



# **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee North

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

**DATE:** 4<sup>th</sup> April 2023

**DEVELOPMENT:** Demolition of existing buildings and erection of 36 Retirement Living Apartments and 6 Retirement Cottages, including a Lodge Manager's office, communal facilities, a guest suite, parking and landscaping.

**SITE:** Roundstone Park Worthing Road Southwater West Sussex

**WARD:** Southwater North

**APPLICATION:** DC/22/0096

**APPLICANT:** **Name:** Churchill Retirement Living **Address:** Churchill House 6 Chertsey Road Byfleet KT14 7AG

**REASON FOR INCLUSION ON THE AGENDA:** More than eight persons in different households have made written representations within the consultation period raising material planning considerations that are inconsistent with the recommendation of the Head of Development and Building Control.

By request of Councillor Vickers and Greening

**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**

1.1 To consider the planning application.

### DESCRIPTION OF THE APPLICATION

1.2 This planning application seeks permission to redevelop the site for 36 retirement living apartments including communal facilities, access, car parking and landscaping and 6 cottages. The mix for the apartments comprises of 25 no. one bedroom apartments and 11 no. two bedroom apartments. The six cottages each have two bedrooms. The cottages and apartments would be two-storeys high buildings with pitched and barn hipped roofs.

1.3 Vehicular access into the development is proposed to be off Worthing Road. The existing route through the site to the existing Park Homes site to the immediate east is to be

retained. This access is proposed to be upgraded and resurfaced. The 36 retirement flats are located to the north side of the access with the 6 cottages to the south side of the access. As amended, the proposal includes 18 parking spaces for the retirement flats and 7 parking spaces for the cottages. The scheme includes landscaping around the flats and cottages.

## DESCRIPTION OF THE SITE

- 1.4 The application site is located in Southwater within the built-up area boundary to the north of the Village Centre. The site itself comprises of the former sales and servicing area which was associated with Roundstone Caravans. Roundstone Caravans have gone into administration and have vacated the site. There is an existing building which was the former shop which is set back within the site. The remainder of the site was used for caravan sales and is now cleared. The site is separated from Worthing Road by a ditch. There is telegraph pole at the front of the site, on Worthing Road, with a wire cutting across the site to the south. A large mature tree is at the entrance of the site.
- 1.5 The site measures 0.56 ha and is bound to the west by Worthing Road. To the immediate east of the site lies the park homes site. To the north and south are the rear gardens of residential dwellings. The site has an existing vehicular access which dissects the site in two, providing a vehicular access through to the Park Homes site to the east.

## 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:

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

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

Policy 1 - Strategic Policy: Sustainable Development  
Policy 2 - Strategic Policy: Strategic Development  
Policy 3 - Strategic Policy: Development Hierarchy  
Policy 4 - Strategic Policy: Settlement Expansion  
Policy 15 - Strategic Policy: Housing Provision  
Policy 16 - Strategic Policy: Meeting Local Housing Needs  
Policy 18 - Retirement Housing and Specialist Care  
Policy 19 - Park Homes and Residential Caravan Sites  
Policy 24 - Strategic Policy: Environmental Protection  
Policy 31 - Green Infrastructure and Biodiversity  
Policy 32 - Strategic Policy: The Quality of New Development  
Policy 33 - Development Principles  
Policy 34 - Cultural and Heritage Assets  
Policy 35 - Strategic Policy: Climate Change  
Policy 36 - Strategic Policy: Appropriate Energy Use  
Policy 37 - Sustainable Construction  
Policy 38 - Strategic Policy: Flooding  
Policy 39 - Strategic Policy: Infrastructure Provision  
Policy 40 - Sustainable Transport  
Policy 41 - Parking

- 2.5 **Supplementary Planning Guidance:**  
Planning Obligations and Affordable Housing SPD (2017)  
Community Infrastructure Levy (CIL) Charging Schedule (2017)
- 2.6 **Parish Design Statement:** Southwater Parish Design Statement
- 2.7 **Planning Advice Notes:**  
Facilitating Appropriate Development  
Biodiversity and Green Infrastructure
- 2.8 RELEVANT NEIGHBOURHOOD PLAN

**Southwater Neighbourhood Plan (June 2021).** The most relevant policies to this proposal are as follows:

- SNP1 – Core Principles
- SNP2 – Proposals for Residential Development
- SNP4 – Keeping Our Roads Moving
- SNP9 – Home Standards
- SNP10 – Residential Space Standards
- SNP12 – Outdoor Play Space
- SNP13 – Enhancing Our Non-Motorised Transport Routes
- SNP14 – Adequate Provision of Car Parking
- SNP15 – Driving in the 21st Century
- SNP16 – Design
- SNP17 – Site Levels
- SNP18 – A Treed Landscape

### 2.9 PLANNING HISTORY AND RELEVANT APPLICATIONS

SQ/30/02	Demolition of existing workshops shops and offices erection of new single and 2-storey workshops retail area and offices	Application Permitted on 09.05.2002
SQ/84/01	Demolition of existing workshops, shops & offices & erection of new two-storey workshops, retail area & offices	Application Permitted on 28.09.2001

## 3. OUTCOME OF CONSULTATIONS

- 3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at [www.horsham.gov.uk](http://www.horsham.gov.uk)
- 3.2 **HDC Environmental Health:** Comment:
  - The Noise Assessment (dated 11<sup>th</sup> January 2023) has not sufficiently addressed the concerns of the Environmental Officer. There is concern regarding suitable ventilation and the impact of noise on the exposed side of the development.
  - An Air Quality Assessment is required in support of the application.
  - Conditions are recommended in relation to the rain water harvesting system, land contamination and the submission of a Construction and Environmental Management Plan.
- 3.3 **HDC Ecology:** No objection subject to conditions.
- 3.4 **WSCC Highways:** No objection.
- 3.5 **Southern Water:** Comment:

- The exact position of any public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.
- Southern Water have restrictions on the proposed tree planting adjacent to Southern Water sewers, rising mains or water mains and any such proposed assets in the vicinity of existing planting.
- Initial investigations indicate that Southern Water can provide foul sewage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

3.6 **Natural England:** No objection subject to mitigation.

