



**TO:** Planning Committee North

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

**DATE:** 7<sup>th</sup> September 2021

**DEVELOPMENT:** Demolition of existing agricultural barn and erection of a detached barn style dwelling house

**SITE:** The Owl Barn The Mount Ifield Crawley West Sussex RH11 0LF

**WARD:** Colgate and Rusper

**APPLICATION:** DC/21/1274

**APPLICANT:** **Name:** Geoff Hussey **Address:** Care of Agent Melton Lodge Rusper Road Newdigate RH5 5BX

**REASON FOR INCLUSION ON THE AGENDA:** The development, if approved, would represent a Departure from the Development Plan.

**RECOMMENDATION:** To approve planning permission subject to appropriate conditions

**1. THE PURPOSE OF THIS REPORT**

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks full planning permission for the demolition of the existing barn and the erection of a detached barn-style 2-bed dwelling.

1.3 The new-build single storey dwelling would be re-sited slightly further to the south-east, with the proposed dwelling oriented to face south. The dwelling would measure to a length of 15m and a width of 11m, and would incorporate a half-hipped roof measuring to a height of 5.6m. The proposal would include a timber framed porch to both the north and south elevations, with an array of solar panels on the east and west roof slopes. The dwelling would be finished with a brick plinth and horizontal timber cladding to the walls, with clay tiles to the roof. The dwelling would provide kitchen/living room, sitting room, 2no. bedrooms (both with ensuite), study and utility room.

1.4 An area of incidental amenity space would be located to the south of the proposed dwelling, with access provided via the existing access point from The Mount.

DESCRIPTION OF THE SITE

1.5 The application site is located to the north of The Mount, outside any defined built-up area. The site is therefore within a countryside location in policy terms. The site is located

approximately 2.2km from the built-up area of Rusper, and approximately 2km from the built-up area of Crawley.

- 1.6 The site comprises a blockwork and timber clad barn, set back from the public highway. The building is subject of an extant Prior Approval for its conversion to a single residential dwelling, which was approved under planning reference DC/20/2452.
- 1.7 The site is located immediately to the north of a cluster of residential and agricultural buildings, with the wider surroundings characterised by paddocks, agricultural fields, and woodlands. Grade II listed The Mount Farm sits to the southeast to the opposite side of the road.

## **2. INTRODUCTION**

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT PLANNING POLICIES

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

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

#### **2.4 Horsham District Planning Framework (HDPF 2015)**

Policy 1 - Strategic Policy: Sustainable Development  
Policy 2 - Strategic Policy: Strategic Development  
Policy 3 - Strategic Policy: Development Hierarchy  
Policy 4 - Strategic Policy: Settlement Expansion  
Policy 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 31 - Green Infrastructure and Biodiversity  
Policy 32 - Strategic Policy: The Quality of New Development  
Policy 33 - Development Principles  
Policy 34 - Cultural and Heritage Assets  
Policy 35 - Strategic Policy: Climate Change  
Policy 36 - Strategic Policy: Appropriate Energy Use  
Policy 37 - Sustainable Construction  
Policy 40 - Sustainable Transport  
Policy 41 - Parking

### RELEVANT NEIGHBOURHOOD PLAN

#### **2.5 Rusper Neighbourhood Plan**

Policy RUS1 – Spatial Plan  
Policy RUS3 – Design  
Policy RUS5 – Green Infrastructure and Biodiversity

## PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/20/2452

Prior notification for change of use of agricultural building to form a single dwellinghouse (Class C3).

Prior Approval Required and PERMITTED on 29.01.2021

### 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

- 3.2 **HDC Environmental Health:** Note that an agricultural building is located to the north west of the building subject to the application. It is apparent that the building is not currently used for intensive agricultural activities. There is the potential for some intensification of agricultural activities in the building, however taking into account the distance between the agricultural building and the application site, and the size of the aforementioned agricultural building, are of the view that any agricultural activities in the building are unlikely to have a significant impact on the amenity of the proposed dwelling.

Given the historic agricultural use of the site, a land use which Environmental Health considers potentially contaminating, we are of the view that the ground on the site has the potential to be contaminated. Contamination assessments will therefore need to be undertaken to assess the risks to future site users, and this can be subject of condition.

