



**TO:** Planning Committee North

**BY:** Head of Development and Building Control

**DATE:** 6<sup>th</sup> July 2021

**DEVELOPMENT:** Full application for the erection of 24 dwellings including eight affordable units, demolition of existing and erection of replacement cricket pavilion with associated storage and car park, accessed from Lyons Road, including all associated works.

**SITE:** Crosby Farm (Land North of Slinfold Cricket Club) Lyons Road Slinfold West Sussex

**WARD:** Itchingfield, Slinfold and Warnham

**APPLICATION:** DC/21/0498

**APPLICANT:** **Name:** Mr Chris White **Address:** Antler Homes PLC Portland House Park Street Bagshot GU19 5AQ

**REASON FOR INCLUSION ON THE AGENDA:** 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.

By request of Councillor Youtan

**RECOMMENDATION:** To approve outline planning permission subject to appropriate conditions and the completion of a Section 106 Legal Agreement. In the event that the legal agreement is not completed within three months of the decision of this Committee, the Director of Place be authorised to refuse permission on the grounds of failure to secure the obligations necessary to make the development acceptable in planning terms.

## 1. THE PURPOSE OF THIS REPORT

To consider the planning application.

### DESCRIPTION OF THE APPLICATION

- 1.1 Full planning permission is sought for the erection of up to 24 dwellings, including the provision of 33% affordable housing (providing 8 onsite units). To facilitate this development the applicant seeks to demolish two modern barns on site. The proposal also includes the demolition and replacement the existing cricket pavilion and is indicated to include a slightly larger floor plan that would include an additional storey, with associated parking, landscaping and highways works.

- 1.2 The site has previously been the subject of two previous outline applications for 24 dwellings and a replacement cricket pavilion. The first, DC/19/1386 was recently granted outline planning permission on appeal. The second, DC/21/0109, has a resolution to grant outline planning permission subject to the completion of a s106 legal agreement at the 08 June Planning Committee North.
- 1.3 This full application follows closely the outline application DC/21/0109. The development would be accessed via an existing access trackway from the north of Lyons Road, currently under private ownership. The trackway is proposed to be upgraded for vehicular traffic and public access made available through a permissive path agreement. The development is laid out as two development parcels for housing, with amenity space between. The housing to both parcels is predominately two storey detached dwellinghouses with their own garden plots, with a terrace of houses and flats to the southern side of the western parcel. It is proposed to discharge surface water from the new development to a watercourse situated 200 metres east of the current site access. On site attenuation is proposed by way of a tanked porous paving system with discharge restricted to greenfield site flow rates.
- 1.4 Each residential house will have a minimum of 2 car parking spaces (flats minimum of 1 space) with larger properties having additional covered parking under a car port or within a garage; 22 car parking spaces are proposed to serve the Cricket Pavilion (including 2 disabled spaces), there are also more visitor spaces than in the outline schemes (9 in total) and 5 unallocated spaces spread across the site. Electric Vehicle charging points will be provided. Refuse and Cycle storage is to be provided within garages and rear gardens. Short term cycle parking will also be provided at the Cricket Pavilion.
- 1.5 The land for the replacement pavilion is already owned by the cricket club and not the developer. In contrast to the outline schemes, under this full application the developer (by choice) has agreed to commit to an obligation to build the external of the pavilion building within a prescribed budget. The developer may well also undertake internals for the cricket club subject to their remaining budget and specification of fit out which will be agreed with the cricket club outside of the planning process. Any mechanical and ventilation equipment will be the cricket club's responsibility to maintain and ensure it is fit for purpose.
- 1.6 The agreed works price is £550,000 as this is what was agreed previously with the club when the pavilion was going to be built by the club independently (being pursued separately by the cricket club as a reserved matter under the outline schemes). The car park land is being provided by the developer and will be transferred as part of a land swap when the land at the front of Crosby farm is transferred for the access works.
- 1.7 The proposal includes highway works to Lyons Road, comprising widening of the existing access to the site, and the creation of a wider carriageway north to the site itself. A new section of footpath would link the carriageway to a dropped kerb crossing west of the entrance bellmouth necessitating two small breaks in the hedgerow that runs alongside. In order to attain the necessary visibility splays to the access onto Lyons Road, the Lyons Road carriageway is to be moved south by 0.7m at its maximum extent, and the footways and grassed verges to both sides of the road adjusted accordingly.
- 1.8 The highway access works have been amended during the course of this application to be identical to those approved by 08 June North Committee under outline application DC/21/0109, save for the 'Trotties' memorial Oak Tree at the junction with Lyons Road where the proposed path is now further away from the tree to address concerns raised over its proximity.

#### DESCRIPTION OF THE SITE

- 1.9 The application site is approximately 1.2 hectares in extent and situated to the north of Lyons Road on the north-eastern edge of the village of Slinfold, to the rear of Slinfold sports ground

and cricket pitch. The site itself, a pasture field laid to grass and enclosed by hedgerows interspersed by mature trees, is generally level, and is accessible via an unadopted access trackway connecting to Lyons Road.

- 1.10 The immediate surroundings is an arable/pasture fieldscape to the immediate east and north with the West Sussex Literacy Trail routed through, the Slinfold cricket ground and pavilion to the south, and the settlement edge and Conservation Area of Slinfold on the western boundary. The underlying geology is Weald Brick Clay with Horsham Stone formation to the north.
- 1.11 Immediately adjacent to the site, to the east, are buildings and land associated with Crosby Farm. These were established as an outfarm from the late 19th century onwards, and reflect the changes over time to Crosby Farm; two of these former farm buildings, the Granary and Old Dairy, are converted (now offices) and there are two large timber clad modern agricultural storage barns set on an area of hardstanding, with open access to the access trackway connecting with Lyons Road in the south.
- 1.12 The western edge of the site abuts the Slinfold Conservation Area, which contains a number of Listed Buildings. A number of listed buildings including the grade II listed St Peters Church, Churchyard Cottages, Cherrytree Cottage, Stamford House, The Old Bakery, the Post Office and Forge House are situated in close proximity to the site.
- 1.13 Public Right of Way Footpath 1440/3 runs alongside the site's northern boundary, outside the red line of the development, connecting the footpath with graveyard of St Peters Church and further onto local village facilities, and then north towards the Crosby Farm buildings and the wider countryside and West Sussex Literacy Trail, affording views in and across the site. The site falls within the Bat Sustenance Zone (HDPF Policy 31) and the 3km buffer around the Wellcross Farm landing strip. An archaeological notification area exists some 340 metres to the north.

## **2. INTRODUCTION**

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.  
Section 66 (1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas) 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 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 38 - Strategic Policy: Flooding  
 Policy 39 - Strategic Policy: Infrastructure Provision  
 Policy 40 - Sustainable Transport  
 Policy 41 - Parking  
 Policy 42 - Strategic Policy: Inclusive Communities  
 Policy 43 - Community Facilities, Leisure and Recreation

Supplementary Planning Guidance:

Planning Obligations and Affordable Housing SPD (September 2017)  
 Slinfold Conservation Area Appraisal (September 2020)

RELEVANT NEIGHBOURHOOD PLAN

**Slinfold Parish Neighbourhood Plan (Made, January 2018)**

Policy 1 - Conservation Area  
 Policy 4 - Conserve and Enhance Biodiversity  
 Policy 5 - Development Principles  
 Policy 6 - Housing Mix  
 Policy 8 - Crosby Farm

