



TO: Planning Committee North

BY: Head of Development and Building Control

DATE: 3rd August 2021

DEVELOPMENT: Hybrid application for demolition of existing retirement scheme and the construction of 12No. flats with associated car parking and landscaping (full planning) and replacement scout hut (outline)

SITE: The Cobblers Hayes Lane Slinfold West Sussex RH13 0SA

WARD: Itchingfield, Slinfold and Warnham

APPLICATION: DC/20/2578

APPLICANT: **Name:** Saxon Weald **Address:** 38-42 Worthing Road Horsham West Sussex RH12 1DT

REASON FOR INCLUSION ON THE AGENDA: The application site includes land owned by Horsham District Council.

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

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 This application seeks full planning permission for the demolition of the existing buildings on site and construction of 12 no. flats with associated car parking and landscaping, as well as outline planning permission for a replacement scout hut.
- 1.2 The development would comprise 8 no. 1 bed units and 4 no. 2 bed units and be served by 23 car parking spaces (21 unallocated spaces for the new homes, including for visitors, and 2 spaces retained for Stone Cottages). The new development would be accessed via the existing site access to The Cobblers along Haynes Lane. All of the dwellings would be for affordable rent.
- 1.3 The development is laid out as two blocks, running parallel to Hayes Lane and Greenfield Road. The flats are orientated to provide natural surveillance to communal areas within the development, with flats 11 and 12 facing out towards the parking area. All of the flats will

have their own front door at street-level. All the ground floor flats will have their own private gardens, and all first floor flats will have individual small balconies. The exterior materials would comprise facing brick, clay upper floor and roof tiles, and dark cladding. There would be two shared refuse stores within the site.

- 1.4 Following negotiations with your planning officers, the adjacent scout hut area has now been included within the red line of the application site (on land owned by Horsham District Council) to help facilitate its future redevelopment. It is shown on provision that the residential element of the scheme is not linked to the scout hut land or works needed for that. This is due to the uncertainty around when the scouts will have funding and the associated impact on delivery of the affordable homes.
- 1.5 Accordingly, the scout hut element of the application is outline only. The planning agent has advised that the indicative size of the scout hut as shown is as requested by the scouts and the planning agent has confirmed the scouts will continue with the reserved matters for its redevelopment once they have funding. This is why the application submitted is hybrid form.
- 1.6 In terms of the new homes and their occupancy, this is a 100% affordable rented scheme. The site will be managed by Saxon Weald who will also manage and maintain the communal landscaping on the site. The rented homes will be let at a maximum of 80% of market rent value. Their physical build has been designed to be in line with M4(2) of the Building Regulations. This allows for residents to adapt the dwellings and stay in the homes for as long as possible, without designating the homes for one group. Occupancy of the new homes will operate in accordance with a prioritisation at first let for over 55's with a local connection, before cascading out to other age-groups.
- 1.7 The car park area which Saxon Weald owns will be resurfaced, including in front of the Scout Hut and the access way to this off from Greenfield Road. There is no direct allocation of parking to the scouts. Saxon Weald will allow the scouts to have permits for the two visitor spaces

DESCRIPTION OF THE SITE

- 1.8 The application site is an irregular shaped parcel of land within the Built up Area Boundary of Slinfold. It is located towards the north end of Hayes Lane. The site itself is currently developed as a retirement housing complex, and has been since the late 1960s. The site was last in use in July 2020, providing 17 units of accommodation as well as garages. The current buildings on the site are two storey residential blocks with shallow pitched roofs, red brick and PVC clad, and the detached garages are prefabricated concrete. The scout hut building is of a similar construction to a portacabin but with a pliable corrugated roof. There are a total of 15 existing car spaces on site.
- 1.9 Vehicular access to the site is provided in two locations. The site has its own access from Hayes Lane (a 30 mph speed limit) linking to The Street and the A29, in the form of a priority junction which allows for the passing of two vehicles. This is the primary access. A secondary access exists to the southeast of the site, via Greenfield Road that leads to the garages. There is a wastewater pumping station adjacent to the site.
- 1.10 The site is bounded to the north and south by residential properties on Hayes Lane and to the south west, it borders the side of properties along Greenfield Road. The immediate surroundings are principally residential in character. The Cobblers, Hayes Lane and Greenfield Road are characterised by mostly two-storey residential semi-detached and terraced houses with sloped roofs.
- 1.11 The northern boundary of the site immediately abuts the Slinfold Conservation Area, which contains a number of Listed Buildings. The closest Listed Building is Grade II Taylors, The Street, located some 90 metres north of the site.

The site falls within the Bat Sustenance Zone to the Mens SAC (HDPF Policy 31) and the 3km buffer around the Wellcross Farm landing strip. The western end of the site falls with a medium pressure gas pipeline buffer. The underlying site geology is brick clay (weald).

