



TO: Planning Committee

BY: Head of Development and Building Control

DATE: 01.02.2022

DEVELOPMENT: Demolition of existing dwelling and garage and erection of a replacement detached dwelling with new vehicular access, attached garage and associated car parking.

SITE: Oakfield, Cox Green, Rudgwick, Horsham, West Sussex, RH12 3DD

WARD: Rudgwick

APPLICATION: DC/21/2211

APPLICANT: **Name:** Mr Andrew Jackson **Address:** Oakfield Cox Green Rudgwick RH12 3DD

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.

Rudgwick Parish Council request to be heard at HDC Planning (North) Committee should this application be recommended for approval.

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 This planning application comprises the following proposals:-
- i. The demolition of the existing detached dwelling (Oakfield)
 - ii. The construction of a replacement 2-storey dwelling with 4-bedrooms
 - iii. Provision of an attached garage to the replacement dwelling plus hardstanding to provide additional off-street parking spaces to serve the replacement dwelling
 - iv. Creation of a new vehicular access to serve the replacement dwelling.
- 1.2 The replacement dwelling would be set slightly further back into the site from the highway and is proposed of a similar scale and height. The proposed replacement dwelling would have a width of approximately 17.5m including an integrated garage. The existing dwelling approximates to a similar width and there is a detached garage block to the rear to be removed. The depth of the proposed dwelling being approximately 12m is marginally less

than the existing dwelling depth, and with a maximum height of 7.5m. The proposed dwellinghouse would have a gabled roof design to match the existing neighbouring dwellings. The main entrance to the proposed dwellinghouse would be located to the south-eastern elevation. Materials would consist of brick and hanging tiled elevations and a tiled roof.

- 1.3 It is noted that a new infill dwelling has been previously permitted under ref. DC/20/1689 on garden land adjacent to Oakfield.

DESCRIPTION OF THE SITE

- 1.4 The application site gained planning permission for infill development (ref. DC/20/1689) to erect a double storey detached dwelling and garage on existing garden land west side of the property 'Oakfield', and is within the built up area of Rudgwick. A protected mature oak tree exists 20m northeast of the existing dwelling close to the highway boundary. The site is on the north side of the B2128 highway.
- 1.5 It is observed that 155m to the southwest planning application DC/16/2925 was approved in 2017 for the demolition of existing dwelling (Fordcombe) and construction of 2 new two-storey 5 bedroom houses, with associated amenity and parking.
- 1.6 In May 2018 consent was given (ref. DC/18/0316) for the erection of a detached two storey dwelling on garden land at The Jasmine House, approximately 42 metres north, outside of the defined built-up area boundary of Rudgwick, and despite being a departure from the Development Plan.
- 1.7 In June 2019 consent was given (ref. DC/18/1520) for Provision of new road to enable access to proposed development of 57 houses at land at Windacres Farm. The approved access is directly opposite the proposed development and is to serve a proposed residential development at Windacres Farm, which lies within neighbouring Waverley Borough. It is noted that the related Waverley 'major' planning application for 57 houses was refused and then dismissed at Appeal.
- 1.8 The wider surroundings are characterised by detached two storey dwellings set back from the public highway. These residential properties are of a varied vernacular and appearance, sited within elongated plots bound by a mix of hedging and fencing. The street is generally verdant in character with hedging and mature trees located along the frontages, limiting the permanency into the individual plots.

2. INTRODUCTION

2.1 STATUTORY BACKGROUND

The Town and Country Planning Act 1990.

2.2 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 3 - Strategic Policy: Development Hierarchy

Policy 15 - Strategic Policy: Housing Provision

Policy 25 - Strategic Policy: The Natural Environment and Landscape Character

Policy 31 - Green Infrastructure and Biodiversity

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 40 - Sustainable Transport
Policy 41 - Parking

2.3 RELEVANT NEIGHBOURHOOD PLAN

The Rudgwick Neighbourhood Plan was formally made on 23 June 2021. The following policies are relevant to this application –
Policy 5 – Residential Development
Policy 6 – Design

2.4 PLANNING HISTORY AND RELEVANT APPLICATIONS:

DC/21/2209 FUL Demolition of existing detached garage and outbuilding. Erection of two-storey detached dwelling and detached garage on existing garden land.
Pending

DC/20/1689 FUL Demolition of existing detached garage and outbuilding. Erection of double storey detached dwelling and 2No. detached garages on existing garden land. Creation of new vehicular access.
Application Permitted 20/11/2020

DC/20/0209 FUL Demolition of existing detached garage and outbuilding. Erection of a detached two storey dwelling with associated landscaping, parking and the creation of new access
Withdrawn 19/03/2020

