



# **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee South

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

**DATE:** 16<sup>th</sup> November 2021

**DEVELOPMENT:** Demolition of existing barn buildings and construction of a new build barn style dwelling.

**SITE:** Chalk Farm Okehurst Lane Billingshurst West Sussex

**WARD:** Billingshurst

**APPLICATION:** DC/21/1335

**APPLICANT:** **Name:** Mr N Antoniou **Address:** The Beehive City Place Gatwick RH6 0PA

**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 buildings and the construction of a 1no. 4-bed dwelling.
- 1.3 The proposal would comprise a “U” shaped single storey building that would incorporate a mix of mono-pitched and barrel roof forms, along with a central flat roof connecting section to each wing. The proposal would measure to a length of 29.8m and a total width of 18m, and would measure to an overall height of 4.1m. The proposal would be oriented to face west, and would be finished in horizontal cladding and zinc standing seam sheeting.
- 1.4 The proposal would incorporate an area of hardstanding to the south-west of the dwelling, with the land to the northern portion of the site utilised as incidental amenity space. The proposal would provide 4no. parking spaces, cycle store, and bin store.
- 1.5 This proposal follows permissions for a dwelling on the site in July 2018 and January 2021. The January 2021 permission remains extant.

## DESCRIPTION OF THE SITE

- 1.6 The application site is located to the north of Okehurst Lane, outside of any designated built-up area boundary. The application site is therefore located in a countryside location in policy terms.
- 1.7 The site comprises 3no. utilitarian barns sited in a 'U' shape arrangement, which open to a central courtyard area. The wider area is laid to grass, with recently planted trees to the northern corner of the site. The site benefits from an existing access to the south, extending from Okehurst Lane.
- 1.8 The application site is surrounded by residential dwelling to the east and south, with a mobile home located immediately to the south. This mobile home has been subject of previous temporary permissions dating from the 1990s, with the most recent permission lapsing on 31 May 2000. Given the length of time since this permission, it is likely that the siting of the mobile home is lawful by virtue of time.

## 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 38 - Strategic Policy: Flooding  
Policy 40 - Sustainable Transport  
Policy 41 - Parking  
Policy 42 - Strategic Policy: Inclusive Communities  
Policy 41 - Community Facilities, Leisure and Recreation

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of

date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 4.3 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

## RELEVANT NEIGHBOURHOOD PLAN

### 2.5 Billingshurst Neighbourhood Development Plan 2019-2031

Policy 1: Billingshurst Built-Up Area Boundary

Policy 2: Housing Design and Character

Policy 3: Energy Efficiency and Design

Policy 14: Residential Parking Provision

## PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/17/2773	Conversion of agricultural barn to form a two-bedroom single storey dwelling.	Application Permitted on 19.07.2018
DC/20/2373	Conversion of existing agricultural barn to a dwelling (as permitted under DC/17/2773) with replacement of adjoining pole barns to form linked bedroom accommodation	Application Permitted on 07.01.2021

## 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:** No objection  
No objection subject to conditions in respect of land contamination, asbestos, waste removal, soil importation and construction hours.

### OUTSIDE AGENCIES

- 3.3 **WSCC Highways:** No objection

Given the history of the site the principle of conversion to residential has already been established. No in principle concerns would be raised to this latest iteration of the proposal which instead seeks demolition and redevelopment to provide one dwelling.

The Local Highways Authority accepts that this point of access could generate vehicular activity in its current state. There have been no personal injury accidents in the vicinity of the existing point of access. Evidence suggests that developments of this type are unlikely to result in increased access or safety concerns.

No highways concerns would be raised to this point of access serving one dwelling. It should be noted that WSCC Highways do not have evidence that the access point approved under DC/11/2438 was implemented under licence to a specification obtained from WSCC Highways. However, this would be a separate matter and should not be used as a reason for resisting this planning application.

A suitably sized area of hardstanding has been provided to facilitate parking for a dwelling of this size in this location. This can also facilitate a turn on site. 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) Horsham Local Plan policy. Ducting should be provided to all remaining parking spaces to provide 'passive' provision for these to be upgraded in future.

