compared to the existing buildings to be removed and the potential conversion to residential. The existing building to the east of the site, whilst there is permission under current permitted development rights to convert this to form 4no dwellings,

would be limited in terms its aesthetic value. The proposals, whilst it is acknowledged that they would create a greater overall GIA when compared to that which would could be achieved under the Prior Approval permissions, would occupy a lesser overall footprint when compared to the existing buildings, resulting in a reduction in overall built form.

- 6.16 While part of the site is visible from a public vantage point, when view from the entrance, given the nature of the road, which does not benefit from a pavement, taking into account the rural location and the speed limit, it is considered that the proposed development would not appear prominently within the landscape. Together with the modest size and scale of the proposals, coupled with the design and materials to be used, it is considered that the proposed dwellings would represent an enhancement when compared to the Prior Approval consent and would result in an appropriate and sympathetic form of development, introducing buildings of architectural merit and interest, when compared to the existing buildings to be removed.
- 6.17 It is noted that a Public Right of Way (PROW) runs to the south of the site. The application site benefits from existing boundary fencing along the southern elevation and there are extensive trees and soft landscaping either side of the PROW. As such, while the site and development may be partially visible from this vantage point, it is considered that the proposals would result in an enhancement in terms of visual amenity when compared to the existing development on site, and therefore no concerns are raised in this regard.
- 6.18 This current full planning application gives greater control over the eventual development of the site, particularly in respect of detailed design, landscaping matters and ecological enhancements and results in the creation of 3no dwellings rather than 4no dwellings, which is considered to represent a better quantum of residential development for this site. 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 26, 30, 32 and 33 of the HDPF, Policies 3 and 4 of the Warnham Neighbourhood Plan, as well as Paragraph 131 of the NPPF.

Impact on neighbouring amenity

- 6.19 Policy 33 of the Horsham District Planning Framework 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 75m away from the closest neighbouring property at Pear Tree Farm to the south-east. Given the distances maintained and existing extensive mature landscaping present between the site and the neighbouring properties, it is considered that the proposal would not have an overbearing impact or lead to any overshadowing or loss of outlook to neighbouring properties. While first floor windows are proposed to the detached dwelling, 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.

Quality of the resulting environment for future occupiers

- 6.20 It is considered that the proposed development would provide adequate indoor and outdoor living space for future occupants of the dwellings. Suitable distances would be preserved to neighbouring development and between each of the dwellings and the proposed dwellings are appropriately orientated to ensure that there would not be any harmful overlooking or any potential overbearing impact on the proposed dwellings.
- 6.21 In addition to the above, it is considered that the proposed scheme would result in an enhanced living environment for potential future occupiers when compared to the permitted Prior Approval scheme. The earlier application for the conversion of the existing storage building would have created new dwellings in close proximity to an agricultural barn. The

proposals to remove this building as part of the current application is considered would eliminate any potential odour or noise nuisance generated, providing a betterment to the previous approval. As such, it is considered that there would be an appropriate quality level of environment for the future occupiers of the proposed dwellings in accordance with Policy 33 of the HDPF (2015).

The highways impacts of the proposal

- 6.22 Policies 40 and 41 of the Horsham District Planning Framework 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 the A29/Bognor Road to the west. The submitted details indicate that the proposed dwellings would be served by a total of 7 no parking spaces. WSCC Highways who have raised no objections, stating that data supplied to WSCC by Sussex Police over a period of the past five years reveals that there have been no recorded injury collisions within the vicinity of the site. Therefore, there is no evidence to suggest that the existing access is currently operating unsafely.
- 6.23 In addition, WSCC Highways have highlighted that the existing commercial uses, which likely require the use of larger vehicles and tractors, are likely to enter and exit the site at lower speeds and require crossing over to the opposite carriageway to the enter the site, raising the risk of accidents. The proposed residential use of the site, with future occupiers likely using smaller vehicles, is considered to reduce this risk and would result in an enhancement over the existing situation on site in this regard. As such, the proposals are considered to be acceptable on highway and transport grounds, subject to appropriate conditions to be attached.

Climate change:

- 6.24 Policies 35, 36 and 37 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. The proposed development includes the following measures to build resilience to climate change and reduce carbon emissions:
- Water consumption limited to 110 litres per person per day
 - Requirement to provide full fibre broadband site connectivity
 - Refuse and recycling storage
 - Biodiversity mitigation and enhancement
 - Cycle parking facilities
 - Electric vehicle charging points
- 6.25 Subject to these conditions the application will suitable reduce the impact of the development on climate change in accordance with local and national policy.

Ecology Considerations

- 6.26 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. From a case officer site visit and inspection of the history of the site, the site is considered to be of low ecological value. Notwithstanding this, suitable conditions and informatives have been recommended to ensure ecological mitigation and enhancement measures are put in place. It is considered that the proposals

would not have a detrimental impact on ecology, and overall the proposals are considered to be acceptable in this regard, in accordance with Policy 31 of the HDPF.