#### PUBLIC CONSULTATIONS:

3.7 Parish Comments: Southwater Parish are broadly supportive of the proposed development. However, there are several policy conflicts with the Southwater Neighbourhood Plan:

- **Highways and Parking:** The Parish have concerns that the lack of safe crossing from the development to the opposite bus stop (Roundstone Caravan Park Bus Stop) will make it hard for future older residents to safely reach bus services heading north to Horsham. Currently the submission does not 'actively promote alternative modes of transport' to the car as required by SNP4.1. From a review of the proposed site plan no traffic calming measures are proposed. Inadequate car parking (including electric vehicle charging) is proposed.
- **Building and Space Standards:** SNP12.1 requires major development to provide appropriate play areas and associated equipment on site, or where this is not possible ensure that suitable off-site provision can be secured by a commuted sum payment. This proposal should therefore either look to provide appropriate outdoor equipment on site, or of contribute towards off-site provision.
- **Treed Landscape:** The proposal needs to accord with Policy SNP18 and provide sufficient trees on or via a commuted sum.

#### Representations:

3.8 **9** objections have received from adjacent properties on the following grounds:

- The buildings are too high.
- Loss of trees.
- Overdevelopment.
- Lack of infrastructure to support additional housing.
- Highway impacts.
- Loss of amenity of adjacent properties.
- Inappropriate design.
- Type of fencing proposed.

3.9 **5** in support have also been received on the following grounds:

- This is a brownfield site and there is a lack of this type of housing.
- Design is in keeping with the surrounding area.
- Greater use of buses.

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

4.1 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

4.2 The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

## 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 (2015) 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 Southwater, which is categorised as a 'Small Town / Larger Village' within the settlement hierarchy set out under Policy 3, with a good range of services and facilities, strong community networks and local employment provision.

6.3 As the site is located within the defined built-up area boundary of Southwater there is a presumption in favour of sustainable development, subject to any proposal being of a nature and scale to maintain the characteristics and function of the settlement. In relation to the former use, the loss of existing caravan sales use is considered appropriate given that this is not a dedicated area for retail or employment uses. In addition, the business has now ceased to operate and the site is currently vacant. The use of this unused brownfield land for an appropriate alternative sustainable use would be encouraged.

6.4 In principle therefore, a proposal for the residential use of this site is acceptable. In order for the planning application to be acceptable as a whole an assessment of all other material considerations must be made.

### **Retirement Living:**

6.5 The Planning Statement states that 'retirement living apartments' means '*specialty designed housing suitable for older people who want to maintain the independence and privacy that comes with having a home of their own but no longer want or need a family sized house. This proposal is for age-restricted one and two bedroom apartments designed to help people remain independent, safe, secure and sociable for as long as possible.*' In planning terms these units are classed as C3 (Dwellings) developments and not care homes, nursing homes, extra-care or other needs based accommodation.

6.6 The Planning Statement goes on to state that the key differences between this proposal and mainstream housing are as follows:

- The provision of extensive communal areas where neighbours can socialise, host visitors and be part of a likeminded community. This is centred on the 'Owner's Lounge'.
- The presence of a Lodge Manager to look out for people's welfare, be a point of call if help is needed, make sure the communal areas are well maintained.
- A limited number of entrances, usually one, that is close to the Lodge Manager. This keeps the community secure and allows passive surveillance of the entrance area.
- A lift to all floors (for the flats) with level access throughout.

- Each apartment with its own front door giving privacy whenever desired.
- A guest room which can be booked by residents for visitors.
- A digital 'Careline' support system in all apartments for emergency support 24 hours a day, 365 days a year.
- Communal grounds with landscaped external space.
- Communal upkeep and maintenance including the exterior of the building landscaping.
- Reduced reliance on cars due to sustainable locations close to amenities.
- Mobile scooter buggy store.
- Communal areas usually amount to 30% of the internal area.

6.7 The statement outlines that the apartments are sold by the applicant with a lease containing an age restriction which ensures that only people of 60 years or over, or those of 60 years or over with a spouse or partner of at least 55, can live in the development. To secure this requirement, a planning condition is recommended stating that each of the apartments hereby permitted shall be occupied only by:

- Persons aged 60 or over; or
- A spouse/or partner (who is themselves over 55 years old) living as part of a single household with such a person or persons; or
- Persons who were living in one of the apartments as part of a single household with a person or persons aged 60 or over who has since died; or
- Any other individual expressly agreed in writing by the Local Planning Authority.

6.8 In addition, the details of the ongoing management and maintenance of the development is required to be submitted for approval via an obligation in a legal agreement. This would outline how the facility would operate, including details of maintenance of the communal areas and guest suite.

6.9 The principle of retirement housing on this site is generally supported and this carries weight above that which would be attributed to general housing. It is acknowledged that there is a growing need across the Horsham District for residential accommodation for all types of people, including an identified need for new accommodation for older people and people with continuing care needs. The latest Strategic Housing Market Assessment (SHMA, 2019) shows significant expected growth in the population of older people, with the numbers of people aged 65 or over in Horsham expected to grow by 61% by 2039. As such, there is clearly an identified need for retirement housing in the District.