#### OUTSIDE AGENCIES

- 3.3 **WSCC Highways:** No objection

The Local Highways Authority has previously been consulted on application at this site, most recently under DC/20/2452 for prior approval for the change of use from agricultural building to two-bedroom residential dwelling. The LHA raised no highway safety concerns and the LPA approved the application. The LHA also previously provided comments regarding highway matters for this site under application DC/19/2387. The LHA raised no objections to this proposal. The planning authority refused the application on grounds unrelated to highways.

The site will utilise the existing access on to The Mount, with no alterations to the existing access proposed. An inspection of collision data supplied to WSCC by Sussex Police over a period the past five years reveals there have been no recorded injury accidents within the vicinity of the site. Therefore, there is no evidence to suggest the existing access is operating unsafely or that the proposal would exacerbate an existing safety concern.

The proposed parking provision for the dwelling has not been demonstrated on the plans. The WSCC Car Parking Demand Calculator expects that a minimum of two spaces would be required for a dwelling of this size and location. There appears to be sufficient space on site to accommodate the required parking provision and for vehicles to turn on site. Details of parking can be secured via condition.

Secure and covered cycle storage should be provided to encourage sustainable transport methods. Details of this can be secured via condition.

In the interests of sustainability and as result of the Government's 'Road to Zero' strategy for at least 50% of new car sales to be ultra-low emission by 2030, electric vehicle (EV) charging points should be provided for all new homes. Active EV charging points should be provided for the development in accordance with current EV sales rates within West Sussex (Appendix B of WSCC Guidance on Parking at New Developments) and Horsham Local Plan policy.

Ducting should be provided to all remaining parking spaces to provide 'passive' provision for these to be upgraded in future. Details of this can be secured via condition.

The Local Highways Authority does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.

#### 3.4 **Ecology Consultant:** No Objection

We are satisfied that there is sufficient ecological information available for determination. The mitigation measures identified in the Preliminary Bat Potential Survey (Sylvatica Ecology, February 2021) should be secured and implemented in full. This is necessary to conserve and enhance protected and Priority Species particularly bats and breeding birds.

#### 3.5 **Southern Water:** Comment

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

The Applicant has not stated details of means of disposal of foul drainage from the site. There are no public foul sewers in the area to serve this development. The Applicant is advised to examine alternative means of foul disposal.

### PUBLIC CONSULTATIONS

#### 3.6 3 letters of support were received, and these can be summarised as follows:

- Environmentally-friendly build
- More attractive
- Improvement in the local environment
- Would tidy up the site

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

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

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

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

### 6. **PLANNING ASSESSMENTS**

#### 6.1 The application seeks full planning permission for the demolition of the existing barn and the erection of a detached barn-style 2-bed dwelling.

#### **Principle of Development**

#### 6.2 Section 38(6) of the Town and Country Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

- 6.3 Policy 2 of the Horsham District Planning Framework (HDPF) sets out the main growth strategy, focusing development in the main settlements. The appeal site is situated outside of any of the defined settlement as categorised under Policy 3 of the HDPF, and therefore is considered to be in a countryside location in policy terms.
- 6.4 Policy 4 of the HDPF outlines that the expansion of settlements outside the built-up area are supported where the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge; the level of expansion is appropriate to the scale and function of the settlement type; the development is demonstrated to meet the identified local housing needs; the impact of development individually or cumulatively does not prejudice comprehensive long term development; and the development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced.
- 6.5 Policy RUS1 of the Rusper Neighbourhood Plan defines the built up area of Rusper for the purpose of applying Policy 4 of the HDPF.
- 6.6 The HDPF outlines that the proposed settlement hierarchy is the most sustainable approach to delivering housing; with new development focused in the larger settlements of Horsham, Southwater and Billingshurst; with limited new development elsewhere, only where it accords with an adopted Neighbourhood Plan. Specifically, Policy 3 of the Horsham District Planning Framework seeks to retain the existing settlement pattern and ensure that development takes place in the most sustainable locations as possible.
- 6.7 Paragraph 79 of the NPPF states that "to promote development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby."
- 6.8 Paragraph 80 of the NPPF continues that "planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:
- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
  - b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
  - c) the development would re-use redundant or disused buildings and enhance its immediate setting;
  - d) the development would involve the subdivision of an existing residential dwelling; or
  - e) the design is of exceptional quality, in that it:
    - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
    - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.
- 6.9 The term "isolated" is not defined within the National Planning Policy Framework, but case law has confirmed that it should be given its ordinary objective meaning of remote and far away from other places, buildings and people, and separate or remote from a settlement, services, and facilities. It was concluded in the Braintree Judgement that a settlement would not necessarily exclude a cluster of dwellings. The application site is located within close proximity to a number of residential dwellings and other buildings, and given this spatial context is not considered to be "isolated" in its truest sense, and does not therefore engage the considerations of paragraph 80.