Tree Considerations

- 6.27 It is noted that there is a large tree located to the centre of the site, in close proximity to the existing storage building to be removed. The proposed details indicate that this tree would be removed from the site to facilitate the proposed development. Following consultation and a site visit, HDC's Arboricultural Officer raised no objections to the removal of the tree. The Arboricultural Officer stated that its location and proximity to the highway give it little general amenity or public value, the tree has standing deadwood and it is not worthy of formal protection or retention, that would preclude the possibility of development on the site. In addition, no objections are raised in terms of the trees located to the south of the application and potential impact.
- 6.28 Taking this viewpoint into account, it is considered that the removal of the existing tree on site to facilitate the proposed development would be acceptable, and no other concerns are raised in this regard. A landscaping condition will be added which will require the planting of new trees on site as part of the development.

Drainage

- 6.29 Notwithstanding objections which have been received in this regard, the site is located within Environment Agency designated Flood Zone 1 where there is a low probability of flooding and where residential development is considered acceptable by the NPPF. Given the nature of the proposals, a suitable pre-commencement condition requiring submission of a drainage strategy and the proposed means of foul and surface water drainage to be incorporated in the scheme, is considered to be appropriate.

Conclusion

- 6.30 The site is within a countryside location and has not been allocated for residential development, whilst the proposal does not represent a use essential to this countryside location. The proposal therefore conflicts with policies 4 and 26 of the HDPF. 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 storage building on the site to form 4no dwellinghouses. This is considered to form a realistic fall-back position carrying significant weight in the planning balance. The proposed development would provide 3no purpose built dwellinghouses, which represents a reduction in the number of dwellings which could be created as a result from implementation of the prior approval scheme, and would result in a better quantum of residential development on the site. The proposals would represent an improved appearance to the site and landscape and a reduction in overall footprint and built form when compared to the development that could otherwise come forward on the site under the Prior Approval consent.
- 6.31 Therefore, whilst being a departure from planning policy, the current application is considered to enhance the immediate setting and 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 such that the grant of planning permission is recommended.
- 6.32 Conditions are suggested to ensure; adequate boundary treatments, detailed use of materials to be provided, a landscaping scheme to confirm all hard and soft landscaping details/materials including new trees, the removal of the existing buildings within the red line site area, ecological enhancements and the definition of the residential curtilages to serve the proposed dwellings.

6.33 COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

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

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	527	498	29
	Total Gain		
		Total Demolition	498

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

6.35 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 on site, as shown on drawing no. 190717_001 R.1, received 12 February 2021 and indicated on the plan as 'Footprint of building to be removed' x2, 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 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: 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.

- 8 **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).

- 9 **Pre-Occupation Condition:** Notwithstanding previously submitted information, prior to the first occupation of any part of the development hereby permitted, a plan showing the layout of the proposed development and the provision of car parking spaces for vehicles shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the parking spaces associated with it have been provided in accordance with the approved details. The areas of land so provided shall thereafter be retained for the parking of vehicles.

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

- 10 **Pre-Occupation Condition:** No part of the development hereby permitted shall occupied until 1no electrical vehicle charging point per dwelling has been provided on site The charging points shall be installed prior to first occupation of the development 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).

- 11 **Pre-occupation Condition:** No part of the development shall be first occupied unless and until covered and secure cycle parking spaces have been provided to serve the dwellings. The facilities shall thereafter be retained for use at all times.

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).

- 12 **Pre-Occupation Condition:** No part of the development shall be first occupied unless and until provision for the storage of refuse and recycling has been provided to serve the dwellings. The 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).

- 13 **Pre-occupation Condition:** Notwithstanding previously submitted information, prior to the first occupation of the new dwellinghouse(s) 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
- Existing and proposed lands levels
- Ecological and Biodiversity Enhancements

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:** Prior to first occupation of each dwelling hereby permitted, a plan shall have been submitted to and approved in writing by the Local Planning Authority detailing the residential curtilage associated with each of the dwellings. The residential curtilages shall be retained as such and no increase in the size of residential curtilages shall be undertaken without express planning consent from the Local Planning Authority first being obtained.

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 **Regulatory Condition:** The dwelling(s) 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: 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).

- 16 **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 Hermongers Lane in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 17 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order, no development falling within Classes A, B, and E of Part 1 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).

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

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

- 19 **Regulatory Condition:**
Prior to the first occupation of any dwelling/unit forming part of the proposed development, the owner/occupier will, at their own expense, install a fire hydrant in accordance with the West Sussex Fire and Rescue Guidance Notes and to BS 750 standards or stored water supply and arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting.

The fire hydrant shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner / occupier if the installation is retained as a private network.

Reason: In the interests of amenity and in accordance with policy HDPF Policies 33 and 39 and in accordance with The Fire & Rescue Service Act 2004.

Background Papers: DC/20/1166
DC/19/0798