6.10 Policy 18 of the HDPF relates specifically to this type of accommodation and states that '*proposals for development which provide retirement housing and specialist care housing will be encouraged and supported where it is accessible by foot or public transport to local shops, services, community facilities and the wider public transport network.*' This site is within the built-up area of Southwater and within walking distance of Southwater village centre to the south (approx. 720m walk away). The scheme is therefore considered to accord with Policy 18 in terms of accessibility. Overall, the provision of retirement housing in this location is considered appropriate in principle in accordance with Policies 3 and 18.

**Design and Landscape Impacts:**

6.11 Policy 25 of the HDPF seeks to preserve, conserve and enhance the landscape and townscape character of the district, taking into account individual settlement characteristics, and maintaining settlement separation. Policy 32 requires development to complement locally distinctive characters and to contribute a sense of place both in the buildings and spaces themselves and in the way they integrate with their surroundings. Policy 33 requires development to be locally distinctive in character and respect the character of the surrounding area (including its overall setting, townscape features, views and green corridors).

- 6.12 Policy SNP16 of the Southwater Neighbourhood Plan (SNP) also states all development must be of high quality design. In Southwater this means:
- (a) Facing buildings with locally sourced materials, or materials equivalent to those that would historically have been sourced locally wherever possible.
  - (b) Encourage a variety of complementary vernaculars to encourage contextually appropriate design and diversity in our building stock.
  - (c) Using Secure by Design principles to ensure developments are safe to live in, supported by natural surveillance.
  - (d) Making sure the design of new development actively responds to other properties in the vicinity ensuring no unacceptable impacts on residential amenity occur.
- 6.13 The proposal is for two types of retirement housing separated by the retained access road through the site. The housing to the northern side of the site is proposed as a two-storey block in a horseshoe shape with a parking area to the inside area of the building. This building would be two-storeys tall with a pitched roof. The proposed materials would be part cedar boarding, a red tiled roof, part brick elevations, upvc windows and doors. This building includes first floor balconies to the east and west elevations. Balconies are also proposed to the internal facing elevations over the car park area. The flats in this block would benefit from communal outside space around the building.
- 6.14 To the southern side of the site, 6 cottages are proposed. These are formed of three pairs of semi-detached houses. Each house would have its own private garden area. These dwellings would also be two-storeys in height with cat slide roofs. Sympathetically designed dormers windows are proposed to the front elevations of each dwelling at first floor level. The dwellings are a mix of brick and cedar cladding, each with a tiled roof.
- 6.15 In relation to the surrounding area, the character is typically defined by a mix of single-storey detached dwellings positioned closely together to the south and east, with larger 2 storey detached and semi-detached dwellings located to the north. Approximately 120m to the south of the site there is the Broadacres residential development site which has a mix of 2-3.5 storey dwellings, the tallest of which is located to the north and is visible from the site. The two storey scale of this proposal will therefore sit comfortably in this context. As stated in the Planning Statement, the predominate building material of the existing residential context is red brick and the building typology is traditional. The main brick is often supplemented by tile hanging and weatherboarding, as can be seen in the relatively new development at Broadacres.
- 6.16 Overall, it is felt that the design of the proposed development would match the residential character of the surrounding area. It is also felt that the proposed buildings are appropriately set within the site with landscaped areas. The proposal retains the existing ditch at the front of the site, setting the built forms back from Worthing Road. The proposal would therefore form a sympathetic addition in the street scene in accordance with the above policies.
- 6.17 Policy SNP18 of the SNP states that '*major development must provide a minimum of one new tree (conforming to British Standard BS 3936-1 / Standard 8-10cm girth) per 40m<sup>2</sup> of floor space created. This should be provided on-site or off-site within the Plan Area if there is nowhere suitable within the site. Measures will be implemented on any permissions granted to secure these trees and their survival. If these trees cannot be provided on site, and the applicant is unable to deliver the trees at an alternative location within the Plan Area, a commuted sum may be paid in lieu of tree planting.*'
- 6.18 Southwater Parish have referenced this policy in their comments. The large Oak tree (Category B) on site is to be retained as part of the proposal. Two trees (Category C) will be felled to enable this development. Policy SNP18 requires these to be replaced with trees of greater environmental value on site or elsewhere within the Plan Area. Trees planted should be suitably mature and, as a minimum, conform to British Standard BS

3936-1 / Standard 10-12cm girth. The Parish note that 5 new trees are proposed along the street frontage, which is welcomed.

6.19 The Parish go on to state that the proposed development will result in 2995m<sup>2</sup> additional floorspace on the site. To comply with policy SNP18, the applicant should be proposing to plant 75 new trees on site or elsewhere within the Parish. The Parish state that if the applicant is unable to deliver the trees on site, or at an alternative location within the Plan Area, a commuted sum may be paid in lieu of tree planting. In response, the agents have commented that the Landscape Strategy Masterplan provides for 43 trees with a combination of fruit trees, ornamental trees, street trees and native trees. In addition to this is hedgerow planting, shrubs and wildflower planting. If recommended for approval, a planning condition could be imposed to ensure their maintenance.

6.20 With 43 trees proposed, in accordance with Policy SNP18, this results a deficit of 32 trees which are not being provided. As such, these trees are required to be provided elsewhere within the Parish. A commuted sum is required in lieu of this deficit so these trees could be supplied elsewhere. The Parish have asked the applicants for details of the tree planting, including potential locations, number of trees to be provided, financial compensation and maintenance schedule. The details regarding the trees to be provided off site and the contribution required would be secured through a legal agreement, in the event that permission is granted.