The Applicant has indicated on plan 'P-PR5 - June 2021' that one space will be EV enabled, this would be acceptable to the Local Highways Authority. The exact details of the provision will need to be secured in perpetuity via planning condition.

A secure and covered cycle parking provision has been demonstrated by the Applicant (P-PR5 - June 2021'). This is acceptable.

The Local Highways Authority does not consider that the proposal would have and 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 **Southern Water:** Comment

There are no surface water sewers in the area to serve this development. The Applicant is advised to examine alternative means of surface water disposal.

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.

#### 3.5 **Natural England:** Objection

It cannot be concluded that existing abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites. Developments within Sussex North must therefore must not add to this impact and one way of achieving this is to demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.

To achieve this Natural England is working in partnership with all the relevant authorities to secure water neutrality collectively through a water neutrality strategy. Whilst the strategy is evolving, Natural England advises that decisions on planning applications should await its completion. However, if there are applications which a planning authority deems critical to proceed in the absence of the strategy, then Natural England advises that any application needs to demonstrate water neutrality

#### 3.6 **Ecology:** Awaiting final comments on Preliminary Roost Assessment and Barn Owl Survey Report. To be verbally reported at committee.

### PUBLIC CONSULTATIONS

#### 3.7 **Billingshurst Parish Council:** No Objection

- 3.8 2 letters of support were received which commented on the design and style of the proposal, the benefit of locating the development further from the shared boundary, and considered the development to be in keeping with the woodland that surrounds it.

#### **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 buildings and the construction of a 1no. 4-bed dwelling.

##### **Principle of Development**

- 6.2 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.
- 6.3 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."
- 6.4 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, 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.

- 6.5 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.
- 6.6 In this countryside location, the proposal is also considered against Policy 26 which seeks to protect the countryside against inappropriate development unless it is considered essential and appropriate in scale; whilst also meeting one of four criteria. This criteria includes: supporting the needs of agriculture or forestry; enabling the extraction of minerals or the disposal of waste; providing for quiet informal recreational use; or enabling the sustainable development of rural areas. The proposed development does not meet any of this criteria, nor is it considered to be essential to the countryside location, and does not therefore comply with Policy 26 of the HDPF. 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.
- 6.7 While the provision of new dwellings in the countryside would not usually be supported in policy terms, it is recognised that the site benefits from an extant planning permission under reference DC/20/2373 for the conversion of the buildings to a 4-bed dwelling. This permission remains extant and represents a fallback position.
- 6.8 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(s) would be implemented.
- 6.9 The current application seeks to demolish the existing buildings with the construction of a similarly scaled dwelling. The proposal would be of a similar form to the existing buildings, with the incorporation of mixed roof profiles to provide visual interest and relief, along with a softer material palette that would reflect the countryside setting. The proposed development would provide better thermal efficiency than the existing building and is considered to result in a better quality of accommodation for future occupants in this regard. This benefit is considered to be of weight in the assessment of the current application.
- 6.10 While the provision of new dwellings in this countryside location would not usually be supported by policy, given the previous approval for a barn conversion to a dwelling (which for the avoidance of doubt is a full planning permission rather than a prior approval), 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. On the basis of the potential to implement the extant planning permission, and the likelihood of this occurring, this fallback position is considered to be of significant weight to the consideration of the current application, with the proposed development likely to provide a better, more rational re-development of the site.
- 6.11 In weighing the policy considerations and the existence of a fallback position, it is therefore considered that the principle of the proposed redevelopment is acceptable, subject to all other material considerations.

## **Design and Appearance**

- 6.12 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.
- 6.13 Paragraph 130 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.
- 6.14 The proposed dwelling would be of a similar form and proportion to the existing building and is considered to sit appropriately within the context of the site and the surrounding built form. The proposed material palette is considered to better reflect the rural character, with the mix of contemporary finishes considered to provide visual interest. The proposal would relate sympathetically to the character and visual amenity of the wider surroundings, and the proposal is not therefore considered to result in any further harm to the landscape character and visual amenities of the countryside setting, in accordance with Policies 25, 32, and 33 of the Horsham District Planning Framework (2015).