- 6.10 The application site is however located within the countryside in policy terms. The proposed development, resulting in the provision of a dwelling within a countryside location, would therefore be contrary to the overarching spatial strategy, and the development plan policies within the Horsham District Planning Framework.
- 6.11 While the provision of a new dwelling in the countryside would not usually be supported in policy terms, it is recognised that the site benefits from an extant Prior Approval permission under reference DC/20/2452 for the conversion of the agricultural building to C3 Residential. The conversion permitted the conversion of the buildings to 1no. 2-bed dwelling. Fallback is a material consideration in the decision-making process, and when making a determination, weight needs to be given to the fallback position. The weight to be given to such material consideration varies according to whether what could have been built under previous applications would result in a broadly similar or worse impact to the development proposed; and the reasonable likelihood that if permission were refused, the previous approval would be implemented.
- 6.12 The proposed development would re-position the built form slightly to the south-east, re-locating it off of the boundary, and would provide a new-build dwelling that seeks to improve the quality of construction over the existing building. These elements would result in social benefits that would improve the environment and quality of accommodation for future occupiers, and this benefit is considered to be of weight in the assessment of the current application.
- 6.13 The fallback position is a material consideration of weight, with the proposed scheme considered to improve the quality and provision of accommodation within the site, while also improving the building's relationship with the site boundaries. While the provision of new dwellings in this countryside location would not usually be supported by policy, given the fallback position through the extant Class Q permission, it is considered that the proposed scheme would result in a built form that would improve and enhance the character of the semi-rural locality and result in a better quality of living conditions for future occupiers. On the basis of the potential to utilise Class Q permitted development rights, and the likelihood of this occurring, the fallback position is considered to be of significant weight to the consideration of the current application. The current application is therefore considered to benefit from a fallback position, with the proposed development likely to provide a better, more rational re-development of the site.
- 6.14 In weighing the policy considerations and the existence of a fallback position, it is considered that the principle of the proposed redevelopment is acceptable, subject to all other material considerations.

### **Design and Appearance**

- 6.15 Policy 25 of the HDPF states that the natural environment and landscape character of the District, including landscape, landform and development pattern, together with protected landscapes, will be protected against inappropriate development. Proposals should protect, conserve and enhance the landscape character, taking into account areas identified as being of landscape importance. In addition, Policies 32 and 33 of the HDPF promote development that is of a high quality design, which is based upon a clear understanding of the local, physical, social, economic, environmental, and policy context. Development will be expected to provide an attractive, functional, and accessible environment that complements locally distinctive characters and heritage of the District. Development should contribute to a sense of place both in the buildings and spaces themselves and in the way they integrate with their surroundings and the historic landscape in which they sit. Development should ensure that the scale, massing and appearance of the development relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site.