#### **Highways and Access**

6.21 Policy 40 of the HDPF states that development will be supported if it is appropriate and in scale to the existing transport infrastructure, including public transport; is integrated with the wider network of routes, including public rights of way and cycle paths, and includes opportunities for sustainable transport.

6.22 The site fronts onto Worthing Road, which is a two-way, single carriageway road subject to a 30mph speed limit. The site is accessed currently from Worthing Road, via a bellmouth style access, shared between the former caravan dealer and the static caravan homes to the east of the site. This access will be retained to access both the proposed development and the park homes to the rear of the site. The proposed access is in the form of bellmouth junction that measures 4.7m in width, with 8.6m radii to the north and 10m radii to the south. A 1.5m wide footway is proposed to the south of the access leading into the site and linking into the existing footways on Worthing Road.

6.23 West Sussex County Council as the Highway Authority have commented that the visibility splays are achievable in accordance with the 30mph speed limit as outlined within the Transport Statement.

6.24 In relation to trip generation and highway impact, WSCC have commented that the TRICS database has been interrogated to estimate the likely number of trips generated by the site's former uses and the trips generated by the proposed development. It is estimated that the former uses generated 20 trips in the AM peak hour, 17 trips in the PM peak hour and 218 trips during total daily. The proposed development generates 4 trips in the AM peak hour, 5 trips in the PM peak hour and 76 trips during total daily. Therefore, the proposed development is estimated to generate 16 fewer trips in the AM peak hour, 12 fewer trips in the PM peak hour and 142 fewer trips during total daily. It is anticipated that the proposed development would result in a significant reduction in trip generation when compared to the existing use. Therefore, the Highway Authority consider the proposed trips would not cause an intensification of the local highway network.

6.25 Following correspondence from Southwater Parish Council additional information was requested regarding the provision of a pedestrian crossing to the bus stop on the western side of Worthing Road. The Parish also sought clarification from the Highway Authority on the trip generation.



- 6.26 As a result, the applicant has submitted a plan indicating the provision of a pedestrian crossing with dropped kerbs and tactile paving to the bus stop on the western side of Worthing Road. A Stage 1 Road Safety Audit (RSA) of the crossing point, which assesses the road safety implications of this new crossing, has been undertaken and the designer's response has been now submitted and signed off from WSCC. It is recommended that the provision of this crossing is secured via a suitably worded condition to ensure its delivery.
- 6.27 Overall, the Local Highway Authority does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network. The scheme is therefore in accordance with the NPPF (paragraph 111) and Policy 40 of the HDPF, and that there are no transport grounds to resist the proposal.
- Parking Provision:**
- 6.28 Policy 41 of the HDPF states that adequate parking and facilities must be provided within developments to meet the needs of anticipated users. Policy SNP14.1 of the Southwater Neighbourhood Plan states that residential development must include provision for adequate off-road parking spaces in accordance with the following criteria:
- (a) Apart from one bedroom flats which shall have one allocated parking space, every dwelling will provide, for use associated with that dwelling, 2 parking spaces and one additional parking space for each additional bedroom over a total of three, with an upstairs study counting as a bedroom within its curtilage (or within the development).
  - (b) The proposed solution should avoid car parking dominating the street-scene. Therefore parking should be to the side rather than in front the property.
- 6.29 As amended, the proposal includes 18 car parking spaces for the flats and 7 spaces for the cottages. This is considerably lower than would normally be expected for an application for standard housing and would not be in accordance with the above Parish policy on parking, which would expect some 59 parking spaces. In this case this application is for retirement living where it is commonplace that parking demand is lower than for normal housing, for reasons including an absence of dependants. Policy SNP14.1 does not directly address demand from retirement living accommodation therefore officers consider it to be reasonable to review the applicant's evidence to support the number of parking spaces they propose. The Highway Authority have similarly commented that the County Parking Standards do not have a specific standard for retirement flats and that these types of applications are assessed on a case-by-case basis. In these circumstances, it is not uncommon for the Highway Authority to rely on, but critically assesses, the information provided by the applicant which seeks to justify the proposed level of car parking.
- 6.30 The applicant states that in this development they are providing 0.5 spaces per retirement flat and 1 space per cottage. They state that research undertaken at previous Churchill Retirement Living developments identifies an average car parking demand of only 0.28 spaces per apartment and therefore based on this information conclude that the provision of 0.5 spaces per flat is sufficient to cater for the likely demand. Of the 8 sites the applicant has surveyed only one site (Lord Roseberry Lodge, Epsom) has a higher parking ratio (0.52 spaces per flat) than is proposed within this application. The Highway Authority have commented that they have no reason to doubt this information from the applicant or evidence to disprove that the proposed level of parking is unacceptable for this type of development.
- 6.31 As a further check WSCC have reviewed the TRICS database (the survey database used to establish trip generation). The database includes details of sites and their parking provision. From reviewing the retirement flat land use, in broadly comparable locations

across the country, this shows that there are five sites. These show varying parking ratios with two sites providing 1 space per dwelling with the others providing the following:

- Yarmouth Road, Norwich – 48 dwellings with 21 spaces. This is a parking ratio 0.438 spaces per flat.
- Chapel Lane, Monkseaton, Whitley Bay – 27 dwellings with 18 spaces. This is a parking ratio 0.667 spaces per flat
- Sewardstone Road, Walthamstow – 40 dwellings with 12 spaces. This is a parking ration 0.300 spaces per unit.