PLANNING HISTORY AND RELEVANT APPLICATIONS

SF/54/95	Retention of cricket nets on concrete base Site: Pavilion Lyons Road Slinfold	Permitted 07.02.1996
SF/7/03	Installation of patio Site: Pavilion Lyons Road Slinfold	Permitted 02.04.2003
DC/19/1387	Relocation of agricultural barns	Refused 27.11.2020
DC/19/1386	Outline application for the erection of up to 24 dwellings, including eight affordable units, with access from Lyons Road, landscaping and associated works, and the demolition of the existing cricket pavilion and replacement with new two-storey cricket pavilion and provision of 25 car parking spaces. All matters reserved except for assess.	Refused 04.11.2020 APPEAL ALLOWED 02-06-2021
DC/21/0109	Outline application for erection of up to 24 dwellings (including eight affordable units), the demolition of the existing cricket pavilion and replacement with a new one and a half storey cricket pavilion including the provision of 25 car parking spaces, and associated landscaping and highways works with access from Lyons Road, with all matters reserved except access. (new Design and Access Statement and amended highway works plans)	Committee resolution to Approve subject to completion of legal agreement 08.06.2021

**3. OUTCOME OF CONSULTATIONS**

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

## INTERNAL CONSULTATIONS

### **HDC Landscape Architect:**

Initial Comments: Objection

Change to layout and changes to landscape proposals sought:

Under criteria 5 of Policy SNP 8: 1. The layout is not considered to reflect either the prevailing rural or urban character experienced in the area. 2. The proposal comply with this criteria. 3. Hedgerows and trees within the site and along the southern boundary are to be removed. Trees and hedgerows along the west and north boundaries and along the access road are retained. The proposals only partially comply with the criteria. 4. The layout is compliant with this criteria as Links to the PRow are proposed however some changes to the planting proposal may need to be considered.

The density of housing and the more regimented layout does not provide a transition area to the countryside. Comments on submitted LVIA opportunities and landscape strategy measures in relation to current layout: The eastern side of the layout is not successful as replacement dwellings for the existing barns and the building type must be reviewed to reflect the rural setting and existing architectural language. Retained hedgerows to west and north is reflected in the design but it is not clear if within the developer's control. The development is set back from the prow and opportunity for views to the south along the proposed open space. It is not clear if views towards the church will be retained. Glimpses of oak tree may still be retained from Lyons Road but the space has become more regimented than the previous illustrative layout. Opportunities for tree planting within the open spaces provided. Set development back from west and south boundaries achieved. Concerns with the lack of 'buffer' zone between the proposals and western boundary and size of garden 18. Foul sewer located through middle of open space. Shouldn't be a constraint to achieving a better landscape design. The scheme is quite compact. With regards the open space, encourage the applicant to open up the open space to the public right of way more and add interest with planting including different mowing regimes, bulb planting, seating and incorporate the LAP through the space.

Second Comments: Objection

None of my comments seem to have been addressed, particularly with regards the open space proposals and the blocks to the most eastern part of the development and therefore all my previous comments and recommendations are still valid. The hedgerow on plot 11 which now has taken part of the POS into the private curtilage and thus reducing the buffer zone between the users of PROW and the development.

**HDC Conservation Officer:** Comment:

The application site would be viewed in the context with the Conservation Area especially in views from the public footpath to the north of the site and at the entrance to the village across the cricket field. At present the conservation area appears in a semi-rural context. The current design dilutes the illustrative design of the eastern character area. The development would result in a less sensitive transition between the conservation area, and its rural surrounds.

Following discussions with the agent the design and form of some of the proposed properties have been amended. These amendments are welcomed as they would better reflect the vernacular materials and individuality of the properties within the conservation and wider area. There remains a concern that plots 1-6 would not reflect the narrative of agricultural worker cottages.

The changes to the setting of the Conservation Area by development of the scale proposed would result in a less than positive change to its semi-rural character. The proposed development would change the setting of the Conservation Area, and cannot be considered to result in no harm. However, with the changes proposed the scheme would be considered

to be towards the lower end of less than substantial harm as set out in paragraph 196 of the NPPF. There may be public benefit that would outweigh this harm.

Due to the position of the heritage assets and existing boundary treatment, overall the proposal would not harm the fabric of the identified Listed Buildings nor their individual close and intimate settings. The proposal would however due to its scale and layout change the wider setting in which the assets are experienced and for that reason it can be said that the harm would be less than substantial. Again this harm should be weighed against the public benefits of the proposal.

Second Comments: Recommend window and roof light details be conditioned.

**HDC Environmental Health:** No Objection:

If approved, recommend CEMP, Land contamination, and Operation Phase conditions.

**HDC Housing:** Comment:

Would ideally like additional unit proposed as affordable housing, or financial contribution equating to 0.4 unit to make the scheme policy compliant. Expect 70% affordable units proposed as affordable rent and 30% as shared ownership.

**HDC Drainage Engineer:** No Objection:

Recommend imposing model conditions and informatives.

**HDC Arboricultural Officer:** No Objection:

None of trees for removal are of particular merit. Satisfied minimal encroachment into the root protection areas (RPA's) and protection measures in accordance with BS 5837.

## OUTSIDE AGENCIES

**Natural England:** No Adverse Effect on Integrity and concur with Council's HRA AA conclusion

**Southern Water:** No Objection

**Ecology Consultant:** No Objection:

Recommend Approval subject to attached conditions and approval of HRA AA conclusion by Natural England

**WSCC Fire and Rescue:** Comment:

Require additional fire hydrant

**WSCC Flood Risk Management:** No Objection:

The FRA/Drainage Impact Assessment states Sustainable Drainage techniques (permeable paving/below ground attenuation) would be used to control surface water runoff. These methods would, in principle, meet the requirements of the NPPF and associated guidance documents. Appropriate planning conditions should be applied.

**WSCC Rights of Way:** No Objection:

Welcome proposed improvement to Footpath 1440\_3, secured through Section 106 agreement. Specification for this all-weather path is to be agreed with the PROW Team. The access road is to provide public pedestrian access, secured through a 20-year permissive path agreement. This will provide a public pedestrian link from Lyons Road, northwards, to Footpaths 1440\_3 and 1441.

**WSCC Minerals and Waste:** No Objection (extracted from DC/21/0109):

Overriding need for non-mineral development can be demonstrated as the application site is identified within the Slinfold Neighbourhood Plan as an allocated housing site. Prior

extraction is neither practicable nor environmentally feasible due to proximity of Slinfold Conservation Area, and limited commercial viability due to small site area and abundance of Weald Clay within the county.

#### **WSCC Highways: No Objection**

The Local Highway Authority does not consider that the 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.

For completeness the applicant should provide the most recent RSA and Designers Response so the LHA can fill out the Decision Log.

The LPA should look to secure a fee of £1500 for monitoring and auditing of the Travel Plan Statement via s106 Agreement/ Unilateral Undertaking.

If the Local Planning Authority is minded to grant planning consent the following conditions: Access, Visibility, Car Parking Space, Cycle parking, Construction Management Plan

#### **PUBLIC CONSULTATIONS**

- 3.2 13 objections received from separate addresses including Sussex Barn Owl Study Group, raising the following issues:

##### *Procedural and Principle*

Process for considering this application unsatisfactory. All previous cited reasons to object still stand. Contrary to national planning policy. Loss of agricultural grazing land and two large working agricultural barns, undermines viability of Crosby Farm estate to remain a working sheep farm. Last year, DC/19/1387 was refused on replacement barns.

##### *Harm to Character*

High density, modern urbanised housing is a departure from concept designs and does not reflect surroundings. Little regard to rural pastoral landscape. Eastern development does not resemble initially promised low level, single storey converted farmstead buildings; 19 out of 24 building heights range between 8m and 9.4 metres and pavilion 8.7 metres (current 4.4 metres height). Not 1.5 storey dwellings and ridge height of existing Granary Building (6.5m).

##### *Housing mix and Affordable Housing*

Affordable housing grouped together not dispersed. Not policy compliant. Disregards wish for smaller low-level units suitable for elderly

##### *Harm to Heritage Assets*

Little regard to Conservation Area. Increase in adjacent western section. Important views identified in Parish Design Statement (SE corner looking NW across cricket pitch towards church and view from NE corner looking SW across toward Conservation Area) not protected. Landscape buffer to conservation area ineffective. Impact onto tranquillity of churchyard. Fields surrounding the Conservation Area have been identified as playing a major role in defining the appearance and character of the Conservation Area. Harm to setting of Listed Buildings in the Conservation Area (including Slinfold House, Old Post Office).