### **Amenity Impacts**

- 6.15 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.
- 6.16 The application site is located immediately to the north and west of residential properties, with the land to the south currently benefiting from an extant permission for a residential dwelling. Potential amenity impact was considered under the previous planning application (reference DC/20/2373). Subject to the location of windows and the internal arrangement to position the habitable rooms away from the southern boundary, the development was no considered to result in overlooking or loss of privacy to the south.
- 6.17 The proposed development has maintained the internal arrangement as approved, and it is not therefore considered that the proposal would result in harm to the amenities or sensitivities of the neighbouring properties, in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

### **Highways Impacts:**

- 6.18 Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.

- 6.19 Policy 14 of the Billingshurst Neighbourhood Development Plan outlines that development proposals must provide suitable off-street parking that meets the minimum number of parking spaces as determined by the West Sussex Residential Parking Demand Calculator.
- 6.20 The proposal seeks to utilise an existing agricultural access to the south of the site, which would provide a separate access to the existing dwelling of Chalk Farm. A total of 4no. parking spaces would be provided on-site.
- 6.21 Following consultation with WSCC Highways, it is considered that the proposed development would not result in significant or demonstrable harm to the function and safety of the highway network, with sufficient off-road parking and turning space provided.
- 6.22 The proposal is therefore considered to accord with Policies 40 and 41 of the Horsham District Planning Framework (2015).

**Ecology:**

- 6.23 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.
- 6.24 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.
- 6.25 The Applicant has submitted a Preliminary Roost Assessment and Barn Owl Survey Report by Arbtech. The Assessment found that there is no evidence of bat use inside the buildings and the buildings do not present any internal or external features that would meet the criteria for further surveys. The open-sided structures have limited potential for bats and it is highly unlikely that the buildings are host to a bat roosts. There is also no evidence of Barn Owls within the buildings or surrounding area, and this species is considered absent from the buildings due to a lack of suitable habitat. It is however suggested that ecological enhancements through the inclusion of an Owl Nesting Box or alternative bird nesting box be provided.
- 6.26 On the basis of the information provided, it is not considered that the proposed development would result in harm to protected species or habitat. It is however considered reasonable to require the suggested ecological enhancements, and this would be secured through condition.

**Water Neutrality:**

- 6.27 Horsham District is supplied with water by Southern Water from its Sussex North Water Resource Zone.
- 6.28 This supply is sourced from abstraction points in the Arun Valley, which includes locations such as Amberley Wild Brooks Site of Special Scientific Interest (SSSI), Pulborough Brooks SSSI and Arun Valley Special Protection Area/Special Area of Conservation and Ramsar site.



- 6.29 On 14 September 2021, the Council received a Position Statement from Natural England. The Natural England position is that it cannot be concluded that the existing abstraction within the Sussex North Water Supply Zone is not having an impact on the Arun Valley sites. It advises that development within this zone must not add to this impact.
- 6.30 The Position Statement is a new material consideration, and if an application cannot demonstrate water neutrality is reasonably achievable, this will mean the development will not meet the requirements of section 63 of the Habitats Regulations.
- 6.31 The application follows an extant planning permission under reference DC/20/2373 for the conversion of the building to 1no. residential dwelling. The permitted scheme has the potential to be implemented and represents a fallback position which could be carried out in full. The proposal would result in no additional accommodation than that approved, and it is therefore considered that the proposal would result in an a neutral impact when compared to the existing planning permission.
- 6.32 There is no clear or compelling evidence to suggest the nature and scale of the proposed development would result in a more intensive occupation of the approved dwelling which would consequently necessitate an increased consumption of water that would result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. The grant of planning permission would not therefore adversely affect the integrity of these sites or otherwise conflict with Policy 31 of the HDPF, NPPF paragraph 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

#### **Climate change:**

- 6.33 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.
- 6.34 Should the application be approved, the following measures to mitigate the impacts of climate change would be imposed by condition:
- Water consumption limited to 110litres per person per day
  - Requirement to provide full fibre broadband site connectivity
  - Refuse and recycling storage
  - Cycle parking facilities
  - 1 electric vehicle charging point
- 6.35 Subject to these conditions the application will suitable reduce the impact of the development on climate change in accordance with local and national policy.