RW/56/79 HIST Constr. of new vehicular access (From old Planning History)
Application Permitted 05/09/1979

RW/57/79 HIST Erection of detached dwelling Comment: Appeal dismissed 6/6/80
(From old Planning History) Application Refused 02/08/1979

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

CONSULTATIONS

3.2 **HDC Arboricultural Officer:** No Objection, condition recommended

3.3 **HDC Drainage:** No Objection

3.4 **WSCC Highways:** No Objection, conditions recommended

3.5 **Ecology Consultant:** No Objection subject to conditions

3.6 **Southern Water:** Advisories provided

3.7 **Natural England:** Objection if water neutrality is not achieved:-
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.

3.8 **Parish Comments:**

9 November 2021

Objection - Rudgwick Parish Council accepts that the water usage of the replacement dwelling would be less than the existing property and would appear to satisfy HDPF Policy 37. However, the water consumption calculated would still exceed the Southern Water Target 100 initiative and that demanded in the emerging Horsham District new local plan. More therefore could clearly be done. Our original objections still stand.

18 October 2021

Rudgwick Parish Council Objects to this proposal on the following grounds:

- Unnecessary, unsafe positioning of the access drive. In the approved application (DC/20/1689) the new access drive for the existing property was positioned close to the border with the proposed additional house. Rudgwick Parish Council did not object as this was deemed to be the safest possible place for the access, at the furthest point from the (chevron signed) bend in the B2128. This latest application proposes to move the access drive back nearer to the bend, which is of great concern on safety grounds. It also moves it nearer to the root protection zone of an oak tree which is the subject of a TPO. There is no reason to justify this change from the acceptable and approved situation.
- Proposal encroaches outside of the BUAB and into the countryside, despite the planning statement saying otherwise. This breaches Rudgwick Neighbourhood Plan policy 1 and HDPF policies 4 and 26.
- Application causes concern in relation to breaching HDPF Policy 35 as it does not take into account the carbon footprint of the demolition and reconstruction of the building. The reasons given for the need to demolish are very insubstantial. The evolving climate change policies of both HDC and the Government are 'insisting' that buildings should be retained and refurbished wherever possible due to the massive carbon footprint of the demolition and reconstruction. This can take up to 100 years to be recovered, even with an ultra-efficient replacement building. The emerging HDC local Plan recognises this and encourages the retention of existing buildings stating 'existing buildings contain embodied carbon and so it is important that this already emitted carbon is not wasted through the needless demolition of existing structures. Where demolition is unavoidable, applications will be required to demonstrate how the on-site embedded carbon has been retained.'
- The heating proposed in this application (gas boiler) has not been selected in accordance with the stated hierarchy in HDPF policy 36.
- The applicant has stated 'yes' on the application form in answer to the question whether the proposal involves a proposed use that would be particularly vulnerable to the presence of contamination. Therefore, a contamination assessment should have been submitted. There is no evidence on the planning file of such a report, and this matter causes concern.

Should the officer recommend this application for approval RPC request that it should come before the HDC Planning (North) Committee where we would wish to speak in objection. Please refer HDC constitution 3.2.2 c) 7.

- 3.9 PUBLIC CONSULTATIONS:
11 representations were received from members of the public Objecting to this application.
-The main relevant reasons for objection being:
-The existing Victorian house shouldn't be demolished due to its heritage
-The proposed new access is near a bend in the road and a highway concern
-Impact on the nearby protected oak tree, hedge removal and landscaping
-The property extends over the BUAB
-A lack of carbon neutrality considerations

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

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

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

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

6. PLANNING ASSESSMENTS

Principle of Development

- 6.1 Policy 3 of the Horsham District Planning Framework (HDPF) states that development will be permitted within towns and villages which have defined built-up areas. Any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement in accordance with the settlement hierarchy.
- 6.2 The application site is located within the built-up area of Rudgwick, which is categorised as a "Medium Village" under Policy 3 of the HDPF. These settlements have a moderate level of services and facilities and community networks, together with some access to public transport. These settlements provide some day to day needs for residents, but rely on small market towns and larger settlements to meet a number of their requirements. It is noted that previous permission DC/20/1689 considered that residential development on the garden land and a new access is acceptable in principle, with the proposal likely to reflect the build pattern and characteristics of the street scene, subject to the detailed design of the proposal and consideration of garage siting.
- 6.3 The application site is within the defined built-up area, where residential development is generally considered acceptable in principle, subject to all other material considerations as set out below.