##### *Highways and Parking*

Oversized access, effectively two-way road. Disregard of Parish Council's request for single lane access with passing place. Dangerous junction. Sightline is compromised and Lyons Road below minimum width for a bus route provided in the "Manual for Streets" (Mfs). Junction and reconstruction of Lyons Road should conform to the National Standards in the Mfs and WSCC's own previously stated requirement. Moving bus stop is highway safety

concern. Significant increase in road traffic. Unsafe pedestrian access and suggested PRow access inadequate, as not be suitable for elderly or disabled people and unlit. Access from the Cricket Club to the Street would be better.

*Harm to Ecology and Residential Amenity*

Loss of habitat and foraging for species (including nesting barn owls, bats and slowworms). Cricket club in close proximity of a housing estate.

*Inadequate infrastructure and drainage*

Incorrect for HDC to leave outfall arrangements in this detailed application to the consent requirements for discharge to the non-main river watercourse. Flooding history means applicant should outfall surface water further downstream away from Lyons Road.

- 3.3 23 supporting representations received from separate addresses, raising following:

*Principle and Design*

Neighbourhood plan referendum and this allocation received significant support. Design consistent with the mix of styles in village. Keeps the views open with green spaces incorporated and retention of other trees, including the sight line to the existing oak tree.

*Replacement pavilion*

Single most valuable amenity to be provided from any of the neighbourhood plan allocations. Will provide a fit for purpose modern cricket facility. Much needed by local community. Pavilion caters for accessible physical activity and local children to participate and enjoy cricket in a safe environment. The club also participates in social events/functions and a social hub of village summer activity (village day, band nights, bike shows etc.) Current disrepair threatens this and is an eyesore.

*Additional housing*

Allocation supported at Neighbourhood Plan referendum. Density less than recent schemes elsewhere in village. Provides additional stock and mix of housing, including affordable, in a way in which serves the village needs. If we say no, could lose the cricket club to development. Close to village amenities.

*Access*

Site access now fully addressed from rejected initial application (DC/19/1386).

- 3.4 1 representation neither objecting nor supporting, raising the following:  
- Concerned over the access onto Lyons Road

- 3.5 **Slinfold Parish Council:** Comment

Certain aspects Parish would like Horsham District Council to carefully consider when making its decision:-

Cricket Pavilion: Exterior should be completed before half houses are sold.

Drainage: a satisfactory response to current plans has not been received. Discharge must be away from Lyons Road to avoid exacerbation of local flooding

Lighting: lighting should reflect dark sky policy

Construction Management Plan: Construction traffic should only enter from Five Oaks Road and then Lyons Road. There should be no construction traffic through village. A quiet site arrangement for construction should apply

Materials: Would like materials proposed

Finished Floor Levels: Would like heights of dwellings

Screening and Boundary Planting: Would like to be fully consulted

Ecology: Would like more mitigation for barn owls, care with slow worms and bat/swift boxes

Sustainable Energy: Site could benefit from this

Access to village facilities: Is access via the churchyard really suitable? Alternative public access to NW corner of cricket pitch and cut-through to The Street.

Public Rights of Way: Permissive access should not just be 20 years and connect with Literary Trail.

Future Maintenance of Access Road: Crosby Farm should be required to pay charges

#### **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 ASSESSMENT**

##### Principle of the Development

- 6.1 The application site is located within the built-up area boundary of Slinfold. The site is allocated for development within the Slinfold Neighbourhood Plan 2014-2031 (Policy 8: Crosby Farm).
- 6.2 Policies 3 (Development Hierarchy) and 4 (Settlement Expansion) of the Horsham District Planning Framework (HDPF) states development will be permitted within the defined built-up areas of the District's settlement hierarchy, in which Slinfold is ranked as a medium village – a settlement with a moderate range of services and facilities, community networks and local employment provision, and also some access to public transport.
- 6.3 Policy 15 (Housing Provision) of the HDPF establishes the District's housing need within the development plan period (2011-2031) Criterion (4) of the policy states that part of this provision of 16,000 homes is expected to be delivered through neighbourhood planning, amounting to 1,500 homes over the plan period.
- 6.4 Policy 8 (Crosby Farm) of the Slinfold Neighbourhood Plan (SNP) states residential development on this site will be supported where:
1. The design positively responds to the prevailing character of the surrounding area;
  2. The houses are no more than two storeys in height to reflect the local vernacular
  3. Proposals allow for the retention of existing mature trees and hedges;
  4. Proposals creates a Public Rights of Way to link the site to the existing Public Rights of Way, and;
  5. The site facilitates the development of a new cricket pavilion.
- 6.5 The subsequent sections of this report will detail how the proposal has demonstrated to accord with criterion (1) – (5) of this policy.
- 6.6 Given the site is located within a built-up area, and its allocation within the SNP, there is no objection in principle to the development of this site for housing. Consideration must therefore be given to any site-specific constraints, and the detail of the scheme – including how it facilitates a new cricket pavilion. As such, the principle of development on the site is acceptable, subject to the detailed considerations as set out below.

### Housing Density, Mix and Affordable Housing

- 6.7 Whilst Policy 8 of the SNP does not allocate a housing number for this site, the initial submission draft neighbourhood plan stated 'up to 24 dwellings'. At paragraph 4.9 of the Examiner's report, the Examiner agreed with Horsham District Council that the overall allocation of housing in the Neighbourhood Plan (at some 77 dwellings, toward the upper end of the identified range of housing need) was in proportion to the scale and size of the village and its function. Collectively, the allocations will deliver these new housing numbers. As a result, the applicant's proposal for 24 dwellings on this site is considered proportionate to the evidence base that supported this site's allocation for housing development.
- 6.8 Policy 6 (Housing Mix) of the SNP supports developments which provide a suitable mix of one, two, three and four bed dwellings. HDPF Policy 16 states development should provide a mix of housing sizes, types, and tenures to meet the needs of the district's communities as evidenced in the latest Market Housing Mix study (Iceni, November 2019). Market housing mix should comprise: 1 bedroom housing – 6%; 2 bedroom housing – 27%; 3 bedroom housing – 41%; and 4+ bedroom housing – 26%
- 6.9 The application seeks permission of 24 dwellings comprising 16 market units and 8 affordable. The proposed mix would comprise:

<b>Dwelling Type</b>	<b>Market</b>	<b>Affordable</b>
1 Bedroom Units	0	2
2 Bedroom Units	2	3
3 Bedroom Units	8	2
4+ Bedroom Units	6	1

- 6.10 The Council's Housing Officer has confirmed this mix includes smaller units in line with the Iceni study targets, and broadly accords with the current demand figures on the Council's Housing Register for affordable provision. Compared with the Iceni Study, the market housing mix is somewhat skewed toward 4 bed units but overall, the proposed housing mix is considered in accordance with Policy 16 of the HDPF. The proposed mix is the same as the indicative mix in the outline scheme DC/21/0109.
- 6.11 For development providing 15 or more dwellings, HDPF Policy 16 requires 35% to be affordable. The proposed 24 dwellings with 8 affordable units equates to 33.3% provision. The applicant has agreed to a financial contribution equating to 0.4 unit (the additional 2%) to make the scheme policy compliant. Affordable housing tenure would be split at a ratio of 70:30 in favour of affordable rent, as per the requirements of HDPF Policy 16 and the accompanying Planning Obligations and Affordable Housing SPD.
- 6.12 A Section 106 legal agreement has been drafted to secure this on-site affordable provision and tenure, the registered provider who will take on the units, and the financial contribution.
- 6.13 The proposed housing provision is therefore considered compliant with HDPF Policy 16 and SNP Policy 6 (Housing Mix).

