



TO: Planning Committee South

BY: Head of Development and Building Control

DATE: 9 March 2021

DEVELOPMENT: Demolition of existing structure and construction of a new 1 bedroom dwelling with ancillary vehicle parking within the curtilage of the site.

SITE: Land Adjacent To St. Anne's Hyde Street Upper Beeding West Sussex

WARD: Bramber, Upper Beeding and Woodmancote

APPLICATION: DC/20/2184

APPLICANT: **Name:** Mr Simon Stringer **Address:** Newbrook Farmhouse Manor Road Smugglers Lane Upper Beeding BN44 3TJ

REASON FOR INCLUSION ON THE AGENDA: By request of Upper Beeding Parish Council

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

Application Description:

- 1.1 Planning permission is sought for the demolition of an existing two-storey domestic garage and workshop and the erection of a single one-bedroom detached dwelling.
- 1.2 The proposed dwelling would be provided to a single-storey, being constructed to a depth of 7.7m and width of 6.3m. The dwelling would feature a half-hipped roof, erected to a total height of 5.8m and eave height of 3m, with first-floor accommodation provided within the roof-slope.
- 1.3 The proposed dwelling would be positioned centrally within the application site, occupying a footprint further forward (relative to Hyde Street) than the existing garage. Private amenity spaces would be provided to rear, with parking/turning spaces provided forward of the dwellings principal elevation.

Site Description:

- 1.4 This application relates to land east of Hyde Street and concerns land formerly constituent of the garden area of No.5 Maines Road (found to the rear of the application site).
- 1.5 The site is located adjacent to an operational sub-station at the southern end of a group of three dwellings. The site possesses a notable change in levels and exaggerated topography, with land rising steeply to the north-east and east of the existing garage. In order to accommodate the proposed dwelling, and associated parking/turning areas, the

applicant has undertaken preparatory clearance of vegetation and cutting of the former embankment at the eastern extent of the site.

1.6 The application site falls within the defined-built up area of Upper Beeding, and is located a short distance (~27m) north-west of the boundary of the South Downs National Park. The Hyde Street Conservation Area is found ~31m north-west of the application site, with the Grade II Listed Building of 'Old House' sited ~56m north-west of the site. The site itself contains no heritage, ecological, environmental or landscape designations.

1.7 The application site has been made subject of three preceding planning applications for residential development. The preceding application (ref: DC/20/1556) was withdrawn prior to determination with the Local Planning Authority previously resolving to refuse planning permission in respect of ref: DC/20/0472 and ref: DC/19/2074 (which was subsequently dismissed at appeal). The reasons for refusal stated in connection with refs: DC/20/0472 and DC/19/2074 were:-

1. The proposed development, by reason of its siting, mass and scale, and its relationship with site boundaries, together with the pattern and character of the surrounding development, would represent an unduly cramped and unsympathetic form of development which would be harmfully out of keeping with the prevailing character of the locality. The proposal is therefore contrary to policies 32 and 33 of the Horsham District Planning Framework (2015) and guidance as set out at Section 12 of the National Planning Policy Framework (2019).
2. It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed development, by virtue of its landscape design and associated boundary treatments, would preclude the possibility of unacceptable harm to the amenities of neighbouring occupiers in terms of an enhanced sense of enclosure, loss of light and/or privacy, contrary to Policy 33 of the Horsham District Planning Framework (2015).