6.32 The Highway Authority have commented that this shows that there are other locations where parking ratios have been provided well below 1 space per flat. Whilst the 0.28 spaces per development quoted as an average at the other Churchill Retirement Living sites appears low, the Highways Authority do not consider that a provision of 0.5 spaces is unreasonable, based on the evidence provided.

6.33 The concerns raised by the Parish regarding the proposed level of car parking are fully understood and has been carefully considered by officers as at face value the level of parking provision does appear lower than would be expected for a development of this size. However, it is clear from the evidence provided that retirement flats generally have significantly lower levels of car parking associated with them when compared to other residential uses and both the applicant and WSCC Highways have provided information on parking ratios at other sites which corroborate this. In the event visitor parking demand at any point over weekends exceeds onsite capacity, there is opportunity for overspill parking in nearby residential streets which are a sufficient distance to preclude their use by residents of the development, however the data supplied indicates this is unlikely.

6.34 In addition, the site benefits from bus public transport provision and is close to all necessary day-to-day facilities at Southwater including a GP surgery, bank, pharmacy, cafes, post office and shops some 700m to the south. The applicant is also providing a crossing point to access the bus stop opposite the site which provides for regular busses into Horsham. In this regard the site is in a sustainable location with occupants not needing to be reliant on a car for everyday needs.

6.35 It should be further noted that whilst occupancy would be limited to persons over 60 years of age, the applicants have stated that the average age of purchasers of their apartments is 79 and occupants are typically widows, with their decision to move into a retirement home led by their existing property becoming too large to maintain, the death of a partner/spouse, and/or the acceptance of the need to give up car ownership/use. Whilst this cannot be corroborated, officers are of the view that this information is helpful in explaining why parking demand will not be the same or similar to standard housing.

6.36 As such, officers conclude that the low level of parking provision for these retirement flats has been sufficiently evidenced and justified by the applicant, and the Highway Authority strongly recommended against refusing the application on transport grounds due the level of car parking.

#### **Affordable Housing and Housing Mix:**

6.37 Policy 18 of the HDPF states that proposals for 'continuing care retirement communities' will be support in appropriate locations which include 'affordable' provision to meet identified needs, or where this is not possible, provide an appropriate commuted sum lieu of on-site units. For on-site provision, this proposal would be expected to provide 35% affordable housing in accordance with Policy 16 of the HDPF.

6.38 A report on affordable housing and viability accompanies the application. This outlines that this proposal does not include any on-site affordable units. The applicant has commented that there are additional costs associated with delivering retirement housing as opposed to

standard open market housing. In this case around 25% of floor space is proposed for communal facilities such as the owner's lounge and guest accommodation. This is unsaleable floor area which therefore reduces income. In addition, the applicant has stated that retirement accommodation has a reduced sales rate, due to the smaller section of the market that is eligible, increasing borrowing and empty property costs. Overall, the report outlines that on site delivery of affordable housing is not practicable due to issues relating to the affordability of service charges and achieving a sustainable long-term management arrangement on site.

- 6.39 As part of the application process, officers have sought the independent review of the viability report from Bespoke Property Consultants (BPC). Based on a policy compliant scheme with affordable housing, BPC agree that the scheme is marginally unviable. This assessment concurs with many of the assumptions relied upon in the submitted viability and affordable housing report in respect of cost calculations and expected sales values. Given the development is for retirement living with associated service charges for occupiers, officers are of the view that an appropriate commuted sum in lieu of on-site units is appropriate in this instance.
- 6.40 Based on the Planning Obligations and Affordable Housing SPD (2017), the sum in lieu of affordable housing is calculated at £280.00 per square metre. On the basis of a square meterage of 2308.39sqm (which excludes communal areas) for this development, a policy compliant contribution for this development is £646,349. The applicant has agreed to this figure. Therefore, in the event that planning permission is granted, this contribution towards off-site affordable housing would be secured through a legal agreement.
- 6.41 In relation to the housing mix, the one and two bedroom units would be in accordance with the latest housing market assessment and would provide small units of accommodation appropriate for residents looking to downsize.

#### **Residential Amenity**

- 6.42 Policy 33 of the HDPF states that development should ensure it is designed to avoid unacceptable harm to the amenity of occupiers / users of nearby property and land, for example through overlooking and noise, whilst having regard to the sensitivities of the surrounding development.
- 6.43 The site is surrounded by existing properties to the north, south and east. In relation to the properties to the east, these would be separated from the proposed units by distances in excess of 18m such that the two storey nature of the proposal would not significantly affect the amenity of these properties. In relation to the existing properties to the north of the site, these are closer to the common boundary with the site. However, given the set back and orientation of the main part of the development to the northern boundary of the site at some 10m, the two-storey building proposed would not result in a significant impact on the amenity of these adjacent properties in relation to loss of light, outlook, overlooking or an increased sense of enclosure. The closest part of the development to the northern boundary would include north facing windows (one serving a kitchen and the other secondary to the main living room), both of which would overlook the front parking area of Boyajian but would not otherwise harm private amenity space.
- 6.44 The arrangement of the proposed six cottages to nos. 1-3 Green Close to the southern boundary is sufficiently distanced to avoid loss of light and outlook, whilst first floor rooms facing 1-3 Green Close are studies and ensuites served by high level rooflights sufficient to retain suitable privacy. No first floor side windows are proposed to the cottage immediately adjacent to 1 & 2 Green Close, and a condition is recommended to remove the opportunity for any such windows in the future to protect their privacy.
- 6.45 The Council's Environmental Health has commented that the submitted Noise Assessment has not sufficiently addressed their concerns regarding traffic impact from the Worthing

Road. It is though considered that within the built-up area boundary, adjacent to existing dwellings, this is a suitable location for housing with the development is suitably set back from Worthing Road with the retained ditch in place. To address the concerns of the Environmental Health officer, a condition is recommended requiring full details of ventilation and noise impact on the western side of the development adjacent to Worthing Road.