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.
Section 66 (1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

RELEVANT PLANNING POLICIES

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

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 24 - Strategic Policy: Environmental Protection
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities
Policy 43 - Community Facilities, Leisure and Recreation

Supplementary Planning Guidance:

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

RELEVANT NEIGHBOURHOOD PLAN

Slinfold Parish Neighbourhood Plan (Made, January 2018)

Policy 1 - Conservation Area
Policy 4 - Conserve and Enhance Biodiversity
Policy 5 - Development Principles
Policy 6 - Housing Mix
Policy 10- The Cobblers

PLANNING HISTORY AND RELEVANT APPLICATIONS

SF/12/67	Erection of old peoples housing with wardens accommodation: outline	Permitted 07-11-1967
SF/43/68	Erection of old peoples accommodation: Reserved Matters	Permitted 15-11-1968

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

INTERNAL CONSULTATIONS

HDC Landscape Architect: No Objection

Satisfied amended proposals have addressed many concerns previously raised. Standard landscape and maintenance and management plan conditions necessary.

HDC Conservation Officer: No Objection

The more traditional colours of the proposed building will be less conspicuous and will improve these long views through the Conservation Area as a result. Suggest materials condition.

HDC Environmental Health: No Objection

Recommend conditions: air quality mitigation plan; Construction Environmental Management Plan (CEMP); land contamination; asbestos; waste removal; electric charging specification.

HDC Drainage Engineer: No Objection

HDC Housing: Comment

Applicant has worked alongside HDC Housing Officers to bring forward a proposal for a 100% affordable rented scheme, with 12 units on site, which will greatly help meet the demand on the Housing Register. Proposal is more than policy compliant with affordable housing requirements in HDPF Policy 16.

Understood the Slinfold Neighbourhood Plan has identified this site could provide housing for the elderly and that there is a strong desire by the Parish Council to restrict the proposed scheme for residents over the age of 55. In support of this desire, a Housing Needs Survey conducted by Action in rural Sussex has been supplied.

The Horsham District Council Housing Register currently shows 129 applicants wishing to live in Slinfold. However, this does not confirm that those applicants have a declared local connection to the area, the number of which currently stands at 15.

Of all the applicants wishing to live in Slinfold, 65 are over the age of 55, and crucially, there is only 1 applicant with a declared connection who is over 55.

Conversations with the applicant have seen a number of provisions to cater for residents aged 55 or above. These include:

- The accommodation being restricted to residents on the housing register over the age of 55 with a local connection at initial letting stage
- The properties being built to M4(2) standards with the addition of wet floor showers in the ground floor units

It is important to note that retaining the scheme as General needs accommodation would not preclude any eligible applicants over the age of 55 wishing to move to the scheme to be considered, however it ensures that the scheme would provide the housing that is truly needed in the Parish.

Arguably Housing Offices would be unlikely to support a scheme of this type if it were age restricted as it would not be possible to demonstrate the need.

OUTSIDE AGENCIES

Southern Water: No Objection

Exact position of public sewers determined on site. No habitable rooms within minimum 15 metres of wastewater pumping station boundary, due to vibration and noise and potential odour. Existing access arrangements to the station to be maintained. Surface water drainage information shows no flows greater than existing levels is been connected to the system which is acceptable.

Ecology Consultant: No Objection

Satisfied will not affect ecology of site or HRA Screening. Recommended conditions: Accordance with Ecological Appraisal recommends; biodiversity enhancement strategy, wildlife sensitive lighting scheme.

WSCC Flood Risk Management: No objection, based on the FRA.

WSCC Highways: No Objection

Transport Note (TN) reviewed. Visibility appears unobstructed, this is a well-established access with no record of any accident history to suggest it has been operating unsafely. Also access to rear from Greenfield Road, this leads to some garages currently and has been in situ for some time. In terms of vehicle trips, these would generally be expected to be lower due to the decrease in dwellings on the site, with 12 proposed instead of 17 existing flats.

Greenfield Road access offers access to the Scout Hut. Consideration and allocation of marked out parking needs to be considered for anyone else using this access and parking area other than new residents.

The Local Highway Authority does not consider the proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

Conditions: Car parking space (details required) and cycle parking.

PUBLIC CONSULTATIONS

3.2 2 objections received from separate addresses, raising the following issues:

Scout Hut

Comment as a Scout Leader. Scout movement in this village is one of the largest youth groups in locality with over 100 children, young people and leaders. Slinfold village plan that people of this village voted for, states this policy seeks to ensure the scout hut can be replaced at this location if no other suitable sites comes forward. To date and with 3 sites underway/completed no scout hut has been forthcoming. This proposal shows absolutely no consideration whatsoever for this important community amenity.

Current hut is well past its service life, too small, and need of a new roof. If the hut stays as it is, what access will be allowed? At present an implied permission exists and few vehicles park to the rear allowing the scouts free access. With proposal, the current arrangement will become unworkable. Most evenings, parents drive and park to drop off and collect. Scout leaders attend with vehicles sometimes with trailers. Season camps see at least 2 minibuses and associated vehicles. There are no spaces in Greenfield Road.

Design and Appearance

Most of the development looks attractive but design and materials that faces Hayes Lane is not in keeping. This part would look more in keeping if in black cladding. Front porches facing Hayes Lane very unattractive and reminiscent of 1950s Crawley council estate. Will the refuse/recycling bins be within an enclosed area not visible from Hayes lane.

3.3 1 supporting representation received, raising following:

Generally in favour but ask that as far as it possible, cladding be used and construction method meet fire safety.