Design and Appearance

- 6.4 Horsham District Planning Framework (HDPF) Policies 25, 32 and 33 seek to promote development of high quality and inclusive design for all development in the district, ensuring that it is complementary of local distinctive character and heritage, integrating with their surroundings. Furthermore, these policies ensure that the scale, massing and appearance of the development is of a high standard of design and layout and where relevant, relates sympathetically with the landscape and built surroundings.

- 6.5 The proposed replacement dwelling would be set further back into the plot away from the highway and is of similar size and height to the existing and is considered commensurate to the build pattern and grain of the wider street scene, while retaining the openness and spacing that is characteristic of the surrounding built development.
- 6.6 The proposed traditional form, design and appearance would be similar to the approved infill dwelling under ref DC/20/1689. The replacement ground floor accommodation would comprise a kitchen, a utility room, sitting room, study and attached single garage with cycle store. At first floor level there would be 4 no. bedrooms and 3 no. bathrooms. (The current dwelling comprises 5 bedrooms and 3 bathrooms at first floor level.) Externally, the dwelling would comprise a design reflective of the approved infill dwelling with brick and hanging tiled elevations to match and with a plain tiled roof to also match the existing property. The garage would however be integrated into the dwelling with cycle storage provided within, as opposed to the current detached garage. Additional on-site car parking and turning space and with substantial private amenity space to the rear. A new access is proposed to serve the replacement dwelling (Oakfield) to be now proposed to be positioned further to the north more centrally located in front of the proposed dwelling which would be set further back within the plot.
- 6.7 The existing dwelling has a prominent position closer to the front boundary to the highway and has a traditional form but is not a listed building. The proposed replacement dwelling would reflect the traditional design of the new dwelling approved as infill development and being set further back would create a greater degree of openness from the highway. The proposed design and appearance is considered sufficient to ensure that it reflects the character of the street scene and is commensurate to locally distinctive vernacular of the locality. The scale and massing of the new detached dwelling would represent an appropriate form of development within the site, and would sit comfortably within the street scene given the pattern of development and would not have a detrimental impact on the wider area.
- 6.8 The proposal is therefore considered a satisfactory and sympathetic form of development in keeping with the prevailing character of development within the street scene and surrounding area and appropriately sitting within the plot, therefore compliant to Policies, 25, 32 and 33 of the HDPF.

Impact on Residential Amenity

- 6.9 Policy 33 of the Horsham District Planning Framework states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.
- 6.10 The replacement dwelling would be positioned further back into the site, the first floor side windows are proposed as obscure glazed and would serve bathroom spaces, the positioning of window openings minimises potential conflict with the neighbouring properties and the location of the dwelling would be of a sufficient spacing to limit potential overlooking and loss of privacy given the positioning of window openings to mitigate potential conflict with the neighbouring properties and prevent significant harmful impact on neighbouring amenity. Given the siting, scale and proximity of the proposed dwelling, no significant issues of overlooking, overshadowing, or overbearing is envisaged to the adjoining and neighbouring properties that would unexpected in an area such as this. The proposal is therefore considered to be acceptable on amenity grounds.

The quality of the resulting residential environment for future occupiers

- 6.11 It is considered that the proposed development provides sufficient indoor and outdoor living space for occupants. Suitable distances would be preserved to neighbouring development to ensure that there would not be any harmful overlooking. As such, it is considered that the proposal would not be significantly dissimilar to the existing situation on site and there would

be an appropriate quality level of environment for the future occupiers of the proposed dwellinghouse.

- 6.12 The garden space is considered to be adequate to serve the dwelling, would not be dissimilar to other examples in the vicinity and would not be subject to overlooking harm, beyond that of the existing situation on site. Consequently, it is considered the quality of the resulting internal and external living environment would be acceptable

Highways and Parking Implications:

- 6.13 Policies 40 and 41 of the HDPF states that development should provide safe and adequate access and parking, suitable for all users.
- 6.14 A new vehicular access further to the north is proposed, more central to the plot in front of the dwelling. The proposed dwelling would incorporate an integrated garage with internal cycle parking and an additional external car parking and turning area. The Local Highways Authority was consulted and commented that whilst there may be some scope to relocate the new access point to the south western extent of the plot (as per the access location secured under DC/20/1689) to result in a longer southbound splay being provided, the LHA on balance considers that the new access proposed with the newly demonstrated splays in this application represent an improvement over and above the currently approved position under DC/20/1689 and the local planning authority supports this view. The LHA notes that the access works must be implemented under licence to a specification obtained from WSCC Highways. The applicant should be aware that licence applications are not permitted when they will result in two access points serving one dwelling, as such the applicant will likely have to have gained permission for DC/21/2209 before the licence application for this new access point will be granted.
- 6.15 The significant hardstanding parking area proposed along with the attached garage would meet the anticipated demand created by a dwelling of this size in this location. The garage provision can also be used for the parking / storage of cycles.
- 6.16 The Local Highways 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 111), and that there are no transport grounds to resist the proposal.