### Heritage

- 6.14 The appeal site lies within the setting of various Grade II Listed Buildings as well as within the setting of the Slinfold Conservation Area. Sections 66 and 72(1) of the Planning (Listed Buildings and Conservation Area) Act 1990 require, therefore, that special regard must be had to the desirability of preserving the setting of these heritage assets. Chapter 16 of the NPPF follows these statutory provisions and seeks to positively manage changes to the historic environment to ensure sufficient flexibility whilst conserving the important and irreplaceable nature of the designated asset. HDPF Policy 34 states development affecting

the setting of a Conservation Area will be required to reinforce the special character of the district's historic environment.

#### *Archaeology*

- 6.15 The applicant's own heritage assessment has identified a limited potential for the presence of archaeological remains of prehistoric and Romano-British activity within the site.

#### *Listed Buildings and non-designated heritage assets*

- 6.16 Due to the position of the heritage assets and the existing boundary treatment the Council's Conservation Officer is of the opinion that overall the proposal would not harm the fabric of the identified listed buildings nor their individual close and intimate settings. This applies equally to non-designated buildings of local interest.

#### *Conservation Area*

- 6.17 The site would be viewed in context with the conservation area especially from the public footpath north of the site and across the cricket field. From these views, the conservation area appears in a semi-rural context with sporadic glimpses of roof tops and rear elevations. From views within the conservation area, gaps between domestic buildings reinforces the countryside setting of the historic core.
- 6.18 It is the western development parcel immediately adjacent to the Conservation Area that impacts most greatly on views in and out of the Conservation Area. It is considered that in terms of these views, the scale, siting and orientation of buildings within this parcel in the latest proposal is sufficiently comparable to the indicative layout considered under the outline scheme DC/21/0109, notwithstanding the re-orientation of plots 12 – 19. The important viewing corridor from the site looking into the Conservation Area and St Peters Church has not reduced to any materially greater degree from the outline scheme, which has been deemed acceptable.
- 6.19 The scale of the dwellings, the central courtyard parking, and outward facing properties of the eastern development parcel could be said to represent a more suburban development in an otherwise semi-rural context, and, in this respect would be a less sensitive transition between the conservation area and its rural surrounds.
- 6.20 As previously, the proposed development would inevitably change the setting of the Conservation Area, and cannot be considered to result in no harm. However, as before, that harm has been assessed and considered as no greater than both previous outline schemes - at the lower end of less than substantial harm as set out in paragraph 196 of the NPPF and which in accordance with paragraph 196 must be weighed against the public benefits of the development.
- 6.21 In reaching this conclusion, having regard to the Slinfold Conservation Area Appraisal and Management Plan 2020, the Conservation Officer has advised that the very allocation of this site for housing will inevitably lead to some harm to the conservation area, therefore the key consideration is whether a layout can be provided that best minimises this harm.

#### *Public Benefit*

- 6.22 Paragraph 196 of the NPPF (2019) states that 'less than substantial harm' to heritage assets should be weighed against the public benefits of the proposal. The following public benefits include:
- Provision of market housing (16 units)
  - Provision of affordable housing (8 units)

- Delivery of an allocated site within an adopted neighbourhood plan
- Upgrading the existing PROW to the north of the site
- Permissive Path Agreement for a period of 20 years
- Provision of on-site publicly accessible amenity space

- 6.23 A significant additional public benefit to this list is the developer's commitment to further the implementation of the replacement cricket pavilion and new car park through the S106 under this full permission, compared to what has been secured under the outline schemes. The new cricket pavilion has been designed with the help of the cricket club and will provide upgraded community facilities including a social space with bar and kitchen, male and female changing areas and toilets, disabled toilets and a scorer area with a 1.2m length window for viewing which also includes doors opening out onto the terrace. It is evident from representations received on this application that the club provides social and community benefits to some members of the village community beyond a sports fixture.
- 6.24 In this instance the public benefits to the scheme are considered to outweigh the harm identified when applying the test of NPPF paragraph 196. Therefore criterion (1) and (2) of the SNP Policy 8 are achieved and HDPF Policies 32, 33 and 34 would not be conflicted.

#### Design and Appearance

- 6.25 Policy 8 of the Slinfold Neighbourhood Plan (SNP) states development will be supported where its design responds positively to the prevailing character of the surroundings. Policy 8 must be read in conjunction with SNP Policies 3 *Green Infrastructure* and 5 *Development Principles* and HDPF policies 32 and 33 which state good design is a key element in development making efficient use of land and integrating effectively with the character of the surrounding area.
- 6.26 The outline schemes introduced the concept of two development parcels with an open space providing a pause between, with the form and character of the housing to the east taking on a more rural aesthetic to address the transition of this site from the village edge/conservation area into the countryside.
- 6.27 Like previously, the latest layout splits the site into two parcels of housing separated by amenity space that maximises views of the established Oak Tree to the north site boundary and the wider countryside beyond it, as well important existing views to St Peters Church.
- 6.28 Building scales across both development parcels are a mix of chalet bungalow (one and half storey) and full two storey. The Neighbourhood Plan policy 8 requires buildings not to exceed 2 storeys, but does not require single storey development or set ridge heights. Of those buildings fully two-storey, the first floor is set with the roof with dormers.
- 6.29 It is a fair observation to make that the building typologies and orientations of the development parcel of the east is a dilution of the converted farmstead concept indicatively shown on the plans approved at outline. This is the view of the Council's Conservation Officer and Landscape Architect.
- 6.30 Nonetheless, it is accepted a U-plan courtyard farmstead concept (buildings arranged around three sides of a yard, open to one side) as previously was shown only indicatively. It is also accepted the applicant's heritage statement identified The Old Diary/Granary building cluster as an outlying outfarm, not a farmstead.
- 6.31 In the latest scheme, there are subtle nods in the building proportions, architectural detailing and material choice to The Old Diary/Granary building cluster and its edge of settlement context. This includes the low eaves of the catslide roofs, in the choice of weatherboarding, and occasions of simplified glazed openings, with slight quirks to suggest building adaptation over time. In this regard, there is some cultivation of local distinctiveness.

- 6.32 For the development parcel to the west, appropriate vernacular reference is taken from the existing design, layout and typology of the adjoining Conservation Area development. The replacement pavilion suitably relates in scale and form, adopting traditional decorative detailing in a clock and signage.
- 6.33 Finally, common materials across both development parcels, with finishes that characterise Slinfold, including red brick and clay tiles, achieves a sense of a shared identity and grouping around a common space.
- 6.34 In terms of off-site highway works, the combination of the replacement hedging, retained trees and new tree planting would soften the appearance of the proposed access and enable it to assimilate well with the existing landscaped character of Lyons Road.
- 6.35 This is a full planning application. It is to be judged on its own individual merits to whether it is in conformance with local plan policy. In consideration of compliance with the criteria 1-4 of SNP Policy 8 in particular, the scheme is a response to characteristics of the surrounding area (criteria 1), with some reference to the transition between settlement edge and countryside. There is full compliance with criteria 2 (storey height). Existing hedgerows are proposed for removal but compensatory planting is proposed and the north boundary hedgerows and trees are retained, as are trees and shrubs along the access road (this represents full compliance of criteria 3). The proposal creates a permissive path that links the site to the existing PRow network (criteria 4). As the proposal facilitates the development of the replacement Cricket Pavilion to the south, the principle of criterion (5) of SNP Policy 8 is satisfied. The scheme shows sufficient regard to the Slinfold Design Statement 2006 also.