3 representations neither objecting to nor supporting, raising the following:

Bats may be roosting on site. Can approval be conditional to construction management plan to ensure heavy vehicles do not access the site via Greenfield and Streetfield Road. Access is very restricted.

Elderly Accommodation

17 units exclusively for elderly occupants is being replaced with 12 units with no minimum age requirement. Means lose 17 residences for elderly population in village. A need for retirement age accommodation when the existing scheme at Cobblers was built in 1970 and that need now clearly even greater. Central position of site in village and close to the bus routes and village store makes it obvious choice for elderly occupation. Other developments will cater for affordable housing needs but not dedicated for elderly.

Elevation Heights

Drawings should show height and outline of development in relation to existing buildings. Without this it is difficult to ascertain the scale, particularly as so close to Conservation Area.

3.5 **Slinfold Parish Council:** Objection (2nd response)

The Cobblers was the only age-related facility in the Village and was rated very highly when Slinfold Parish Council organised its own survey and asked all residents (not just the elderly) what sort of accommodation they would like to see in the village. As well as starter homes, so that the children of villagers could remain in the village, the next requirement was for somewhere their widowed dependent parents could live and be looked after easily by their families. The ex-residents of The Cobblers understood that their accommodation was being improved in the new build as it was not up to present day standards and that it would remain as somewhere they and their age-group could live in the future. Indeed, residents were even told that it would be possible to move back to the accommodation once it had been completed. As a village, we would like to promote this development as accommodation for the elderly in the right location and as detailed in the Slinfold Neighbourhood Plan (SNP) which had supporting evidence for this and was agreed by both the village and the examiner.

Following points/questions: What was the demand / occupancy rate percentage in the old complex? This had serious defects in terms of specification, quality and facilities? If the 17 units were needed and occupied before, when the building was not really fit for purpose, they must still be needed now! Rather than dismiss the Housing Needs Survey (HNS) provided as out of date and "is not considered to supply particularly relevant data" and therefore irrelevant, in view of the SNP expressing a wish for continued elderly provision on this site we would expect an updated survey to support HDC's case as the position taken is contrary to the SNP and indeed the needs of the village. The site is referred to as an affordable rented scheme which is unlikely to be suitable for older, limited income occupiers. If some of the units were social rented but restricted to over 55 this could provide housing for older people who cannot meet the affordable rent. All of the development sites in the village include an affordable percentage in line with government rules. Only this site and the Crosby Farm site could be considered central to the village, close to the shop, pub and bus stops. For this

reason The Cobblers it is the most ideal location for an elderly scheme and that is why the SNP stated it should remain as such. We would like to see a suggestion as to how HDC could target this development to the elderly in a practical way i.e. meaningful planning conditions. We note that the HDC Housing register already has 65 people over the age of 55 expressing a desire to live in Slinfold.

Whilst we appreciate that there may be a housing crisis, we have a number of developments underway in what is a small village, all with a percentage of affordable housing, meaning the needs of younger people are being met. On only one of these sites have we asked that it is age restricted. Without the restriction we have lost 17 flats (which feasibly equates to up to 34 people) catering for what is recognised as the fastest growing demographic in the UK. We need to ensure that there is adequate provision for the elderly within the heart of the village and this is what the SNP aimed to do. We oppose the current application for the reasons previously stated in our response to the application and strongly suggest that Saxon Weald and Horsham District Council need to revisit the plans for the allocation of housing in this Slinfold Neighbourhood Plan development.

Initial response: Objection

- The application does not mention 'a focus on the elderly' as stipulated in the Slinfold Neighbourhood Plan and does not give a justification for this. The details in the Housing Needs Survey Report (attached) must be relevant to this application and should be taken into account for development
- The Design and Access Statement mentions a Transport Statement however this is not included in the documentation
- We would like to see a Transport Management Plan to ensure that access to and from the site is appropriate given the location and is understood
- We believe that much more could be made of the outside space.

The Slinfold Neighbourhood Plan also states 'Proposals include a replacement Scout Hut if no alternative provision can be made elsewhere'. An alternative site has not been identified. In view of this The Scouts have confirmed that they would be happy to stay in their current location but the existing hut is now in desperate need of replacement. We would like to encourage Saxon Weald, after discussion with The Scouts, to submit a planning application for a Scout Hut. Once plans are available and the location confirmed The Scouts will be able to cost the designs and continue their fund raising efforts.

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

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

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

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

6. PLANNING ASSESSMENT

Principle of the Development

- 6.1 The application site is located within the built-up area boundary of Slinfold. The site is allocated for residential development within the Slinfold Neighbourhood Plan 2014-2031 (Policy 10: The Cobblers).

- 6.2 Policy 10 (The Cobblers) of the Slinfold Neighbourhood Plan (SNP) states residential development on this site will be supported where:
1. Proposals facilitate the upgrade or replacement of the existing 17 units
 2. Proposals demonstrate that special regard has been given to preserving and enhancing the character of the adjacent Conservation Area
 3. A suitable mix of dwelling types and sizes to meet the needs of current and future households is provided, with a focus on the elderly
 4. Proposals allow for the retention of existing mature trees and hedges
 5. Proposals include a replacement scout hut if no alternative provision can be made elsewhere
- 6.3 The subsequent sections of this report will detail how the proposal has demonstrated to accord with criterion (1) – (5) of this policy.
- 6.4 Given the site is located within a built-up area, and its allocation within the SNP, there is no objection in principle to the development of this site for housing. Consideration must therefore be given to any site-specific constraints, and the detail of the scheme – including how it includes a replacement scout hut. As such, the principle of development on the site is acceptable, subject to the detailed considerations as set out below.