Drainage

- 6.17 The replacement dwelling will seek to utilise the existing mains sewer that currently runs through the property. Surface water will be dealt with through soakaways to the front and rear areas of the property. A permeable driveway and parking area will be provided to the proposed new entrance to the property, in accordance with the drainage engineer's specification submitted and is to form part of the overall surface water drainage design.

Trees and hedges

- 6.18 The new proposed access for the site is to be sited approximately 12m to the south of the edge of the root protection area of a mature Oak tree at the front of the property which is protected by TPO/1554. The Council's Arboricultural Officer was consulted and this distance is considered to be acceptable. The proposal will also require the removal of several small trees and four sections of hedging at the site to gain the suitable visibility splay for the proposed new access. The hedge is a mix of Holly and Hazel and, in its current state, is described as lapsed. Given the limited number of woody species that make up the hedge, its removal and replacement is considered acceptable. Furthermore, from an ecological point of view, an appropriate native mix hedging tree/shrubs have also been selected. A condition

is recommended in relation to any excavations within the root protection area of the Oak tree.

Ecology

- 6.19 The Ecology consultants Place Services have reviewed the Preliminary Ecological Appraisal Updated' report (The Ecology Co-op, August 2021) and the 'Bat Survey Report Update' (The Ecology Co-op, August 2021) supplied by the applicant, relating to the likely impacts of development on Protected & Priority habitats and species, particularly bats and identification of proportionate mitigation.
- 6.20 Place Services comment that they are satisfied that there is sufficient ecological information submitted by the Applicant for determination and which likely impacts on Protected and Priority species and, with appropriate mitigation measures secured, the development can be made acceptable.
- 6.21 Place Services recommend that the mitigation measures identified in both the 'Preliminary Ecological Appraisal Updated' report (The Ecology Co-op, August 2021) and the 'Bat Survey Report Update' (The Ecology Co-op, August 2021) should be secured and implemented in full, which will be achieved by the work being carried out under a European Protected Species (EPS) licence from Natural England. This is necessary to conserve and enhance protected and Priority bat species.
- 6.22 Place Services also support the proposed reasonable biodiversity enhancements, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 174d of the National Planning Policy Framework 2021. The reasonable biodiversity enhancement measures are recommended to be detailed within a Biodiversity Enhancement Strategy and should be secured by a condition of any consent. The proposal is considered acceptable subject to recommended conditions below based on BS42020:2013. In terms of biodiversity net gain, the enhancements proposed will, it is considered, contribute to this aim.

Climate change

- 6.23 Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. The proposed development includes the following measures to build resilience to climate change and reduce carbon emissions:
- The provision of electric vehicle charging points
 - Improved energy performance
- 6.24 In addition to these measures, conditions are attached to secure the following:
- Water consumption limited
 - Requirement to provide full fibre broadband site connectivity
 - Refuse and recycling storage
 - Biodiversity mitigation and enhancement
 - Cycle parking facilities
 - Electric vehicle charging points

Water Neutrality

- 6.25 The proposed dwelling would have a total of 4 bedrooms where the existing dwelling to be demolished currently has 5 bedrooms. This indicates that the proposed residential occupancy rate on site would be reduced. A water neutrality statement has been provided which sets out that the proposed replacement dwelling would have a reduced water usage when compared to the existing dwelling and the proposal would therefore be water neutral. It is considered that no mitigation measures are necessary as there would be no increased water demand. Consequently, the proposal would not have significant impact on the Arun Valley SAC, SPA and Ramsar sites.
- 6.26 In conclusion, 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 site necessitating 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.

Conclusions

- 6.27 Overall, the proposed development which would not have a sufficiently detrimental impact on the prevailing character of development within the street scene and surrounding area, nor upon neighbouring amenity, protected trees, or the highways network to warrant refusal. The application is therefore considered to comply with relevant local and national planning policies and is therefore recommended for approval.