1.8 A subsequent appeal in relation to application DC/19/2074 was dismissed, with the Inspector stating:-

- "The differing orientation of the proposed dwelling to St Anne's and its location at a bend in Hyde Street mean that the front extension and marked increase in the bulk of the development would be readily visible in the street scene. While the set back of the building from the street would be broadly comparable to that of the neighbour at St Anne's, it would therefore be prominent."
- "The dwelling would be seen from Hyde Street as filling the majority of the width of the rear part of the plot. The building would also be set fairly close to the front and rear plot boundaries, and together with the increased scale of the building and the unusually tight relationship with the boundaries to both sides, this would result in the dwelling appearing cramped on the site."
- "Given the existing height difference between the sites, the resulting increase in the height of the boundary treatment would be a highly dominant feature from the perspective of occupiers of St Anne's. It would also be likely to cause a loss of daylight and sunlight, particularly during the early part of the day. Together with the resulting significant sense of enclosure, these factors would adversely affect the use and enjoyment of the neighbouring garden causing harm to the living conditions of the occupiers of St Anne's."

1.9 A copy of this appeal decision (in full) is appended to this report)

2. INTRODUCTION

STATUTORY BACKGROUND

2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015)

- Policy 1 - Strategic Policy: Sustainable Development
- Policy 2 - Strategic Policy: Strategic Development
- Policy 3 - Strategic Policy: Development Hierarchy
- Policy 4 - Strategic Policy: Settlement Expansion
- Policy 15 - Strategic Policy: Housing Provision
- Policy 16 - Strategic Policy: Meeting Local Housing Needs
- Policy 24 - Strategic Policy: Environmental Protection
- Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
- Policy 26 - Strategic Policy: Countryside Protection
- Policy 30 - Protected Landscapes
- Policy 31 - Green Infrastructure and Biodiversity
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles
- Policy 34 - Cultural and Heritage Assets
- Policy 35 - Strategic Policy: Climate Change
- Policy 36 - Strategic Policy: Appropriate Energy Use
- Policy 37 - Sustainable Construction
- Policy 39 - Strategic Policy: Infrastructure Provision
- 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)

Upper Beeding Parish Neighbourhood Plan 2018-2031 (2020) (Submission Plan)

2.1 The Upper Beeding Parish Neighbourhood Plan 2014-2031 (2018) has recently been reviewed at independent examination, and was found to be sound (subject to modifications) as confirmed by the examiner's report of 09.12.2019. The Local Planning Authority, with the consent of the Parish Council, has accepted all recommended modifications to the Neighbourhood Plan and resolved to proceed to public referendum on 19.03.2020.

2.2 As a result of the Authority's response to Covid-19 the Authority and Parish Council have agreed to postpone the scheduled referendum to a date that is practicable and safe in the interests of public health. Notwithstanding this delay, it is considered that the relevant policies of the Upper Beeding Parish Neighbourhood Plan (2014-2031), as modified at examination, are at an advanced stage and carry significant weight in the determination of this application. Relevant policies of the emerging Neighbourhood Plan are listed below:

- Policy 1 – Spatial Plan for the Parish
- Policy 8 – Design Standards for New Development

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/20/1556	Demolition of existing double garage with workshop above and the erection of a detached chalet-bungalow, together with associated parking and landscaping	Withdrawn Application on 13.10.2020
DC/20/0472	Change of use of existing building to two storey dwelling with associated parking	Application Refused on 28.07.2020
DC/19/2074	Change of use of existing building to a 2-bedroom dwelling with associated parking and erection of a two storey front extension	Application Refused on 05.02.2020 Appeal Dismissed on 24.06.2020

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

WSCC – Highways: No objection, subject to conditions.

- 3.2 The Local Highways Authority (LHA) considered that the proposal would not unacceptably influence highway safety or result in a severe impact to the operation of the public highway network. The LHA officer noted the absence of recorded injury accidents in the preceding 5-year period as a consequence of existing road geometry or existing access arrangement, with vehicles, further, not anticipated to be travelling at the posted 30mph limit in this location.
- 3.3 Conditions are recommended to secure the delivery of proposed vehicular and cycle-parking facilities, in addition to the provision of electric-vehicle charging facilities.