Scout Hut

- 6.5 The revised proposal now incorporates an area to provide a replacement scout hut, subject to future reserved matters. The Scouts will fundraise to build the replacement hut themselves. The Scout leader's objection pre-dates the inclusion of hut within the application red line. According to the planning agent, the chairman of the scouts has approved in writing the proposed plans indicating the size and position of the scout hut. The car park area which Saxon Weald owns will be resurfaced, including in front of the Scout Hut and the access way to this. On this basis, your officers consider the proposal to be sufficiently compliant with criteria 5 of SNP Policy 10.

Housing Density and Mix

- 6.6 Policy 10 of the SNP does not allocate a housing number for this site. At paragraph 4.9 of the Examiner's report, the Examiner agreed with Horsham District Council that the overall allocation of housing in the Neighbourhood Plan (at some 77 dwellings, toward the upper end of the identified range of housing need) was in proportion to the scale and size of the village and its function. Collectively, the allocations will deliver these new housing numbers.
- 6.7 This application of 12 flats represents a net decrease of five flats when compared to the existing site use of 17 units. However, given the nature of the housing model being promoted (100% affordable rent) and the delivery of ground floor 2 bed flats with their own gardens (compared to the existing situation of occupiers being reliant on communal grounds), this reduction in overall numbers is considered an acceptable outcome in the delivery of a better scheme overall. It is also noted the Council's Landscape Architect initially considered the layout to be 'tight' suggesting a denser scheme would be harmful in townscape terms.
- 6.8 Policy 6 (Housing Mix) of the SNP supports developments which provide a suitable mix of one, two, three and four bed dwellings. HDPF Policy 16 states development should provide a mix of housing sizes, types, and tenures to meet the needs of the district's communities.
- 6.9 The proposed mix is for 8 no 1 bed flats and 4 no. 2 bed flats, all for affordable rent. The Council's Housing Officer has confirmed this mix broadly accords with the current demand figures on the Council's Housing Register for affordable provision. Again, the proposed mix reflects the nature of the housing model being promoted.

Affordable Housing and Elderly Occupation

- 6.10 For development providing 10 - 14 dwellings, HDPF Policy 16 requires 20% to be affordable or an equivalent financial contribution where on-site provision is not achievable. The proposal to provide all 12 units (100%) as affordable rent is more than policy compliant. This offer is a material consideration that should be afforded significant weight, alongside the requirements of Slinfold Neighbourhood Plan Policy 10 criteria 3 and its stated objective to meet the needs of current and future households.
- 6.11 It is recognised that the Slinfold Neighbourhood Plan has identified that this site should provide a mix of dwelling types and sizes for existing and future households, with a focus on the elderly, and that there is a strong desire by the Parish Council to restrict the proposed scheme for residents over the age of 55 similar to the manner in which the previous 17 dwellings on this site were occupied. In support of this desire, a Housing Needs Survey (dated 2011) conducted by Action in Rural Sussex has been supplied which has identified a desire for downsizing accommodation and sheltered/extra care accommodation by the 135 households who responded. It is noted that of these respondents, nearly 50% resided in dwellings of 4 or more bedrooms.
- 6.12 HDC Housing has confirmed the Horsham District Council Housing Register currently shows 129 applicants wishing to live in Slinfold (although applicants may select as many areas of the district as they like so there is no indication that these are all first choices). 15 of these 129 applicants have a declared local connection to the area. Of all the applicants wishing to live in Slinfold, 16 are over the age of 55, and there is only 1 applicant with a declared connection who is over 55.
- 6.13 Taking these housing need figures into consideration, your planning officers working alongside HDC Housing have negotiated with the applicant the following package of measures to help tailor the accommodation to residents aged 55 years and over:
- Provision of 4 no 2 bed flats and 8 no. 1 bed flats all built to M4(2) standard, to ensure that the homes are adoptable and accessible for over 55's.
 - Provision of wet floor showers in the 4 no. ground floor 1 bed flats, which provide ease of access for over 55's.
 - Prioritisation at first let for over 55's with a local connection, before cascading out to other age-groups.
- 6.14 The prioritisation at first let is to be secured in a S106 agreement. It will operate as follows:-
1. The s106 would require that an appropriate Affordable Rent unit is to be offered in the first instance to any person(s) over 55 years of age on the HDC Register who can demonstrate a local connection to the parish of Slinfold.
 2. In the event there are no such qualifying persons on the HDC Register on the date the nominations are to take place, or that any such qualifying person subsequently rejects an Affordable Rent unit within the normal prescribed period (5 days) and there is no alternative qualifying person, then the Affordable Rent unit shall be occupied as normal in accordance with the HDC Nominations policy.
 3. All subsequent lets to be in accordance with the HDC Nominations policy with no over 55's requirement.
- 6.15 It is important to note that retaining the scheme as general needs affordable accommodation would not preclude any eligible applicants over the age of 55 wishing to move to the scheme to be considered. HDC Housing Officers have also advised that they would be unlikely to support a scheme of this type if it were age restricted as it would not be possible to demonstrate the need.