#### Landscape

- 6.36 The site lies within the G3 Slinfold and Five Oaks wooded farmlands area as defined in the Horsham District Council Landscape Character Assessment (2003). This landscape is typified by the gently undulating landform. Small irregular to larger arable fields and hedgerows contribute to the rural character.
- 6.37 The site also lies within the SF4 area of the Landscape Capacity Study (2014) which determined the visual sensitivity of the area as 'moderate-high' due to the relative lack of hedgerow and boundary trees surrounding the area. The Public Right of Way along the northern boundary affords views in and across the site.
- 6.38 The landscape value is considered moderate due to the fact the site adjoins the Conservation area, has Public Right of way provision, and some ecological interest provided by the trees and hedgerows. As the landscape provides a contribution to the settlement setting, the overall capacity has been deemed to be 'low-moderate'. Any development should enhance and protect this contribution.
- 6.39 In consultation, the Council's Landscape Architect critiqued the applicant's submitted Landscape and Visual Impact Assessment (Davies Landscape Architects (May, 2019). Retained hedgerows to the west and north boundaries is reflected in the latest scheme, although the dwellings and gardens are close the existing boundary. The development is set back from footpath 1440 to the north of the site and there is opportunity for views to the south along the proposed open space towards the church and glimpses of the oak tree from Lyon Road will be retained, although narrowed. The amenity space provides a visual connection with the countryside with opportunities for planting through the site. Replacement of the mature hedgerow running north-south is particularly important in this regard. The foul sewer drain is located through the middle of the amenity space but not a constraint to achieving landscaping to the amenity space.

- 6.40 Concerns are expressed about the eastern part of the layout not reflecting the edge of settlement location or the existing simpler and utilitarian form of the barns. In the view of the Council's Landscape Architect this part of the scheme should be more sensitively designed. Planning officers agree that a degree of harm would arise from the visual intrusion into the countryside of the sub-urbanisation of the site, however this is predominantly and unavoidably the product of the site's allocation. This impact would not be softened by the characteristics to the latest layout and choice of building typologies in the eastern development parcel compared to the indicative scheme at outline (proposed by the landowner, not the developer as here). However, the neighbourhood plan policy for allocation on this site does not require built form to conform to a farmstead concept. The history of a site is a starting point to inform future proposed design. Historically, a farmstead has not been identified on this site. The alternative concept layout of the eastern parcel as proposed here continues to ensure built form extends no further into the countryside than the indicative outline schemes. Gaps between buildings within the eastern parcel still allow for penetrative views to the wider countryside and so a sense of transition continues to be perceivable. The building typologies and layout are reflective of the vernacular and roofscape of the built form in the existing conservation area and village settlement that contribute to defining its special qualities. Having regard to all this, planning officers believe the eastern parcel would be an appropriate extension to the village scene, albeit demonstrative of a somewhat more abrupt transition to the countryside than the outline schemes.
- 6.41 In respect of the landscape impact of the off-site highway works, the access arrangements are as per under the previous outline scheme DC21/0109 and would retain as much of the greenery as possible, including 11 new trees alongside the access road, retention of grass verge to Lyons Road, and all trees save one alongside the access.

#### Trees

- 6.42 Revised proposals for the access road and junction now retain all the trees west of the existing access road, with the exception of a small category C Common Beech (T35) which sits between the roadside and hedgerow. The loss of this tree was accepted previously.
- 6.43 11 new trees are to be planted alongside the hedgerow. Two trees previously to be removed to facilitate the PROW footpath are now to be retained. The access road will encroach into the root protection areas of two trees either side of the bellmouth including the large Pedunculate Oak (T36) that is of high amenity value to the area.
- 6.44 These trees are assessed under the Arboricultural Assessment and Method Statement (prepared by Mark Welby Arboricultural Consultant). The Council's Arboricultural Officer has raised no objection subject to no-dig foundations being used to protect T36. This is secured by condition.
- 6.45 The proposed site layout minimises encroachment into the root protection areas (RPA) of the trees on the development site itself. The large RPA of T5 (a large mature Oak on the northern site boundary) has been allotted suitable and satisfactory space to allow its continued expansion in size, as well as offering respect to its high level of amenity value.

#### Amenity Impacts

- 6.46 HDPF Policy 33 requires development not to cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.

#### *Existing Neighbours*

- 6.47 The most sensitive relationships to existing neighbours are the proposed dwelling of Plots 18-19 and 24 with The Garden House, The Street and the proposed cricket pavilion with Windalls, The Street.

### *The Garden House*

- 6.48 Introduction of built form east of The Garden House will impact onto this neighbour's amenities, particularly given the proximity of the plot 24 dwelling. However, this new dwelling is a chalet bungalow with its roof sloped away from the west boundary, and a single en-suite rooflight above eaves height. This, together with its orientation and separation distance relative to The Garden House, avoids adverse overshadowing and overbearing impacts with unacceptable overlooking and loss of privacy negated. Plots 18-19 are sited well south of the neighbouring dwelling so negating harmful impacts onto the occupier's living conditions (plot 18's first floor bathroom window facing west). Comings and goings from these new dwellings would be domestic in nature.

### *Windalls*

- 6.49 The replacement pavilion building is larger and higher than the existing building. Whilst it has two floors, the building's low eaves reduces its bulk, and first floor accommodation is largely set into the pitched roof. Its overall scale is akin to a chalet bungalow rather than full two storey. Given this, together with its separation distance to the neighbouring building of some 30 metres plus, adverse overbearing and overshadowing impact is avoided.
- 6.50 The orientation of the pavilion building relative to Windalls avoids direct overlooking from its outside balcony. Its high level first floor windows avoid unacceptable overlooking and loss of privacy. Given the existing use of the site, the increased size of the pavilion may result in a modest increase in activity on the site. However, hours of use and ancillary activities, including use of the outside balcony and terrace, can be controlled by condition.

### *Other neighbours*

- 6.51 The siting and orientation of the proposed development on remaining neighbours, including adjoining Crosby Farm businesses and the landholding itself, would not give rise to significant overlooking nor would it give rise to conflict through incompatible uses co-existing. The loss of land and agricultural barns is not considered to undermine the functionality and viability of the Crosby Farm landholding.
- 6.52 Noise and disturbance arising from coming and goings associated with development would be within tolerance of an already active area of the village, especially when set against the existing pavilion activities and vehicular movements along Lyons Road.

### *Future Occupants*

- 6.53 Each new property benefits from private amenity space and allocated parking. The layout of the proposed dwellings is appropriate with regards to their impact on each other's living conditions.

### *Summary on amenity*

- 6.54 With the above in mind, the proposed development is not considered to result in adverse harm to the amenities of the existing neighbouring and future occupants, in accordance with HDPF Policy 33.

### Highways and Access

- 6.55 HDPF Policies 40 and 41 require safe and suitable access and a choice of sustainable transport options and adequate parking facilities to meet the needs of anticipated users.

### *Access Arrangements*

- 6.56 Means of access to the site matches that considered acceptable by the Local Highway Authority (West Sussex County Council) under outline application DC/21/0109, having been modified to address the visual impact concerns that prompted the refusal of DC/19/1386. As before under DC/21/0109, the amendments essentially comprise a narrower 4.8m wider shared surface access road, indentation of Lyons Road south by a maximum of 0.7m, dropped kerb crossings to Mitchell Gardens and across Lyons Road west of the site entrance, and a short section of footway west of the access road to link to the dropped kerb crossing point.
- 6.57 In response to the latest proposals, WSCC raise no objection on highway safety grounds, or in terms of the appropriateness of the new shared surface arrangement given the low traffic volumes that would use the access. The latest proposals reflect what was agreed in principle under DC/21/0109 in negotiations in response to the Road Safety Audit - to keep the bus stop where it is in its current position east of the bellmouth, and instead include a new dropped kerb crossing point adjacent. The village gateway sign is not to be replaced as there is already such signage to the east; this is acceptable to WSCC.

### *Internal Layout*

- 6.58 The layout has altered slightly from the previous outline schemes. However shared surface within the site and priority narrowing allows for sufficient cars to pass and swept path tracking diagrams show refuse collection and fire tender vehicles can enter and turn within the site. The cricket pavilion can be reached adequately.