Southern Water: No objection

Upper Beeding Parish Council: Objection:-

- 3.4 The Parish Council responded to object to the proposal. While the reduction in scale (in relation to preceding proposals) was noted, the proposal was considered to represent a form of overdevelopment. The siting of the proposed dwelling was considered to result in an adverse effect upon the street scene by virtue of its proposed positioning forward of the existing garage building. The Parish Council, further, considered that the gradient of land would render the driveway unusable.

Public Representations:

- 3.5 7 letters of representation, from 4 independent addresses, were received in connection with this application, of which 6 sought to raise material comments in objection to the proposal, and 1 sought to raise material comments in support of the proposal.

The main material grounds for objection can be summarised as:-

- Concerns regarding loss of privacy, and/or natural light, regarding the use of the 'top-level' garden as an amenity space and with associated planting;
- Concerns regarding the design quality of the proposed dwelling, associated landscape design and its prominence within the context of its surroundings;

- Concerns regarding effects on surface-water drainage arising from a regrading of the top-level garden;
- Concerns regarding the effects of development on highway safety and operation, with regard to road-layout and the proximity of the proposed access to Henfield Road;
- Concerns regarding the effects of on-street parking on highway safety and operation, with regard to the provision of a single parking space and cumulative effect together with nearby development;
- Concerns regarding noise-disturbance resulting from potential air-conditioning;
- The proposed use of materials is not in-keeping with the red-brick composition of surrounding properties;
- The poor condition of the existing site is a consequence of preparatory works undertaken without planning permission;
- Concerns regarding the stability of surrounding embankments;
- The proposals would adversely influence the rights of adjacent occupiers to a private a family life;
- Concerns regarding the effects of preparatory works on ecology and arboriculture;

Material comments in support of the proposal can be summarised as:-

- The existing garage has always appeared distinctly out of place;
- The proposals would replace the eyesore currently in place;

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

- 4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

Principle of Development:

- 6.1 The application site is located within the defined built-up area of Upper Beeding and in a location accessible to local services and amenities. The proposal, which involves the provision of a single dwelling, would not undermine the settlement characteristics of Upper Beeding, or the status of this settlement as a 'small town/larger village'. The proposal, therefore, is consistent with the spatial strategy and hierarchy approach of the development plan as set out at HDPF policies 2 and 3, in addition to policy 1 of the emerging UBNP, which *inter alia* seek to promote development within defined built-up areas. The principle of residential development of the scale proposed in this location, therefore, is acceptable, subject to assessment in all other material regards.

Character, Design and Appearance:

- 6.2 Policies 32 and 33 of the HDPF stipulate that new development should be of a high standard of design and layout, with regard to natural and built surroundings, in terms of its scale,

density, massing, siting, orientation, views, character, materials and space between buildings.