### **Ecology**

- 6.46 There are no statutory designated sites of nature conservation interest located within or immediately adjacent to the application site boundary. The site is within a bat sustenance zone and in support of the application, the applicant has submitted a Bat Survey and Ecological Impact Assessment. The Council's consultant Ecologist has reviewed these documents and is satisfied that the likely impacts upon designated sites, protected and Priority species and habitats is appropriate with the identification of appropriate mitigation. A Biodiversity Net Gain metric has been submitted indicating a net gain of some 21% for habitat units and 318% for hedgerows which would be delivered by onsite planting and the enhancements secured by condition. Subject to conditions to secure the mitigation measures outlined, the proposal is considered appropriate in relation to its ecological impact.

### **Water Neutrality**

- 6.47 Horsham District is situated in an area of serious water stress, as identified by the Environment Agency. In September 2021, Natural England released a Position Statement which advised all local authorities within the Sussex North Water Supply Zone that it cannot be concluded that existing water 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 near Pulborough. The Position Statement advises the affected local authorities that developments within the Sussex North Supply Zone must not therefore add to this impact, and to achieve this, all proposals must 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.
- 6.48 In assessing the impact of development on protected habitat sites such as those in the Arun Valley, decision makers must, as the competent authority for determining impact on such sites, ensure full compliance with the Conservation of Habitats and Species Regulations 2017 (known as the Habitat Regulations). The Regulations require that a Habitats Regulations Assessment (HRA) be carried out to determine if a plan or project may affect the protected features of a habitats site, before the grant of any planning permission. Section 70(3) of the Regulations requires that planning permission must not be granted unless the competent authority (Horsham District Council) is satisfied that the proposed development will not adversely affect the integrity of the affected habits site. Section 63 of the Regulations sets out the process by which an HRA must take place.
- 6.49 The requirements of Section 70(3) are reflected in paragraph 180 of the NPPF, which states that *'if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused'*.
- 6.50 The application site falls within the Sussex North Water Supply Zone which draws its water supply from groundwater abstraction at Hardham (near Pulborough), adjacent to the Arun Valley sites. The water abstraction issues raised by the Natural England Position Statement are therefore material planning considerations relevant to the proposal. Given the requirements of the Habitat Regulations and paragraph 180 of the NPPF, adverse impact on the integrity of the Arun Valley sites must be given great weight in decision making.

- 6.51 In order to demonstrate that no adverse impact will occur at the Arun Valley sites, all new development within the supply zone that is likely to increase water consumption (such as additional housing units) must demonstrate water neutrality, i.e., that water consumption from the site when occupied will not increase water abstraction in the Arun Valley. Until a wider offsetting strategy is developed to address this issue (which is not expected to be in place until next year and is likely to only apply to sites allocated in the new local plan), all new development must demonstrate that it can be water neutral in its own right.
- 6.52 In support of the submitted water-neutrality statement the applicant has provided 50 meter readings concerning the period of February 2018 to July 2022. The meter reading concerns the commercial unit subject of this application, together with ~86 residential park homes contained within the wider Roundstone Park site rear of the site. The commercial unit subject of this application ceased trading circa February 2021 with no retail (or other commercial) activity having taken place since this date.
- 6.53 In order to ascertain a baseline associated with the commercial use the applicant has assessed initial usage for the period of February 2018 - February 2020 and prior to the imposition of Covid-19 'lockdown' restrictions, which would have likely impacted upon the scale and nature of commercial activity and associated water-consumption.
- 6.54 The proposed development would provide 25x 1-bedroom units and 17x 2-bedroom units. The submitted WNS models an occupancy rate of 1.18 for the proposed 1-bedroom units and 1.47 for the proposed 2-bedroom units, yielding an expected 30x 1-bed occupants and 25x 2-bed occupants with regard to the balance of 1 and 2-bed units respectively proposed.
- 6.55 The occupancy rate advanced, therefore, is lower than that anticipated for general market housing within the District, with occupancy rates extrapolated from Census data, being 1.32 for a 1-bedroom unit and 1.88 for a 2-bedroom unit respectively.
- 6.56 The proposed development, however, would provide specialist accommodation in the form of retirement housing which would not be available to younger age-groups as reflected within District-wide statistics. It is a reasonable presumption that those occupying retirement housing will have fewer resident dependents (and, therefore, smaller householder sizes) relative to the general open-market.
- 6.57 In support of the occupancy rates specifically advanced the applicant has assessed existing occupancies for 1 and 2-bed retirement units within 10 developments managed by the applicant within the South East. This data equates to a retirement population of 531 persons across 413 total retirement units (encompassing both 1 and 2 bed types). This data is considered sufficient to provide a reliable representation of occupancy rates for the sizes of retirement accommodation as proposed and as an alternative to occupancy rates attributable to general market housing within the District.
- 6.58 The conclusions of the water neutrality statement are as follows:
- The baseline usage associated with the previous retail use is considered to be 3,850 litres/day.
  - Before mitigations are applied it is anticipated that the proposed development would consume 6,050 litres/day.
  - The proposed mitigations would reduce mains-water consumption to 3,312.63 litres/day. The proposed mitigations would be the provision of appliances to meet specified standards of efficiency and the provision of a rainwater-harvesting and supply system to support W/C use and external usage associated with the proposed development.
  - The net-difference between baseline and proposed consumption is considered to be -537 litres/day. The proposed development, therefore, would achieve net-neutrality in respect of the use of mains-water.