6.28 COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

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

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	295	298	0
	Total Gain		
		Total Demolition	298

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

7. RECOMMENDATIONS

- 7.1 It is recommended that planning permission is permitted subject to the following conditions-
- 1 A list of the approved plans
 - 2 **Standard Time Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

- 3 **Pre-Commencement Condition:** No development shall commence unless the local planning authority has been provided with either:

a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
b) a method statement relating to a registered site supplied by an individual registered to use a Bat Mitigation Class Licence for Bats; or
c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To conserve Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 and s17 Crime & Disorder Act 1998 and in accordance with Policy 31 of the Horsham District Planning Framework (2015).

- 4 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level 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 that part of the approved development has been submitted to and approved by the Local Planning Authority in writing. 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-Commencement (Slab Level) Condition:** Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

a) Purpose and conservation objectives for the proposed enhancement measures;
b) detailed designs to achieve stated objectives;
c) locations of proposed enhancement measures by appropriate maps and plans;
d) persons responsible for implementing the enhancement measures;
e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.”

Reason: As this matter is fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

- 6 **Pre-Occupation Condition:** The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy, received 29 October 2021. No dwelling hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that dwelling has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy

Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

7 **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, full details of the hard and soft landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority. The details shall include details and measures addressing the following:

- Details of all existing trees and planting to be retained
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
- Details of all hard surfacing materials and finishes
- Details of all boundary/residential curtilage treatments
- Existing and proposed lands levels
- Ecological and Biodiversity Enhancements

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

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

8 **Pre-Occupation Condition:** No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled Site Plan and numbered D1828.19 - B.

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

9 **Pre-Occupation Condition:** No part of the development shall be first occupied until visibility splays of 2.4 x 54 metres northeast and 2.4 x 52 metres southwest have been provided at the proposed site vehicular access onto Cox Green in accordance with the approved planning drawings (Site Plan Numbered D1828.19 - B). 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. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved site plan.

Reason: To provide car and cycle parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

10 **Pre-Occupation Condition:** No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car parking for the use 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 1 no electrical vehicle charging point per dwelling has been provided on site. The charging points shall be installed prior to first occupation of the development and shall thereafter remain as such.

Reason: To provide electric vehicle car charging space for the use in accordance with Policies 35 and 41 of the Horsham District Planning Framework (2015) and the WSCC Parking Standards (2019).

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

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and in accordance with Policy 40 and 41 of the Horsham District Planning Framework (2015).

- 13 **Pre-Occupation Condition:** No part of the development shall be first occupied unless and until provision for the storage of refuse and recycling has been provided to serve the dwellings. The facilities shall thereafter be retained for use at all times.

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

- 14 **Pre-Occupation Condition:** The development hereby permitted shall not be occupied until the first floor side windows on Plan D1843.18A have been fitted with obscured glazing. No part of that/those window(s) that are/is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing and non-openable parts 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).

- 15 **Pre-Occupation Condition:** Prior to the first occupation of the 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).

- 16 **Regulatory Condition:** All mitigation and enhancement measures and works shall be carried out in accordance with the details contained in the 'Preliminary Ecological Appraisal Updated' report (The Ecology Co-op, August 2021) and the 'Bat Survey Report Update' (The Ecology Co-op, August 2021) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: As this matter is fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

- 17 **Regulatory Condition:** The dwelling(s) hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to 110 litres

per person per day. The subsequently approved water limiting measures shall thereafter be retained.

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

18 **Regulatory Condition:** All works shall be executed in full accordance with the submitted Arboricultural Reports TCP02 dated 10.7.2021 & TPP04 dated 12.08.2021, prepared by Treeline Services Ltd. (Received 24.09.2021).

- Any excavations within the RPA should be undertaken carefully, using hand-held tools.
- If any roots are exposed during the work, they should immediately be wrapped or covered to prevent desiccation and protect them from rapid temperature changes. Any wrapping should be removed before backfilling, which should take place as soon as possible.
- Before backfilling, any retained roots should be surrounded with topsoil or uncompacted sharp sand (builders' sand should not be used because of its high salt content, which is toxic to tree roots), or other loose inert granular fill, before the soil or another suitable material is replaced. This material should be free of contaminants and other foreign objects potentially injurious to tree roots.

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).

19 **Regulatory Condition:** The means of foul and surface water drainage shall be executed as per the drainage site plans submitted 24.09.2021.

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).

20 **Regulatory Condition:** Other than 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 hereby permitted. Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees, hedging plants or shrubs of a type, size and in positions agreed by the Local Planning Authority.

Reason: To ensure the retention and maintenance of trees and vegetation on the site unsuitable for permanent protection by Tree Preservation Order for a limited period, in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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

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

22 **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) as amended, no development falling within Classes A, AA, B, C, or E of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

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

- 23 **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

Reason: To safeguard the amenities of neighbouring properties along Hermongers Lane in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/21/2211