### *Parking*

- 6.59 The proposed provision of off-street parking and parking courts for the dwellings exceeds the WSCC Parking Standards Guidance (60 spaces as opposed to the required 55). WSCC have also suggested that a Travel Plan Statement is submitted to provide further detail to promote non-car use through the legal agreement. It would be necessary for the applicant to meet the requirements of WSCC Highway's latest Parking Standards in relation to electric car charging provision through the travel plan.

### *Trip Generation and Road Network Capacity*

- 6.60 Like before, the applicant's transport assessment anticipates 16 vehicle movements over AM and PM peak. This equates to an increase in peak hour vehicle movements along Lyons Road of 10%. Once the development traffic merges onto the main highway network (A29 or A264) this is assumed to be less than 1%. WSCC have carried out their own assessment and found the peak trips estimated are broadly in line with the applicant's transport statement. Whilst the proposed pavilion parking could result in some additional trips, WSCC does not anticipate these to result in a capacity issue on the nearby road network.

### *Accessibility*

- 6.61 Given the proximity of the wider footway network, the PROW network, and two bus routes running hourly through the village, there are opportunities for sustainable transport to be used. A Travel Plan Statement can be secured through the legal agreement to further promote non-car modes.

### *Summary on highway matters*

- 6.62 In comments dated 19 April 2021 the LHA asked that dropped kerb/tactile paving across Lyons Road to serve existing bus stop location and full tracking of internal layout are provided, in line with that demonstrated under outline application DC/21/0109. Plans have

been updated. Nevertheless, the updated Road Safety Audit (RSA) has not been provided. The Designers Response within the RSA still refers to the bus stop being relocated. For completeness the LHA advice is that the latest RSA and Designers Response provided under DC/21/0109 be provided for this application so that the LHA can fill in the Road Safety Audit Decision Log. Given that the access arrangements are identical to DC/21/0109 where these reports were provided, there is no evidence that the highway proposals are unsafe for the purposes of NPPF 109 and WSCC have not objected in their absence. On the advice of WSCC, the Travel Plan Statement is now to be secured/audited through s106 / unilateral undertaking rather than condition. With all the above in mind, the Local Highway Authority does not consider that the 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. Officers have no reason to disagree with this conclusion and recommend that the proposal therefore accords with Policies 40 and 41 of the HDPF.

### Public Rights of Way

- 6.63 Public Footpath 1440\_3 runs alongside the site's north boundary, outside the red line of the development. This footpath connects the site to the village and local facilities, so it can be reasonably predicated user demand of this footpath will increase as a result of the development as well consequential damage to the path surface (currently tarmac north of the existing buildings and dirt track north of the field travelling towards the churchyard). The upgrade is to an all-weather surface with new access onto the footpath from the site, and the specifications agreed between the applicant and WSCC via Section 106.
- 6.64 Like before in DC/21/0109, the applicant has offered a permissive path agreement to the existing access trackway from the north of Lyons Road (the landowner consent being 20 years public right to pass). To achieve a 2.5m segregated footway for a new dedicated public right of way would increase the extent of hard surfacing around the site as well as tree and partial hedgerow removal. Currently, no public have the right to use the trackway so the permissive path agreement offers improved connectivity for village residents and right of way network users.
- 6.65 Officer's consider these efforts satisfy Criterion (4) of SNP Policy 8 and can secured via s106 agreement.

### Ecology

- 6.66 The application is accompanied with updated Soft Landscaping proposed plan Sheets 1 and 2 Rev C (LVIA, May 2021) which match the requirements of the Updated Ecological Assessment (Ecosupport, Feb 2021, itself informed by survey reports (including mammals, bats, nesting birds, and reptiles, and habitat).
- 6.67 The Council's Ecologist is satisfied sufficient ecological information is available for determination and for the Council to demonstrate compliance with its statutory duties, and does not object. This is subject to the mitigation measures identified in the Updated Ecological Assessment (Ecosupport Ltd, February 2021) being secured and implemented in full by condition, as well as additional measures including a Wildlife Sensitive Lighting Design Scheme and appropriate mitigations to ensure protection of reptiles on site. The Council's Ecologist is satisfied that proposed new native hedgerows will provide a replacement linear commuting route for bats to mitigate the loss of native species hedgerow on site identified as being used very occasionally by commuting Barbastelle.
- 6.68 The Local Planning Authority has certainty of likely impacts from the development on European Protected and Priority Species and has finalised the HRA Appropriate Assessment. It is recommend the updated Soft landscaping proposal plans Rev C (LVIA,

May 2021) are secured as a condition to deliver the embedded mitigation required for HRA purposes.

- 6.69 The Council's Ecologist's advice is that barn owls are afforded basic protection like most wild birds under Schedule 1 of the Wildlife & Countryside Act 1981 (as amended). Suitable barn owl foraging habitat does not receive statutory legal protection in of itself. The submitted Phase 1 Habitats Survey report (Wildlife Matters, 2017) data is out of date so an updated survey for Barn Owls will be provided before commencement, secured by condition.
- 6.70 The reasonable biodiversity enhancements are welcomed by the Council's Ecologist to secure measurable net gains for biodiversity, to be secured by condition.

#### Drainage

- 6.71 The Environment Agency's (EA) online flood maps show the site is located within Flood Zone 1, meaning the land is in a 'low probability' flood zone – confirmed by WSCC, the Local Lead Flood Authority. A Floodzone 2 is located approximately 250m east of the site, surrounding an ordinary watercourse that spurs from the River Arun located some 670m north of the site.
- 6.72 The drainage strategy is identical to the outline scheme DC/21/0109. The application is accompanied by a detailed drainage impact assessment (abmh dated January 2021). The report verifies there are existing surface water flooding issues associated with the ditches and culverted watercourses along Lyons Road. Therefore, drainage is proposed to be routed to an existing watercourse situated 200m east of the current site access. Surface water flow rates to this eastern discharge point will be restricted to greenfield site flow rates, in line with Government guidance. Site attenuation will also be incorporated, including porous paving and cellular tanks. This new connection point and drainage route will bypass the existing culverted watercourse along Lyons Road.
- 6.73 Following consultation with the Council's Drainage Engineer, no objection is raised. The concerns of residents and their local knowledge of flooding are acknowledged, however the drainage strategy demonstrates how the re-direction and control of flows east of the site will reduce the flooding experienced along Lyons Road creating a betterment on existing, and avoid increased flooding further to the east. The development can therefore be satisfactorily accommodated without increasing flood risk elsewhere, in accordance with Chapter 14 of the NPPF and HDPF Policy 38, subject to planning conditions.

#### Climate Change and Fire and Rescue

- 6.74 HDPF Policies 35, 36 and 37 require development mitigates the impacts of climate change, in reflection of Chapter 14 of the NPPF. The proposal includes the following measures to address climate change:
- water usage limit of 110l/p/day.
  - Energy efficient LED lighting (including external lights);
  - Use of permeable surfaces and sustainable drainage systems;
  - Dedicated refuse and recycling storage capacity;
  - Opportunities for biodiversity gain (as detailed above) and additional planting;
  - Cycle parking facilities;
  - Improved pedestrian and cycle links;
  - Provision of electric vehicle charging points, and;
- 6.75 The Local Planning Authority are satisfied these appropriate measures could be put in place by way of planning condition and S106 agreement, and implemented to reduce the development's impact on climate change.

- 6.76 To ensure all proposed dwellings are within 150 metres of a fire hydrant for the supply of water for firefighting, WSCC Fire and Rescue has requested an additional fire hydrant by condition.