- 6.16 Both your Housing and Planning officers consider that, with the above provisions, there is sufficient adherence to criteria 3 of Policy 10 of the Slinfold Neighbourhood Plan with its requirement to have 'a focus on elderly' occupation, albeit it is accepted that the level of adherence is somewhat limited given no market housing is being proposed on the site. It is important to note that there is no requirement in Policy 10 for an over 55's occupancy restriction, or for the existing 17 dwellings to be replaced and occupied on a like-for-like basis, only for there to be a 'focus' on elderly provision which can take many forms. Planning Officers have carefully read the Parish's Housing Needs Supply survey and consider it mainly identified a desire from the older population to be able to downsize and remain in the village from a predominance of dwellings with 4 or more bedrooms, or find sheltered/extra care housing. This proposal will not provide that specific type of housing, however downsizing accommodation has come forward elsewhere in the village in the form of 3-bedroom market dwellings on the development sites at Spring Lane, Crosby Farm and Welwyn Hayes Lane, with further housing allocated on a site east of Hayes Lane. Furthermore, up to 141 units of accommodation in the Wellcross Farm Continuing Care Retirement Community scheme (DC/19/1897 refers) just outside the village, has recently been allowed at appeal. All the units in this scheme are age restricted to over the age of 55, with 20% secured as affordable to a housing need and local connection (parish).
- 6.17 The proposed tailored housing provision is the result of the continued discussions with the Housing Services Team at the Council. Given the presence of smaller housing in other developments in the village and the Wellcross Farm approval, there is capacity in the local area for the elderly to stay local, with this scheme benefiting any local elderly on the Council's waiting list, those may in future be on our waiting list, and young wishing to stay in the village. Bringing together all these matters, whilst the proposal is judged to be compliant with SNP Policies 6 (Housing Mix) and 10 (The Cobblers) to a limited degree, having regard to the above factors it is not considered that the proposals would prevent existing residents of the parish from being able to downsize or move in future to local sheltered/extra care accommodation.

Heritage, Design and Appearance

- 6.18 The site lies within the setting of the Slinfold Conservation Area. Chapter 16 of the NPPF seeks to positively manage changes to the historic environment to ensure sufficient flexibility whilst conserving the important and irreplaceable nature of the designated asset. HDPF Policy 34 and Slinfold Neighbourhood Plan Policy 1 require development affecting the setting of a Conservation Area to reinforce the special character of the district's historic environment.
- 6.19 The Council's Conservation Officer is satisfied the existing building has little, if any, architectural interest and welcomes its replacement, with the proposal designed to better reflect the palette of materials in the village. The existing building is visible from the Conservation Area between Stone Cottages and York Cottage when looking south along The Street and it is judged the replacement building will also be visible from this direction. The more traditional colours of the proposed building will be less conspicuous and will improve these long views through the Conservation Area as a result. Therefore SNP Policy 1 and criterion 2 of the SNP Policy 10 is achieved and HDPF Policy 34 is complied with.
- 6.20 Policy 10 of the Slinfold Neighbourhood Plan (SNP) states development will be supported where its design responds positively to the prevailing character of the surroundings. Policy 10 must be read in conjunction with SNP Policies 3 *Green Infrastructure* and 5 *Development Principles* and HDPF policies 32 and 33 which state good design is a key element in development making efficient use of land and integrating effectively with the character of the surrounding area.
- 6.21 The development is considered appropriate in terms of how the various components of the scheme (the two building blocks, the communal and private spaces, and the circulation

routes) all respond to and address the street scene, in their massed arrangement across the development site, and in their proportions and overall scale relative to surrounding built form.

- 6.22 A contemporary approach has been adopted but this replaces a scheme of the modern era that is also of its time. A condition is suggested to ensure materials are not unduly dark or flat in colour to avoid a dull building and are chosen bearing in mind the tradition of the use of these materials in the area.
- 6.23 Amendments have also been secured to the communal and circulation spaces that have addressed issues raised by the Council's Landscape Architect, including greenery to the car park. Standard landscape and maintenance and management plan conditions will be necessary, to be secured by condition.

Trees

- 6.24 The proposal will result in the removal of a Category U Hawthorn tree that is advised for removal. The remaining 13 individual trees, 2 groups of trees and 2 hedges can be retained and protected. Remedial trees works to lift and reduce crown spreads will provide sufficient space for construction purposes.
- 6.25 This work, assessed under the Arboricultural Development Statement (prepared by The Complete Arboricultural Consultancy) with protection measures in accordance with British Standard, is not considered to be detrimental to the trees and allows for their long term retention within the development layout. Adherence to the recommendations of the Statement can be secured by condition.

Amenity Impacts

- 6.26 HDPF Policy 33 requires development not to cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land. The Council's Environment Health Officer recommends conditions to secure measures, such as a Construction Environmental Management Plan, in the interests of safeguarding human health and to mitigate unacceptable amenity impacts during construction and operation phases of the development. Installation of electric charging points within the development will be the main measure by which to mitigate and/or offset air quality impacts.