- 6.16 Policy RUS3 of the Ruser Neighbourhood Plan states that proposals for new development must be of the highest standard of design, and should reflect the character and scale of surrounding buildings.
- 6.17 Paragraph 134 of the NPPF states that planning decisions should ensure that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting; establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and create places that are safe, inclusive and accessible.
- 6.18 The proposed dwelling would retain the proportions of the existing building, with the built form and vernacular reflective of a rural utilitarian building. While the proposal would incorporate domestic features including a front and rear porch, it is considered that the overall character would remain utilitarian in appearance. The proposal would extend to a height and footprint similar to the adjacent building, and would not therefore over-dominate the nearby built form, with the proposed materials and finishes considered to appropriately reflect the landscape character and visual amenity of the surroundings. As such, the proposal is considered to be of a scale, form and appearance that would relate sympathetically to the nearby built form, and would not result in harm to the landscape character and visual amenities of the locality, in accordance with Policies 25, 32, and 33 of the Horsham District Planning Framework (2015).

### **Amenity Impacts**

- 6.19 Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contributes a sense of place both in the buildings and spaces themselves. Policy 33 continues that development shall be required to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land.
- 6.20 The application site is located at some distance from the nearest residential properties, with the proposal replacing an existing building on the site. Given this context, it is not considered that the proposal would result in any further harm to the amenities and sensitivities of neighbouring properties or users of land.
- 6.21 Matters of amenity for future occupiers were considered as part of the Prior Approval application under reference DC/20/2452. At this time, it was recognised that the subject building was in the vicinity of a barn and stable building, where odour nuisance to future occupiers could occur. It was however concluded that given the distances maintained, the informal and low key nature of the uses of these buildings, and the fact that no objections were raised by the Council's Environmental Health Team, the proposal would not result in significant harm to justify a reason for refusal. This is a material consideration of significant weight in the appraisal of the current application.
- 6.22 It is recognised that the proposal seeks to re-position the proposed dwelling further to the south-east, and in closer proximity to the stable building and barn. The Agent has however confirmed that these buildings would remain in the same ownership as the proposed dwelling. Given the previous conclusions and the minimum reduction in spatial separation, it is considered on balance that the proposed development would not be subject to adverse impacts through noise and odour.
- 6.23 For these reasons, it is considered on balance that the proposed development would not result in harm to the amenities or sensitivities of neighbouring properties or users of land, in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

## **Highways Impacts**

- 6.24 Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.
- 6.25 The proposed development seeks to utilise an existing access from The Mount to the south. Matters of transport and highways impact were considered under the previous Prior Approval application under reference DC/20/2452, where no objections were raised.
- 6.26 Following consultation with WSCC Highways, there is no evidence to suggest that the existing access is operating unsafely or that the proposal would exacerbate an existing safety concern. It is not considered that the proposal would result in a material intensification of use of the access, with the proposal requiring space for 2no. vehicles. There appears to be sufficient space on site to accommodate the required parking provision and for vehicles to turn on site, and no concerns are raised in this regard.
- 6.27 As such, the proposed development is considered to provide safe and adequate access, suitable for all users, in accordance with Policies 40 and 41 of the Horsham District Planning Framework (2015).

## **Ecology**

- 6.28 Policy 31 of the HDPF states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate.
- 6.29 Circular 06/2005 identifies that the presence of protected species is a material consideration when considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Therefore, it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed application, is established before planning permission is granted. Information on biodiversity impacts and opportunities should inform all stages of development, and an ecological survey is usually necessary where the type and location of development are such that the impact on biodiversity may be significant and existing information is lacking or inadequate.
- 6.30 The Applicant has submitted a Preliminary Bat Potential Survey by Sylvatica Ecology dated 12 February 2021. It concludes that the building has a negligible potential to support roosting bats, with evidence of potential nesting birds within the building. To mitigate potential impact on breeding birds, the report recommends works be carried out outside of season or following an inspection carried out no more than 24hrs in advance. To provide alternative nesting location for bird species, it is recommended to install a suitable nesting location on or around the new building. This can be in the form of a pre-made bird box, such as a dovecote nest box, or a bespoke unit. The report recommends enhancement can be provided by way of installing two swift boxes on the building once complete.
- 6.31 The Council's Ecologist has raised no objection to the ecology information submitted, subject to conditions to secure the mitigation measures and the ecological enhancements set out in the submission.