#### Community Infrastructure Levy (CIL) and Section 106 Agreement

- 6.77 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1<sup>st</sup> October 2017. This development constitutes CIL liable development.
- 6.78 A Section 106 Agreement has been drafted to secure the affordable housing contributions (33%) on site with agreed tenure split, in addition to the 2% equivalent financial contribution. This will be agreed between the Council's legal department and the applicant's solicitors prior to issuing the decision notice if members are minded to agree with the Officer's recommendation to approve the planning application subject to the below planning conditions. The S106 will also include obligations on the developer to build the external of the pavilion building no later than before half houses are sold and transfer the pavilion car no later than occupation of the pavilion, upgrading of the existing PRow surface to north of site, and a Permissive Path Agreement between the landowner and WSCC for a period of 20-years agreement with WSCC and Travel Plan Statement along with a contribution of £1,500 towards travel plan monitoring.

#### Conclusions

- 6.79 The Neighbourhood Plan for Slinfold (SNP) was adopted in 2019 and this site allocated for residential development under SNP Policy 8. In this regard to principle, the proposal is acceptable. The proposal includes an appropriate housing mix, in addition to a policy compliant provision of affordable housing. The submission has further demonstrated accordance with the criteria of SNP Policy 8, including site access and PRow network enhancement, in addition to general compliance with local planning policies, including impact on existing residential amenity.
- 6.80 In having regard to the full detail of the submitted proposal, as well as the advice in paragraph 196 of the National Planning Policy Framework and the relationship of the site to Listed Buildings and Slinfold Conservation Area, the proposed development would result in less than substantial harm to these heritage assets. In similar reasoning to the Inspector's in regard to the outline scheme allowed at appeal, the level of harm arising from this full permission proposal is judged by your officers to be low and would be outweighed by the public benefits of the proposal, which include, amongst others, the provision of market and affordable housing within a sustainable location, the delivery of a housing allocation that would contribute towards the district's housing requirements, improvements to PRow's and the provision of open space and, significantly, the realisation of the new cricket pavilion and dedicated car parking beyond policy requirements.
- 6.81 The Highways Authority is satisfied the site would be safely accessed without harm to the operational use of the highway network. Appropriate ecological mitigations are agreed by the Council's Ecologist. No resultant adverse risks are identified related to drainage of the scheme.
- 6.82 Furthermore, the proposal facilitates the replacement of the existing Cricket Pavilion of a design, use, layout and scale that is satisfactory and does not give rise to adverse amenity harm. The timely provision of this secured by this permission as opposed to the outline schemes is considered a significant community benefit.
- 6.83 Officers therefore recommend that this application be approved in compliance with the relevant policies of the Horsham District Planning Framework and Slinfold Neighbourhood

Plan, subject to the below detailed list of planning conditions and the completion of the necessary s106 legal agreement.

## 7. RECOMMENDATIONS

7.1 To approve full planning permission, subject to the following conditions:

### Conditions:

1 **Standard Plans Condition:** The development hereby permitted shall be undertaken in full accordance with the approved plans.

Reason: For the avoidance of doubt and in the interest of proper planning.

2 **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:

- a. An indicative programme for carrying out of the works
- b. The arrangements for public consultation and liaison during the construction works
- c. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations if required, the careful selection of plant and machinery and use of noise mitigation barrier(s) if required for specific tasks.
- d. Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination
- e. the anticipated number, frequency and types of vehicles used during construction,
- f. the method of access and routing of vehicles during construction,
- g. the parking of vehicles of site operatives and visitors
- h. loading and unloading of plant and materials
- i. storage of plant and materials used in constructing the development
- j. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- k. wheel washing facilities
- l. measures to control the emission of dust and dirt during construction
- m. a scheme for recycling/disposing of waste resulting from demolition and construction works.

A licensed waste removal contractor shall remove all site clearance debris, demolition and construction waste from site including all asbestos waste (if any).

Reason: In the interests of highway safety and the amenities of the area, ecological and biodiversity interests, and in accordance with Policies 24, 33 and 40 of the Horsham District Planning Framework (2015) and Policy 4 of the Slinfold Neighbourhood Plan.

3 **Pre-Commencement Condition:** No development, including works of demolition, shall commence until an updated Barn Owl survey report has been submitted and approved in writing by the local planning authority. Development shall thereafter take place in full accordance with any mitigations set out in the survey report.

Reason: To conserve protected species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 and s17 Crime & Disorder Act 1998 and Policy 31 of the Horsham District Planning Framework (2015) and Policy 4 of the Slinfold Neighbourhood Plan.

- 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:** No development shall commence until a detailed surface water drainage scheme including a Surface Water Drainage Statement, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall be fully coordinated with the landscape scheme. The development shall subsequently be implemented prior to first occupation in accordance with the approved details and thereafter retained as such.

Reason: As this matter is fundamental to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015).

- 6 **Pre-Commencement Condition:** Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination, including asbestos contamination, of the site and extant structures shall each 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.
- b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- c) The site investigation results and the detailed risk assessment (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

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

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).

- 7 **Pre-Commencement Condition:** No development other than works of demolition and site clearance and ecology works 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) and Policy 5 of the Slinfold Neighbourhood Plan.

- 8 **Pre-Commencement Condition:** No development other than works of demolition and site clearance and ecology works shall commence until full details of underground services, including locations, dimensions and depths of all service facilities and required ground excavations, have been submitted to and approved by the Local Planning Authority in writing. The submitted details shall show accordance with the landscaping proposals and Arboricultural Method Statement. The development shall thereafter be carried out in accordance with the approved details.

Reason: As this matter is fundamental to the acceptable delivery of this permission, to ensure the underground services do not conflict with satisfactory landscaping in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015)

- 9 **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 site identified for retention in the approved Arboricultural Assessment and Method Statement (Mark Welby Arboricultural Consultant MW.21.0109.AIA Date Issued: 15 February 2021) shall be retained at all times, 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) and Policy 3 of the Slinfold Neighbourhood Plan.

- 10 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve buildings of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policy 5 of the Slinfold Neighbourhood Plan.

- 11 **Pre-Commencement (Slab Level) Condition:** Prior to development commencing above ground floor slab level, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures for hedgehogs, bats and bird boxes to be provided, shall be submitted to and approved in writing by the local planning authority. The

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

Reason: To conserve and enhance Protected and Priority Species/habitats and allow the Local Planning Authority to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham District Planning Framework (2015) and Policy 4 of the Slinfold Neighbourhood Plan.

- 12 **Pre-Commencement (Slab Level) Condition:** No relevant works shall commence to dwellinghouses on plots 07, 08, 09 and 11 until the following details of the development have been submitted to and approved in writing by the Local Planning Authority. The works must not be executed other than in complete accordance with these approved details:

Drawings to a scale not smaller than 1:5 fully describing:

i) new windows and rooflights. These drawings must show: cross section of frame, transom, mullions, glazing bars, etc.; formation of openings including reveals, heads, sills, dormer construction, etc.; method of opening; method of glazing. All windows in the dwellings shall have casements flush fitted with their frames if in timber or plastic. The windows shall not be fitted with trickle vents or lead applied to the face of the glass. The roof lights shall be metal framed and sit flush with the roof slope.

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 buildings of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policy 5 of the Slinfold Neighbourhood Plan.

- 13 **Pre-Occupation Condition:** No part of the development shall first be occupied until visibility splays of 2.4 metres by 56 metres have been provided at the proposed site vehicular access onto Lyons Road in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety, and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 14 **Pre-Occupation Condition:** No part of the development shall be first occupied until such time as the highways works including vehicular access, footway and dropped kerb pedestrian tactile points serving the development have been constructed in accordance with the details shown on the drawings below:

- FC288913 REV B RESIDENTIAL DEVELOPMENT & CRICKET PAVILION HIGHWAY JUNCTION LAYOUT HIGHWAY INDENTED SOUTH
- FC288906 REV B RESIDENTIAL DEVELOPMENT & CRICKET PAVILION HIGHWAY LAYOUT & LEVELS DWG 1 OF 2
- FC2889/07 REV C RESIDENTIAL DEVELOPMENT & CRICKET PAVILION HIGHWAY LAYOUT & LEVELS DWG 2 OF 2

The access footway and dropped kerb tactile points serving the development shall be retained thereafter.