Existing Neighbours

- 6.27 The most sensitive relationships to existing neighbours are with Cedars to the south and York Cottage and Stone Cottages to the north.
- 6.28 Introduction of built form will impact onto these neighbour's amenities, particularly given the orientation of the two residential blocks relative to the site boundaries. However, the flanking orientation of Cedars onto the new development and the separation distance relative to all existing neighbouring dwellinghouses immediately north and south of the site, is sufficient to avoid adverse overshadowing and overbearing. Comings and goings from the new dwellings would be domestic in nature.
- 6.29 Despite the existing fenestration on the existing buildings on site, an increased propensity for overlooking and loss of privacy, particularly onto the adjacent dwelling 'Cedars', would arise from the new development. For Cedars, this is due to the introduction of first floor balconies, and given the fact that the existing first floor fenestration is obliquely angled to the southern boundary whereas in the current proposal windows would be face on. However, this proposed glazing mostly serves bedrooms with high level windows only to the primary living spaces at first floor. The building orientation of the Cedars is such that the principal outlook of its primary living space is due south or west/east rather than north onto the application site. The greater part of the private garden of Cedars is due south of the

dwellinghouse, with this area laid as lawn and its privacy maintained. There is dense existing planting along the northern boundary on the neighbour's side (Cedars) of a height to provide suitable screening and ensure a suitable level of privacy is maintained.

- 6.30 In terms of the neighbours to the north, views from the new development is across deep rear gardens where intervening planting and garden buildings would reduce the intrusiveness of views into the private living space of these neighbours. There would be some reduction in privacy, but present overlooking from the existing development and the distances involved mean the nature of any additional overlooking would not be uncharacteristic of a suburban environment and as such would not result in unacceptable harm.

Other neighbours

- 6.31 The siting and orientation of the proposed development onto remaining neighbours would not give rise to significant overlooking nor would it give rise to conflict through comings and goings, including from increased use of the car park areas.

Future Occupants

- 6.32 Each new property benefits from private amenity space and parking. The layout of the proposed dwellings is appropriate with regards to their impact on each other's living conditions. No habitable rooms will be located within a minimum 15 metres of the boundary of the existing wastewater pumping station, due to the vibration and noise generated by the pumping station and the potential odour, as requested by Southern Water.

Scout Hut

- 6.33 The submitted drawings indicate a slightly larger replacement scout hut than existing, with potentially more capacity. However, the existing scout hut generates noise and disturbance as well as comings and goings, and the principle of its replacement is considered compatible with existing and new residential neighbours. The final scale, layout, and appearance of the scout hut are reserved matters to be considered at this later stage should a final scheme be forthcoming. Activities from the scout hut and its associated land will be subject to further detailed assessment at reserved matters stage, with the opportunity available at that stage of planning to manage potential impacts by condition to safeguard amenities.

Summary on amenity

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

Highways and Access

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

Access Arrangements

- 6.36 The existing pedestrian access to and from the application site is to be retained. The two existing parking spaces for the residents of Stone Cottages will be retained. Existing access arrangements to the wastewater pumping station to be maintained, as requested by Southern Water.
- 6.37 Vehicular access is proposed from the existing access road, which connects to Hayes Lane. Appropriate parking and turning areas are to be provided. Bus stops are located some 200

metres along Lyons Close. In response to the latest proposals, WSCC raise no objection on highway safety grounds.

Internal Layout and Parking

- 6.38 The layout allows for sufficient cars to pass refuse collection and fire tender vehicles can enter and turn within site. A total of 23 car parking spaces are proposed, which includes 21 unallocated car spaces, including visitor, and two spaces for Stone Cottages. This total is in excess of the West Sussex County Council: Guidance on Parking at New Developments, which is for 18 spaces for this development. Two spaces are designed to accommodate mobility impaired users. The application sets out that a minimum of 20% of spaces will have active EV charging facilities and the remaining spaces will be passive. This is a shortfall on the yearly index guide (33% for 2021) therefore a condition is applied to ensure the appropriate standard is met. The existing garages will be replaced with 13 marked parking bays that will be accessed from Greenfield Road. Covered and secure cycle parking will be provided in various, ground floor locations across the site.

Accessibility and Trip Generation and Road Network Capacity

- 6.39 Given the proximity of village services and facilities and the bus routes running hourly through the village, there are opportunities for sustainable transport to be used. The proposed development of 12 flats represents a net decrease of five flats when compared to the existing site use. Therefore the volume of traffic generated by the proposal represents a reduction in impact on the existing access and surrounding road network.

Summary on highway matters

- 6.40 Taking all the relevant information into consideration including the existing use of the site, the likely reduction in traffic movements and the on-site parking provision, it is considered that the proposed development will not have a severe impact on highway capacity or an unacceptable impact on highway safety so, therefore, is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal. Officers have no reason to disagree with this conclusion and recommend that the proposal therefore accords with HDPF Policies 40 and 41.