- 6.3 Policy 8 of the Submission UBNP provides that the scale, density, massing, height, landscape design, layout and materials of all proposed development, will be required to reflect the design and characteristics of surrounding buildings. Policy 8, further, affords support to development that promotes individuality in appearance whilst retaining character and vernacular reflective of the low-rise character of the parish, and the use of materials that reinforce the character and distinctiveness of the local environment.
- 6.4 This application follows three preceding applications for a single dwelling at the application site. Both previously determined applications (refs: DC/19/2074 and DC/20/0472), were refused on grounds related to the detrimental effects of development of the scale and proposed on local character and appearance. In resolving to dismiss a planning appeal subsequent to ref: DC/19/2074, the Inspector reasoned at paragraphs 8-10 of the attached decision that a dwelling of the previously proposed scale would represent a cramped form of development, by virtue of its scale and relationship with the site perimeter that would fail to improve over the condition of the existing site.
- 6.5 The proposal currently before the Authority represents a significant reduction in terms of footprint, bulk and massing relative to these previous applications. This is particularly evident in terms of the reduced depth of the dwelling now proposed and its better self-contained form. Contrary to both previously determined applications (refs: DC/19/2074 and DC/20/0472), the proposal does not seek to adapt or incorporate the existing garage structure for residential use in conjunction with various extensions, while further omitting roof-extensions in the form of dormers/false-gables which previously contributed to the bulk of preceding proposals.
- 6.7 The proposed dwelling is modestly proportioned with the half-hipped form of the dwelling acting to limit the length of the ridge (which would extend to 6.3m). The proposed dwelling would exceed the height of the garage building to its ridge (which measures to 5.2m), though, by virtue of its pitched roof form relative to the flat-roof of the existing two storey garage, it would likely represent only a modest increase in bulk and massing.
- 6.8 The layout of the site and revised positioning of the proposed dwelling would see the proposed dwelling incorporate a suitable separation to the site perimeter, particularly to its southern boundary, and retain a better sense of separation to St Annes to the north. In this regard the proposal represents a significant improvement in relation to preceding applications made on the site.
- 6.9 The submitted plans demonstrate that the principal elevation of the proposed dwelling would be set-back from Hyde Street by a comparable distance to the adjacent dwelling of St Anne's, thereby respecting the prevailing building line east of Hyde Street. The submitted site and landscaping plans demonstrate that the frontage of the dwelling would not be dominated by parking and turning facilities, with a proportionate balance between soft and hard landscaping maintained. The proposals, furthermore, would omit any form of built-enclosure forward to the principal elevation, in a manner consistent with dwellings to the north on Hyde Street and Manor Road.
- 6.10 The landscaping plans and associated hard/soft landscaping specifications provided to the Authority confirm that the retaining wall to be introduced to the south-eastern boundary of the site is to be constructed of timber railway sleepers, with planting pockets and Ivy planting introduced. It is considered that such an arrangement would ensure that this construction was of an appropriate appearance that would sympathetically integrate to the character of its surroundings, especially once timber has weathered and planting established.

- 6.11 The existing garage building does not possess any architectural or historic merit, largely owing to its two-storey flat-roofed form which is inconsistent with the prevailing pitched roof vernacular of surrounding dwellings. The existing garage building is incongruous to the character and appearance of its surroundings, with the removal of the building deemed advantageous to the visual amenities of Hyde Street.
- 6.12 Overall, it is considered that the proposal now before the Authority successfully addresses design concerns previously raised in connection with preceding applications and as considered by the Inspector. The proposed dwelling, by virtue of its significantly reduced dimensions and increased separation to the site perimeter, would be considered a proportionate form of development to its respective plot. The proposed pitched roof form of the proposed dwelling better relates to the vernacular of surrounding built-development than the existing garage building, with the reduced ridge-length and lack of additional roof-constructions, deemed to ensure that the proposed development would not dominate the mid/rear portion of the site as perceived from Hyde Street.
- 6.13 The proposed use of painted render, cedar weatherboard and plain clay tiling is not deemed unexpected or inappropriate to a contemporary residential development, with some local use of render evident to development within the Hyde Street Conservation Area to the north-west. The applicant, however, has confirmed agreement to the incorporation of a condition requiring the submission and approval of a material schedule prior to the commencement of relevant works, constituting a mechanism by which the use of facing brick could be secured.
- 6.14 By virtue of the topography of land to the south and east of the site, together with intervening vegetation, the proposal would not materially influence the setting of the nearby South Downs National Park, nor would be considered to materially influence the setting of the nearby heritage assets by virtue of the degree of intervening distance. The proposal, subsequently, would not be considered contrary to HDPF policies 30 and 34.
- 6.15 Subject to conditions requiring the submission of details relating to proposed materials, balustrading to the upper-garden level and imposing relevant restrictions on the future implementation of 'permitted development' rights it is considered that the proposal is of an appropriate form, scale and design, that would maintain the character and appearance of its respective setting. The proposal, therefore, would be deemed compliant with the requirements of HDPF policies 25, 32 and 33 in addition to policy 8 of the emerging UBNP.