Reason: In the interests of road safety, and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

15 **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 in the approved Arboricultural Assessment and Method Statement (Mark Welby Arboricultural Consultant MW.21.0109.AIA Date Issued: 15 February 2021)
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details, including as shown on drawing Soft Landscape Proposals ANT1159-11 Sheet 1:
  - 4 No. Prunus avium 'Lapins' and 3 No. Apple 'Laxton's Fortune' to the northeast corner of the open space
  - Tree line/hedgerow feature to the precise specification detailed on drawing ANT1159-11 Sheet 1, consisting of pot grown standard trees of at least 2.5 m in height and native tree species reflective of those within lost hedgerow (Field Maple, Hawthorn, Blackthorn, Apple, Salix spp, Oak)
  - Unmanaged wildflower meadow within the central POS
- Details of all hard surfacing materials and finishes
- Details of all boundary treatments

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 Policies 31 and 33 of the Horsham District Planning Framework (2015) and Policies 3 and 5 of the Slinfold Neighbourhood Plan.

16 **Pre-Occupation Condition:** Prior to occupation a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior occupation of the development. The content of the LEMP shall include the following: a) Description and evaluation of features to be managed. b) Ecological trends and constraints on site that might influence management. c) Aims and objectives of management. d) Appropriate management options for achieving aims and objectives. e) Prescriptions for management actions. f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period). g) Details of the body or organisation responsible for implementation of the plan. h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended)

and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham District Planning Framework (2015) and Policy 4 of the Slinfold Neighbourhood Plan.

- 17 **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).

- 18 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, a verification report demonstrating that the SuDS drainage system has been constructed in accordance with the approved design drawings shall be submitted to and approved by the Local Planning Authority. The development shall be maintained in accordance with the approved report.

Reason: To ensure a SuDS drainage system has been provided to an acceptable standard to the reduce risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015).

- 19 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, a contamination verification plan shall be submitted to and approved, in writing, by the Local Planning Authority. The verification plan shall provide details of the data collected in order to demonstrate that the works set out in Condition (6) are complete, and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

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).

- 20 **Pre-Occupation Condition:** Prior to the occupation of the cricket pavilion, an assessment of the acoustic impact arising from the operation of all internally and externally located plant to be installed at the sports pavilion shall be undertaken in accordance with BS 4142:2014 or superseding equivalent. The assessment shall be submitted to the Local Planning Authority together with a scheme of attenuation measures to mitigate any adverse impacts identified in the acoustic assessment. The scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved by the Local Planning Authority shall be fully installed before the use hereby permitted commences and shall be operated for as long as the use is continued.

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).

- 21 **Pre-Occupation Condition:** The use of the cricket pavilion hereby permitted shall not commence until a customer management plan has been submitted and approved in writing by the local planning authority. This should include but not be limited to, hours of operation, management responsibilities during all operating hours, measures to control noise from live and amplified music (including the screening of sporting events and public address systems), including use of the external balcony and outside terrace and car park, and minimising the effects of patrons coming and going from site and demonstrating how customers leaving the building will be prevented from causing nuisance for people in the area. The use hereby permitted shall thereafter be operated in accordance with the approved details.

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).

- 22 **Pre-Occupation Condition:** Prior to the first occupation of any dwelling or the first occupation or use of the pavilion hereby permitted, the parking, turning and access facilities (including garages where applicable) necessary to serve that dwelling or the pavilion shall be implemented in accordance with the approved drawings and shall be thereafter retained as such for their designated use.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 23 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until the cycle parking facilities serving that dwelling have been provided within the garage or side or rear garden for that dwelling. The cycle parking facilities shall thereafter be retained as such for their designated use at all times.

The cricket pavilion hereby permitted shall not be occupied or used until covered and secure cycle parking spaces serving the cricket pavilion have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority. 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 as an alternative travel option to the use of the car in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 24 **Pre-Occupation Condition:** No dwelling or the pavilion hereby permitted shall be first occupied unless and until provision for the storage of refuse/recycling has been made for that dwelling (or use) in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be retained for use at all times.

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

- 25 **Pre-Occupation Condition:** The following buildings hereby permitted shall not be occupied until the glazed openings listed below have been fitted with obscured glazing:

- Ensuite rooflight in west elevation of dwellinghouse of plot 24
- First floor bathroom in west elevation of dwelling of plot 18
- First floor windows in west elevation of cricket pavilion building

Once installed the obscured glazing of those windows shall be retained permanently thereafter.

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

- 26 **Regulatory Condition:** Prior to the installation of any external lighting, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate

lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

The scheme must also be designed by a suitably qualified person in accordance with the recommendations for environmental zone E2 in the Institute of Lighting Professional's Guidance document "Guidance Notes for the Reduction of Obtrusive Light GN01:2020.

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

Reason: To allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species), and in accordance with Policies 31 and 33 of the Horsham District Planning Framework (2015) and Policy 4 of the Slinfold Neighbourhood Plan.

- 27 **Regulatory Condition:** All mitigation and enhancement measures and/or works, including Reptile Mitigation addressing the mitigation and translocation of reptiles, shall be carried out in accordance with the details contained in the Updated Ecological Assessment (Ecosupport Ltd, February 2021), as already submitted and agreed in principle with the Local Planning Authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham District Planning Framework (2015) and Policy 4 of the Slinfold Neighbourhood Plan.

- 28 **Regulatory Condition:** The proposed footway west of the site access from Lyons Road shall be constructed using a no dig foundation where it passes through the root protection area of the Pedunculate Oak identified as T36 in the Arboricultural Assessment and Method Statement (Mark Welby Arboricultural Consultant MW.21.0109.AIA Date Issued: 15 February 2021)

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) and Policy 3 of the Slinfold Neighbourhood Plan.

- 29 **Regulatory Condition:** All works shall be executed in full accordance with the Arboricultural Assessment and Method Statement (Mark Welby Arboricultural Consultant MW.21.0109.AIA Date Issued: 15 February 2021) and all works to the proposed access to the site from Lyons Road shall consist of a no-dig construction when within the Root Protection Zone of all trees to be retained.

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) and Policy 3 of the Slinfold Neighbourhood Plan.

- 30 **Regulatory Condition:** 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).

- 31 **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

Reason: To ensure that no contaminated material is brought on to the site in the interests of public safety and in accordance with Policy 33 of the Horsham District Planning Framework (2015)

- 32 **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).

- 33 **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 AA, B, D, and F of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within all the curtilages of the development and no development falling within Classes A, AA, B, C, D, E, and F Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilages of plots 07, 08, 09, 10, and 11 without express planning consent from the Local Planning Authority first being obtained.

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 buildings of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policy 5 of the Slinfold Neighbourhood Plan.

- 34 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or Orders amending or revoking and re-enacting the same, no windows or other openings (other than those shown on the plans hereby approved) shall be formed at first floor and above in the west elevations of the dwellinghouses of plots 18 and 24 and in the west elevation of the cricket pavilion building without express planning permission from the Local Planning Authority first being obtained.

Reason: To protect the amenities of adjoining residential properties from loss of privacy and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 35 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or Orders amending or revoking and re-enacting the same, no gate, fence, wall or other means of enclosure (other than those shown on the plans hereby approved or agreed by condition imposed on this decision notice) shall be erected or constructed forward of the side or front elevations facing onto a highway of the dwellinghouse buildings of plots 01, 02, 03, 04, 05, 06, 07, 08, 11, and 22 without express planning consent from the Local Planning Authority first being obtained.

Reason: As this matter is fundamental to ensure the character, appearance and integrity of the proposed development is not prejudiced, thereby securing the local distinctiveness

appropriate to context, and to comply with Policy 33 of the Horsham District Planning Framework (2015) and Policy 5 of the Slinfold Neighbourhood Plan.