## Climate change

- 6.32 Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change.
- 6.33 Should the proposed development be approved, the following measures to build resilience to climate change and reduce carbon emissions would be secured by condition:
- Water consumption limited to 110litres per person per day
  - Requirement to provide full fibre broadband site connectivity
  - Dedicated refuse and recycling storage capacity
  - Cycle parking facilities
  - Electric vehicle charging points
- 6.34 Subject to these conditions the application will suitably reduce the impact of the development on climate change in accordance with local and national policy.

## Conclusions

- 6.35 The application site benefits from an extant Class Q Prior Approval permission under reference DC/20/2452. This fallback position is a material consideration of significant weight, with the proposed scheme considered to improve the quality and provision of accommodation within the site. While the provision of new dwellings in this countryside location would not usually be supported by policy, given the fallback position through the extant Class Q permission, it is considered that the proposed scheme would result in a built form that would improve and enhance the character of the semi-rural locality. The proposed development is considered to provide a better, more rational re-development of the site, and would result in public benefit in this regard.
- 6.36 The proposed development would result in no further harm to the landscape character and visual amenities of the area, and would provide benefits through re-locating the built form away from the nearest residential property. It would not harm the setting of Grade II listed Mount Farm to the southeast. The proposal is not therefore considered to result in harm to the amenities and sensitivities of neighbouring properties or users of land, or heritage assets. In addition, the proposal would provide adequate parking provision, and is not considered to result in a material intensification in number of vehicular trips or use of the access. For these reasons, the proposal is considered to accord with all relevant local and national planning policies.

## COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 6.37 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1<sup>st</sup> October 2017.
- 6.38 **It is considered that this development constitutes CIL liable development.** At the time of drafting this report the proposal involves the following:

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	146.6		146.6
		<b>Total Gain</b>	
		<b>Total Demolition</b>	<b>161.8</b>

- 6.40 Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.
- 6.41 In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

## 7. RECOMMENDATIONS

- 7.1 To approve the application subject to the following conditions:

### Conditions:

#### 1 **Approved Plans**

- 2 **Pre-commencement Condition:** No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

- (a) A preliminary risk assessment which has identified:
- all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - Potentially unacceptable risks arising from contamination at the site.

The following aspects (b) - (c) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

(b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.

(c) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (b) and a verification plan providing details of what data will be collected in order to demonstrate that the remedial works are complete.

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

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 3 **Pre-commencement Condition:** No works pursuant to this permission shall commence until a method statement for the safe removal and disposal of asbestos containing materials has been submitted to and approved in writing by the Local Planning Authority.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 4 **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 a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 5 **Pre-Occupation Condition:** The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification that any identified asbestos has been removed from the application site and disposed of by a licensed asbestos contractor in accordance with the Control of Asbestos Regulations 2012.

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).

- 6 **Pre-Occupation Condition:** The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification that the remediation scheme required and approved under the provisions of condition 2(c) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 2(c), unless otherwise agreed in writing by the Local Planning Authority.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 7 **Pre-Occupation Condition:** No part of the development hereby permitted shall be first occupied until full details of all hard and soft landscaping works have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
- Details of all hard surfacing materials and finishes
- Details of all boundary treatments
- Details of all external lighting

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed or retained planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 8 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a plan showing the layout of the proposed development and the provision of car parking spaces for vehicles has been submitted to and approved in writing by the Local Planning Authority. The dwelling hereby permitted shall not be occupied until the parking spaces associated with it have been provided in accordance with the approved details. The areas of land so provided shall thereafter be retained for the parking of vehicles.

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

- 9 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a fast charge electric vehicle charging point for the dwelling has been installed. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

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

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

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

- 11 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling has been provided within the side or rear garden for that dwelling. The facilities shall thereafter be retained for use at all times.

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

- 12 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until 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 has been 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).

- 13 **Regulatory Condition:** The development hereby permitted shall be carried out in accordance with the mitigation and enhancement measures set out in the Preliminary Bat Potential Survey (February 2021), and all enhancement measures shall be installed prior to first occupation of the dwelling hereby permitted.

**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 Development Framework.

- 14 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order no development falling within Classes A, AA, B, C, and D of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 15 **Regulatory Condition:** The dwelling hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to 110 litres per person per day. The subsequently approved water limiting measures shall thereafter be retained.

Reason: To limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015).