Amenity

- 6.16 Policy 33 of the HDPF (2015), *inter alia*, requires that development be designed so as to avoid unacceptable harm to the amenities of nearby occupiers and users of land.
- 6.17 The proposed dwelling is sited in close proximity to the northern boundary of its respective plot, however, is separated from the adjacent dwelling of St Annes by a distance of ~12m, which includes an intervening substation and garaging incidental to the domestic occupation of St Annes. With regard to this relationship, together with the height and positioning of fenestrations within the proposed dwelling, it is not considered that the proposed dwelling would give effect to unacceptable harm to the amenities of adjacent occupiers in terms of overshadowing and/or a loss of privacy arising from internal living spaces.
- 6.18 The application site does possess an awkward topography at its easternmost extent, with a notable change in levels between the 'top-level garden' (as denoted on the submitted site plans), and the adjacent lower garden spaces to the adjacent dwelling of St Annes. At present, by virtue of the gradient of land and the height of the common boundary, direct views from the upper-level garden towards St Anne's are attainable. In response to this arrangement, and to provide a usable upper-garden space, the applicant proposes to regrade the upper-level garden so as to reduce the ground level relative to the boundary with

St Annes and to provide a 1.7m fence to the boundary so as to preserve the privacy of neighbouring occupiers.

- 6.19 It is recognised that an increase in the height of the boundary treatment in this location would result in some loss of light to the adjacent amenity spaces together with some increased sense of enclosure. The boundary, however, does remain ~4.5m removed from the built footprint of St Annes, while the removal of the existing garage building would further allow for the increased receipt of light and increased sense of openness to neighbouring occupiers accounting for the repositioning of built-form within the application site. The site continues to benefit from rights bestowed under Class A of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, which would allow for the provision of a boundary fence/wall up to 2m in height to the northern edge of the application site without the need for planning permission. With regard to the proposed arrangement, together with the possibility of a boundary treatment being introduced to this position without the need for consent, it is considered that the proposal would not result in unacceptable harm to the amenities of neighbouring occupiers in terms of receipt of natural light and/or a sense of enclosure.
- 6.19 The proposed dwelling would be separated from the adjacent dwellings of Nos 5 and 6 Maines Farm Road by some distance, with a notable rise in levels to the east and south of the site. Given the single-storey composition of the proposed dwelling and the gradient of land surrounding the site it is not considered that the proposal would adversely influence the amenities of these occupiers in terms of a loss of privacy and or loss of light.
- 6.20 Subject to a conditions requiring construction to be limited to sociable hours, and limiting permitted development rights in respect of the formation of outbuildings so as to maintain boundaries as agreed, it is considered that the proposals would not unacceptably impact upon the amenities of neighbouring occupiers, in accordance with HDPF policy 33.
- 6.23 In respect of future occupiers, the proposed development would seek to provide external amenity spaces for future occupiers in the form of garden/patio areas to the rear and south of the proposed development. While these areas are not extensive, these do cumulatively exceed the footprint of the proposed dwelling and are considered sufficient in terms of their size and layout to serve the needs of the single bedroom dwelling proposed.
- 6.24 This application is accompanied by a formal acoustic survey, which sought to assess the effects of the adjacent substation on the amenity of future occupiers. While this survey was previously conducted in relation to ref: DC/19/2074 the current proposal enjoys a similar relationship in acoustic terms with this assessment of the acoustic effects of electrical equipment across the site considered to remain valid. It is noted at paragraphs 4.16.1-5 that appropriate standards of inaudibility could be achieved in relation to ref: DC/19/2074 through the incorporation of internal sound insulations and use of triple glazing in order to attenuate against noise impact. Given the changes in layout/orientation between ref: DC/19/2074, and the proposal now before the Authority, it is considered appropriate to secure details of proposed sound attenuation to provide confidence to the Authority as to the nature/efficacy of proposed mitigations and so as to ensure that an appropriate level of inaudibility can be achieved to internal living spaces.
- 6.25 Subject to appropriately worded conditions, therefore, it is considered that an appropriate level of amenity for future occupiers can be achieved in compliance with HDPF policies 24 and 32.