#### **Conclusions:**

- 6.36 The site is within a countryside location and has not been allocated for residential development. The proposal does not represent a use essential to this countryside location and therefore conflicts with policies 4 and 26 of the HDPF. The Council cannot currently demonstrate a five year housing land supply thereby triggering the presumption in favour of sustainable development contained within Paragraph 11d of the NPPF. This results in Policies 4 and 26 being considered out of date reducing the weight to be applied to them. The recent adoption of the Billingshurst Neighbourhood Plan does not trigger the provisions of Paragraph 14 of the NPPF as the Neighbourhood Plan does not contain allocations to meet its identified housing requirement. The presumption in favour of development contained within Paragraph 11d of the NPPF therefore applies in full.

- 6.37 Whilst conflict with policies 4 and 26 of the HDPF has been identified, the application site benefits from an extant planning permission under reference DC/20/2373. 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 planning 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.
- 6.38 The proposed development would result in no further harm to the landscape character and visual amenities of the area, and is not considered to result in any further harm to the amenities and sensitivities of the nearby residential properties or users of land. 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)

- 6.39 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1<sup>st</sup> October 2017.
- 6.40 **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	361.8		361.8
	<b>Total Gain</b>		
	<b>Total Demolition</b>		<b>354.12</b>

- 6.41 Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.
- 6.42 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 **Standard Time Condition:** The development hereby permitted shall begin before the expiration of three years from the date of this permission.  
  
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
- 3 **Pre-Occupation Condition:** Prior to the first occupation of any dwelling hereby permitted, the parking, turning and access facilities necessary to serve that dwelling

shall be implemented in accordance with the approved details as shown on plan P-PR5 and shall be thereafter retained as such.

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).

- 4     **Pre-Occupation Condition:** No dwelling hereby permitted shall be first occupied unless and until provision for the storage of refuse and recycling has been made for that dwelling in accordance with drawing number P-PR5 rev A. These facilities shall thereafter be retained for use at all times.

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

- 5     **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved drawing number P-PR5 rev A. 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).

- 6     **Pre-Occupation Condition:** Prior to the first occupation of each dwelling, the necessary inbuilding 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).

- 7     **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a fast charge electric vehicle charging point for that 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 and 41 of the Horsham District Planning Framework (2015).

- 8     **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved plan Landscaping Plan and Materials reference P-PR5 rev A.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 9     **Regulatory Condition:** The development hereby permitted shall strictly accord with the landscaping scheme as shown on plan Landscaping Plan and Materials reference P-PR5 rev A. The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged

or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

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

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

Reason: In the interest of visual amenity and due to the constraints and countryside location of the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 11 **Regulatory Condition:** The development hereby permitted shall strictly accord with the Foul and Surface Water Drainage Strategy by gta Civils Consulting Engineers dated 16 November 2018 and approved under reference DISC/18/0376.

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).

- 12 **Regulatory Condition:** The development hereby permitted shall be carried out in strict accordance with the Preliminary Contamination Risk Assessment reference GHoughton/ChalkFarm/PCRA by eas ltd dated October 2018 and approved under reference DISC/18/0334.

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).

- 13 **Regulatory Condition:** The development hereby permitted shall be undertaken in strict accordance with the ecological mitigation and enhancement measures set out in the Preliminary Roost Assessment and Barn Owl Survey Report by Arbtech.

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

- 14 **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).

- 15     **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).

- 16     **Regulatory Condition:** There shall be no burning of materials or waste on the site.

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