Ecology

- 6.41 The submitted Phase 1 Survey of the site was been reviewed, which concluded the site to be of limited ecological value. No evidence of legally protected and/or notable species were recorded and habitats on site are negligible to low suitability to support such species. All buildings and trees on site were considered to have negligible potential to support roosting bats.
- 6.42 The Council's Ecologist is satisfied sufficient ecological information is available for determination and for the Council to demonstrate compliance with its statutory duties, and does not object. This is subject to the mitigation measures identified being secured and implemented in full by condition, as well as additional measures including a Wildlife Sensitive Lighting Design Scheme.
- 6.43 The site is within the wider conservation area for The Mens Special Area of Conservation (SAC). The Council has certainty of likely impacts from the development on European Protected and Priority Species and as any significant impacts e.g. lighting, or severance of flightlines has been assessed for impacts on Barbastelle bats and screened out, the assessment does not need to proceed to HRA Stage 2: Appropriate Assessment.
- 6.44 The reasonable biodiversity enhancements (installation of bat and bird boxes and native planting) will result in a net gain for wildlife, secured by condition.

Drainage

- 6.45 A Flood Risk Assessment has been undertaken. Risk from flooding (including groundwater, sewer, and surface water) is considered low. The site is within the Environment Agency's Flood Zone 1, meaning the land is in a 'low probability' flood zone.
- 6.46 Current site drainage discharges into public sewers to the rear of the site. The proposal would result in an increase in impermeable area from the existing situation. However surface water flow rates will be restricted to a 'brownfield' rate of 10l/s. This will be achieved by the roof and car parking areas draining to cellular attenuation tanks, discharged at a restricted flow rate via a new manhole construction onto the public sewer to the rear of the site.
- 6.47 No objection is raised by the drainage authorities, subject to planning conditions, including an agreement being in place for the ongoing maintenance. Therefore the development can be satisfactorily accommodated without increasing flood risk elsewhere in accordance with the NPPF and HDPF Policy 38.

Climate Change

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

Community Infrastructure Levy (CIL) and Section 106 Agreement

- 6.50 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017. This development constitutes CIL liable development but as a 100% affordable it will not be chargeable.
- 6.51 A Section 106 Agreement has been drafted to secure the 100% affordable housing contribution on site with agreed tenure and prescribed first let arrangement. This will be agreed between the Council's legal department and the applicant's solicitors prior to issuing the decision notice if members are minded to agree with the Officer's recommendation to approve the planning application subject to the below planning conditions.

Conclusions

- 6.52 The Neighbourhood Plan for Slinfold (SNP) was adopted in 2019 and this site allocated for residential development under SNP Policy 10. In regard to the principle, the proposal for housing on the site is therefore acceptable. Policy 10 requires that the housing mix for the site caters for current and future households with a focus on the elderly. As this proposal is for 100% affordable rent housing the opportunities for providing housing suitable for the elderly is more limited. In this regard, whilst the proposed s106 mechanism to provide Part M4(2) accommodation and direct the first allocations to any qualifying older person with a

local connection provides some focus on elderly accommodation, it is accepted that the degree of policy compliance in this regard is limited.

- 6.53 Your officers acknowledge the scheme is not for the over 55s market housing as desired by the Parish, and that there will be the loss of 17 age restricted dwellings on this site, however SNP Policy 10 does not expressly require such an occupancy restriction is required on this site, or that the existing restrictions should remain in a similar or like-for-like manner. The need identified within the Parish's Housing Needs Assessment is primarily for downsizing accommodation followed by sheltered/extra care accommodation. Having regard to the proposed S106 mechanism, the accommodation delivered elsewhere in the village suitable for downsizing, and the future Wellcross Farm extra care scheme, this works in tandem to offer opportunities for elderly residents to remain in the village. Balanced against this is a 100% affordable rent housing scheme that would provide much needed rental accommodation for all ages that will greatly help meet the demand on the Housing Register.
- 6.54 Taken as a whole, the benefit of providing 100% affordable rent accommodation on this site carries significant weight and is considered by your officers to outweigh the shortfall in elderly-specific accommodation being provided on the site.
- 6.55 The submission has demonstrated accordance with the criteria of SNP Policy 10 in its design, in addition to general compliance with local planning policies, including impact on existing residential amenity. In having regard to the full detail of the submitted proposal subject to final agreement on external materials, and the relationship of the site to the Slinfold Conservation Area, the proposed development would not result in harm to this heritage asset.
- 6.56 The Highways Authority is satisfied the site would be safely accessed without harm to the operational use of the highway network. Appropriate ecological mitigations are agreed by the Council's Ecologist. No resultant adverse risks are identified related to drainage of the scheme.
- 6.57 Furthermore, the proposal facilitates the replacement of the existing Scout hut and associated car park of a design, use, layout and floorplate scale that is satisfactory and does not give rise to adverse amenity harm. The timely provision of this secured in Reserved Matters by this permission is considered a significant community benefit.
- 6.58 Officers therefore recommend that this application be approved, subject to the below detailed list of planning conditions and the completion of the necessary s106 legal agreement.

7. RECOMMENDATIONS

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

Conditions:

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

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

- 2 **Regulatory Condition:** The development shall be implemented as two separate phases, in accordance with approved drawing 020 Proposed Site Plan Phase 1 & 2 - and the development shall thereafter be implement in accordance with the approved Phasing plan to comprise:-

- Phase 1 (housing and associated land)
- Phase 2 (Scout hut and associated land)

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.