Parking, Highway Safety and Operation:

- 6.26 Policy 41 of the HDPF stipulates that development must provide adequate parking and facilities to meet the needs of anticipated users, with consideration given to the needs of cycle parking, motorcycle parking and electric/low emission vehicles. HDPF policy 40, further, seeks to ensure that development is served by a safe and convenient means of access.
- 6.27 The proposal would make use of a pre-existing highway access onto Hyde Street. As considered by the Local Highways Authority there is no pre-existing evidence of unsatisfactory operation in this location, notwithstanding its proximity to the junction between Hyde Street and Henfield Road. The visibility splay from this existing access is considered sufficient to serve the needs of the proposed development, with the proposal deemed compliant with HDPF policies 40 and 41 in terms of the effects of development on highway safety and/or operation.
- 6.28 The development would provide for two off-street parking spaces, which would satisfy anticipated parking demand as recommended by the West Sussex County Council Parking Calculator. The proposed parking and turning area, furthermore, would appear dimensioned so as to enable vehicles to manoeuvre so as to exit onto the publicly maintained highway in a forward gear.
- 6.29 The proposal indicates the provision of a secure cycle store and an electric vehicle charging point. These measures are welcomed in relation to policy 41 of the HDPF, and to promote the sustainability of the application site. Overall, therefore, it is considered that the proposal is compliant with HDPF policy 41 in terms of parking provision.

Climate Change:

- 6.30 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.
- 6.31 The proposal would make use of currently developed land, further seeking to provide cycle parking and electric vehicle charging facilities in addition to providing sustainable urban drainage systems. These measures, in addition to the recommended conditions requiring limits on water use, are deemed proportionate to a development of the scale proposed and sufficient to adequately mitigate against the effects of climate change.

Drainage:

- 6.32 The proposal seeks to make use of sustainable urban drainage systems for the disposal of surface water, with existing public sewerage (already available to Hyde Street) utilised for the disposal of foul water. Subject to the receipt of details pertaining to the measures to prevent surface water run-off onto the publicly maintained highway, which can be secured by means of the recommended landscape condition, the proposal would be deemed compliant with HDPF policy 35.

Conclusions:

- 6.33 The proposed development is located in a sustainable location within the Built Up Area Boundary of Upper Beeding and would replace an incongruous two storey garage structure that is harmful to the appearance of the area. Having regard to the previous refused applications for a dwelling on this site, it is now considered that, on balance, the proposal is of an acceptable scale, design, siting and layout which would suitably preserve the visual

amenities of Hyde Street and the broader character of its surroundings. Subject to the recommended conditions the proposal would not result in unacceptable harm to the amenities of neighbouring occupiers, or upon highway safety and/or operation. This application is, therefore, recommended for approval accordingly.

7. RECOMMENDATIONS

7.1. That planning permission be granted subject to the conditions listed below:-

1 Plans list

2 **Standard Time Condition:** The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3 **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until the following construction site set-up details have been submitted to, and approved in writing by, the Local Planning Authority.

- i. the location for the loading and unloading of plant and materials, site offices, and storage of plant and materials (including any stripped topsoil)
- ii. the provision of wheel washing facilities;

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

Reason: As this matter is fundamental to ensure construction activities do not interfere with the safe and practical operation of the publicly maintained highway in accordance with policy 41 of the Horsham District Planning Framework (2015).

4 **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).