- 3 **Regulatory (Time) Condition:** The development within Phase 1 hereby permitted (which for the avoidance of doubt excludes the scout hut and its associated land within Phase 2), shall be commenced before the expiration of three years from the date of this permission. The development of the scout hut and associated land within Phase 2 shall be commenced before the expiration of two years from the approval of the last reserved matters as defined in condition 4.

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

- 4 **Outline Permission:**
- (a) Approval of the details of the layout of the development, the scale of each building, the appearance of each building, access to and within the site and the landscaping of the development within Phase 2 (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
 - (b) Plans and particulars of the reserved matters referred to in condition (a) above, relating to the layout of the development, the scale of each building, the appearance of each building, access to and within the site and the landscaping of the development within Phase 2, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
 - (c) Application for approval of the reserved matters pursuant to Phase 2 shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission.
 - (d) The development hereby permitted within Phase 2 shall be begun either before the expiration of 5 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990

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

- a. An indicative programme for carrying out of the works
- b. The arrangements for public consultation and liaison during the construction works
- c. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations if required, the careful selection of plant and machinery and use of noise mitigation barrier(s) if required for specific tasks.
- d. Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination
- e. the anticipated number, frequency and types of vehicles used during construction,
- f. the method of access and routing of vehicles during construction,
- g. the parking of vehicles of site operatives and visitors
- h. loading and unloading of plant and materials
- i. storage of plant and materials used in constructing the development

- j. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- k. wheel washing facilities
- l. measures to control the emission of dust and dirt during construction
- m. a scheme for recycling/disposing of waste resulting from demolition and construction works.

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

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

- 6 **Pre-Commencement Condition:** No development within a Phase shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority for that Phase. The development shall be carried out in accordance with the approved scheme.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

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

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

- 8 **Pre-Commencement Condition:** Prior to the commencement of development within a Phase approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination, including asbestos contamination, of that Phase and extant structures shall each be submitted to and approved, in writing, by the local planning authority:

- a) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
- b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- c) The site investigation results and the detailed risk assessment (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

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

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

- 9 **Pre-Commencement Condition:** No development within a Phase other than works of demolition and site clearance and ecology works shall commence until precise details of the existing and proposed finished floor levels and external ground levels of the development in relation to nearby datum points adjoining the application site have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policy 5 of the Slinfold Neighbourhood Plan.

- 10 **Pre-Commencement Condition:** No development within a Phase other than works of demolition and site clearance and ecology works shall commence until full details of underground services, including locations, dimensions and depths of all service facilities and required ground excavations for that Phase, have been submitted to and approved by the Local Planning Authority in writing. The submitted details shall show accordance with the landscaping proposals and the Arboricultural Development Statement by The Complete Arboricultural Consultancy Dec 2020 CBA11286 v1. The development shall thereafter be carried out in accordance with the approved details.

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

- 11 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of each Phase 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) within that Phase has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

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

- 12 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level within Phase 1 of the development hereby permitted shall take place until a 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: To conserve and enhance Protected and Priority Species/habitats and allow the Local Planning Authority to discharge its duties under the s40 of the NERC Act 2006 (Priority

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

13 **Pre-Occupation Condition:** Prior to the first occupation of any part of the development within each Phase hereby permitted, full details of all hard and soft landscaping works for that Phase shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained in the approved Arboricultural Development Statement by The Complete Arboricultural Consultancy
- 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

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

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policies 31 and 33 of the Horsham District Planning Framework (2015) and Policies 3 and 5 of the Slinfold Neighbourhood Plan.

14 **Pre-Occupation Condition:** Prior to occupation of the development within Phase 1, a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior occupation of the development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

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

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

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

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

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

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

- 17 **Pre-Occupation Condition:** No dwelling shall be first occupied until means for the charging of electric vehicles by way of fast charging points have been installed in accordance with details that have been submitted to and been approved in writing by the Local Planning Authority. The details shall have regard to the latest WSCC Parking Standards and the Council's latest Air Quality & Emissions Reduction Guidance document and include a plan of all charging points, their specification, means of allocation, and means for their long term maintenance. The means for charging electric vehicles shall be retained as such thereafter.

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).

- 18 **Pre-Occupation Condition:** Prior to the first occupation of any building within a Phase hereby permitted, the parking, turning and access facilities necessary to serve that building shall be implemented in accordance with the approved drawings and shall be thereafter retained as such for their designated use.

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

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

Reason: To ensure that there is adequate provision for the parking of cycles as an alternative travel option to the use of the car in accordance with Policy 40 of the Horsham District Planning Framework (2015).

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

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

- 21 **Regulatory Condition:** Prior to the installation of any external lighting within each phase, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

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

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

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

- 22 **Regulatory Condition:** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Phase I Ecological Survey (Ecosupport Ltd, October 2019), as already submitted and agreed in principle with the Local Planning Authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

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

- 23 **Regulatory Condition:** All works shall be executed in full accordance with the Arboricultural Development Statement by The Complete Arboricultural Consultancy Dec 2020 Ref: CBA11286 v1.

Reason: To ensure the successful and satisfactory protection of important trees, shrubs and hedges on the site in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015) and Policy 3 of the Slinfold Neighbourhood Plan.

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

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

25 **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).