5 **Pre-Commencement (Slab Level) Condition:** Notwithstanding the details submitted, no development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials, finishes and colours to the external walls, windows and roofs of the approved dwelling have been submitted to and approved by the Local Planning Authority in writing. All materials used in the construction of the development hereby permitted shall, subsequently, 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)

6 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level shall commence until a scheme for sound attenuation against external

noise has been submitted to and approved by the Local Planning Authority. The scheme shall have regard to the recommendations set out in the Environmental Noise Impact Assessment Hereby Approved (Philip A Northfield and Associates, ref: P322, dated: 18.12.2019). The approved sound attenuation measures shall be implemented in full prior to the first occupation of the dwelling and subsequently retained thereafter.

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

- 7 **Pre-Occupation Condition:** The dwelling hereby permitted shall not be occupied 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)

- 8 **Pre-Occupation Condition:** Prior to the first occupation of each dwelling, the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabytes per second through full fibre broadband connection shall be provided to the premises.

Reason: 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:** Prior to the first occupation of the dwelling hereby permitted the secure cycle-storage shed shall be implemented in accordance with the approved block plan (Les Humphrey Associates, ref: 160919-14 revision J, dated: 14.10.2020) and shall be thereafter retained.

Reason: To ensure adequate cycle-parking facilities are available to serve the development and to promote sustainable modes of travel in accordance with Policies 40 and 37 of the Horsham District Planning Framework (2015).

- 10 **Pre-Occupation Condition:** Prior to the first occupation of the dwelling hereby permitted a single electric vehicle charging point shall be provided in accordance with the approved block plan (Les Humphrey Associates, ref: 160919-14 revision J, dated: 14.10.2020). As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

Reason: To ensure adequate cycle-parking facilities are available to serve the development and to promote sustainable modes of travel in accordance with Policies 40 and 37 of the Horsham District Planning Framework (2015).

- 11 **Pre-Occupation Condition:** The dwelling hereby permitted shall not be first occupied unless and until provision for the storage of refuse and recycling has been provided within the side or rear garden. 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).

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

- 12 **Pre-Occupation Condition:** The dwelling hereby permitted shall not be occupied until optional requirement G2 to the Building Regulations 2010 (as amended) to limit water usage of that dwelling to 110 litres per person per day has been achieved. Water limiting measures to meet this standard shall thereafter be permanently 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).

- 13 **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 proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers;
- Details of the extent and composition of hard surfacing and measures to prevent surface water-run off onto the publicly maintained highway;
- Hardstanding capable of holding two parked vehicles
- Details of all boundary treatments, including the height, design and composition of boundary treatments, to include specifically the proposed northern side boundary with St Annes relative to existing boundary heights and existing and proposed ground levels.
- Details of the height, design and composition of balustrading provided to the 'upper level garden';

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 **Regulatory Condition:** Notwithstanding the provisions of Class A, Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Act or Order amending, revoking and re-enacting the same), no fence, wall, gate or other means of enclosure, other than those detailed on a landscaping plan to be submitted to and approved by the Local Planning Authority in writing, shall be formed forward of the principal elevation of the dwelling hereby approved or to the northern boundary of the application site.

Reason: In the interests of visual amenity and to ensure that the proposed development would result in a sympathetic form of development appropriate to the character and appearance of its surroundings in accordance and to maintain the

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

- 15 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Act or Order amending, revoking and re-enacting the same) no development falling within Classes AA, A, B, E and F of Part 1 of Schedule 2) of the order shall be erected, constructed or placed within the curtilage 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 maintain the availability of external amenity space to future occupiers in accordance with Policies 32 and 33 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 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

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

- 17 **Post-Occupation Condition:** Prior to first occupation of the dwelling hereby permitted the temporary construction fence found to the western and north-western extent of the site shall be removed and all resultant materials removed from the site in accordance with the block plan hereby approved (Les Humphrey Associates, ref: 160919-14 revision J, dated: 14.10.2020).

Reason: In the interests of visual amenity and to ensure that the proposed development would result in a sympathetic form of development appropriate to the character and appearance of its surroundings in accordance and to maintain the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers:

DC/20/2184

DC/20/1556

DC/20/0472

DC/19/2074