- 6.59 As per the requirements of s63 of the Habitat Regulations, the Council has consulted Natural England as the relevant statutory body when undertaking an appropriate assessment of the proposals. Having considered the Council's appropriate assessment, Natural England concurs with the conclusion that the development would be water neutral.

### **Drainage**

- 6.60 The site is located within Flood Zone 1, meaning a less than 1 in 1000 annual probability of river or sea flooding which is the lowest classification of fluvial flood risk. The application includes a Flood Risk & Drainage Technical Note to determine the potential flood risks associated with the site to provide a suitable strategy for the disposal of surface and foul water from the proposed development. Runoff generated by the building, access road and external hard paving will be collected via rainwater pipes and gullies and be conveyed into proposed attenuation tanks. Foul flows generated by the proposed development will drain through a new private foul network and will discharge to Southern Water's adopted 175mm diameter foul sewer within Worthing Road as per existing conditions.
- 6.61 The details outlined in the Technical Report are considered appropriate in relation to foul and surface water disposal. This is subject to a formal application for a connection to the public foul sewer to be made by the applicant to Southern Water.

### **Air Quality**

- 6.62 The application site is not located within or close to either of the district's defined Air Quality Management Areas (AQMAs). An Air Quality Assessment (AQA) was not submitted with this application. Key air quality consideration during the construction phase of development is dust emissions emanating from demolition, earthworks and construction. It is considered that mitigation in the form of a Construction Management Plan to include measures to reduce dust emissions (such as dust monitoring, dust suppression/screening etc) could reasonably be secured by condition. During the operational phase, the development is not expected to generate substantial vehicle movements, and the effect on air quality on the surrounding area is judged to be 'not significant'.
- 6.63 Subject to the inclusion of a condition to secure an Air Quality Management Plan to demonstrate costed mitigation measures, as well as a condition to secure a Construction Environmental Management Plan (CEMP) as set out in the Air Quality Assessment report, it is considered that the proposal would not further reduce air quality in the local area, in accordance with Policy 24 of the HDPF and Paragraph 186 of the NPPF.

### **6.64 Climate Change and Sustainability**

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 Planning statement details several measures which seek to build resilience to climate change and reduce carbon emissions, including:

- Providing shared facilities for a large number of residents in a single building which makes more efficient use of material and energy resources.
- All areas of the building will be lit using low energy lighting and where applicable utilise daylight and movement sensor controls.
- Placement of the proposal in sustainable location, accessible to local shops and facilities by non-motorised modes of transport.
- Making efficient use of available land.
- Opportunities for biodiversity net gain.
- Inclusion of street trees, shrubbery and open spaces within the site.

- Dedicated refuse and recycling storage capacity.
- Provision of dedicated cycle parking facilities.
- Improved pedestrian links to existing networks
- Provision of electric vehicle charging points.
- Limiting water consumption through the installation of water efficient appliances and rain water harvesting.

6.65 Subject to the implementation of these measures (either within the design of the site or secured by condition); the application will suitably reduce the impact of the development on climate change in accordance with local and national policy.

### **Heritage Impact**

6.66 Policy 34 of the HDPF also states that heritage assets are an irreplaceable resource which require preserving. The nearest listed building is location approximately 90m to the north of the site, separated from the site by existing houses. Give this distance, the proposal would not result in a detrimental impact on the setting of this heritage asset.

### **Southwater Parish Comments**

6.67 The parish commented that they are broadly supportive of the proposal but have raised concerns regarding the following:

- Highways and Parking: The Parish have concerns that the lack of safe crossing from the development to the opposite bus stop (Roundstone Caravan Park Bus Stop) will make it hard for future older residents to safely reach bus services heading north to Horsham. Inadequate car parking (including electric vehicle charging) is proposed.
- Building and Space Standards: SNP12.1 requires major development to provide appropriate play areas and associated equipment on site, or where this is not possible ensure that suitable off-site provision can be secured by a commuted sum payment. This proposal should therefore either look to provide appropriate outdoor equipment on site, or of contribute towards off-site provision.
- Treed Landscape: The proposal needs to accord with Policy SNP18 and provide sufficient trees on or via a commuted sum.

6.68 As outlined in the report, the low level of parking has been appropriately evidenced and addressed to the satisfaction of the Highway Authority. Details of EV charging spaces is required by condition. The proposal has also been amended to include dropped kerbs to allow a pedestrian crossing area to access the bus stop on the west side of Worthing Road, as requested by the Parish. The Parish's request for play equipment for this proposal is not considered relevant to a proposal for retirement housing. The scheme also includes appropriate outdoor space for the future residents of the scheme. In relation to the policy on a Treed Landscape, the applicants have included as many trees as possible on site and have committed to providing the remaining requires trees, via a commuted sum, elsewhere within the parish.

### **Conclusion**

6.69 It is considered that the loss of the former caravan sales use is acceptable and that the proposed development would provide much needed housing for older people in a sustainable location. The proposal is also considered appropriate in relation to design and its appearance in the context of the surrounding area and would not result in a harmful effect on the amenity of any adjacent properties which would warrant refusal of the application. The proposal is also considered appropriate in terms of its ecological impacts and drainage / flooding. Whilst the scheme offers a low level of parking, this has been evidenced as appropriate for this type of use and no highway objections have been raised. The proposal overall accords with the requirements of the HDPF and Southwater Neighbourhood Plan.

## COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 6.70 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1<sup>st</sup> October 2017. **This development constitutes CIL liable development.**

Use Description	Proposed	Existing	Net Gain
	2367	642	1725
		<b>Total Gain</b>	<b>1725</b>
		<b>Total Demolition</b>	<b>642</b>

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

## **7. RECOMMENDATIONS**

- 7.1 To approve planning permission, subject to the conditions set out below and a legal agreement to secure the following:
- Details to secure a contribution for 32 trees to be provided elsewhere within the Parish.
  - A contribution of £646,349 towards affordable housing within the District.
  - Details of management and maintenance of the facility as retirement homes with communal facilities.

### Conditions:

1. **Plans Condition.**
2. **Pre-Commencement Condition:** No development, including any works of demolition, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of the following relevant measures:
  - i. An introduction consisting of a description of the construction programme, definitions and abbreviations and project description and location;
  - ii. Details of how residents will be advised of site management contact details and responsibilities;
  - iii. Detailed site logistics arrangements (to include details shown on a plan), including location of site compounds, location for the loading and unloading of plant and materials, site offices (including height and scale), and storage of plant and materials (including any stripped topsoil);
  - iv. Details regarding parking or site operatives and visitors, deliveries, and storage (to include details shown on a plan);
  - v. The method of access to and from the construction site;
  - vi. The arrangements for public consultation and liaison prior to and during the demolition and construction works – newsletters, fliers etc;
  - vii. Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination;
  - viii. Locations and details for the provision of wheel washing facilities and dust suppression facilities (to include details shown on a plan).
  - ix. Details of measures to reduce impacts on biodiversity features.



The demolition and construction shall thereafter be carried out in accordance with the details and measures approved in the CEMP.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers and highway safety during construction and in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

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

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

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

- (b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.
- (c) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (b) and an options appraisal.
- (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.

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

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

4. **Pre-Commencement Condition:** The development hereby approved shall not commence until a Private Water Supply Management Plan (PWSMP) has been submitted to and approved in writing by the local planning authority. The PWSMP shall include, but not necessarily be limited to, the following information:

- i. Detail on the likely contaminants associated with the rainwater harvesting system.
- ii. Detail on what type of treatment that will be installed on the supply with information clearly indicating that it is appropriate for the amount of water being used and the likely contaminants.
- iii. Detail on the proposed sampling and testing regime, undertaken in accordance with Private Water Supplies (England) Regulations 2016 (or subsequent superseding equivalent), and taking into account the likely contaminants, as detailed above, along with detail on how any failure of any samples will be investigated and managed.
- iv. Detail on the maintenance, servicing and cleaning of the tanks, water treatment equipment, pumps, all pipework etc for the lifetime of the development along with regularity of servicing/maintenance and clarification what steps will be taken in the event of equipment failure. This should include any re-activation of the system after it has been out of use due to lack of rainfall/use.

- v. Details, including a plan or schematic, showing the supply – storage tanks, treatment etc, and means to record the total water consumption of each unit
- vi. Detail on the continuity of supply during dry periods extending beyond 35 days.
- vii. Arrangements for keeping written records of all sampling, results of analysis, inspection, cleaning, and maintenance.

The management plan shall be implemented as approved and maintained for the lifetime of the development. The management plan shall be reviewed annually and any revisions shall be submitted to and approved in writing by the local planning authority.

Reason: To avoid an adverse impact on public health and 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).

5. **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Bat Survey Note (Tyler Grange, January 2023) and the Preliminary Ecological Appraisal and Ecological Impact Assessment ((Tyler Grange, January 2022) shall be submitted to and approved in writing by the local planning authority.

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

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

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

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

7. **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a revised Noise Assessment has been submitted, with details of appropriate ventilation, has been submitted to and approved by the Local Planning Authority in writing. The approved details hereby permitted shall be implemented prior to occupation and thereafter retained as such.

Reason: As this matter is fundamental in the interests of residential amenities by ensuring an acceptable noise level for the occupants of the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

8. **Pre-Occupation Condition:** The development hereby permitted shall be undertaken in full accordance with the Water Neutrality Statement. 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 evidence shall include the specification of fittings and appliances used, evidence of their installation, evidence they meet the required water consumption flow rates, and evidence of the installation and connection of the rainwater harvesting system and appropriate storage tanks to provide a minimum 35 days storage capacity. 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).

9. **Pre-Occupation Condition:** The development hereby permitted shall not be occupied until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by. 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).

10. **Pre-Occupation Condition:** The development hereby permitted shall not be occupied until a lighting design scheme for biodiversity has been 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. 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 LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham Development Framework.

11. **Pre-Occupation Condition:** The development hereby permitted shall not be occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority. Once provided the spaces shall thereafter be retained at all times for their designated purpose.

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

12. **Pre-Occupation Condition:** The development hereby permitted shall not be occupied until provision for the storage of refuse/recycling bins has been made within the site in accordance with details to be submitted to and approved in writing by the local planning authority and retained as such thereafter.

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

13. **Pre-Occupation Condition:** The development hereby permitted shall not be occupied until Electric Vehicle Charging spaces have been provided in accordance with plans and details of the types and locations has been submitted to and approved by the Local Planning Authority. The approved details shall be provided and retained at all times for their designated purpose.

Reason: To provide EV charging points to support the use of electric vehicles in accordance with national sustainable transport policies and to mitigate the impact of the development on air quality within the District in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

14. **Pre-Occupation Condition:** The development hereby permitted shall not be occupied until as a Travel Information Pack for all new occupants of the development has been submitted to and approved in writing by the Local Planning Authority.

Reason: To encourage and promote sustainable transport in accordance with Policy 40 of the Horsham District Planning Framework (2015).

15. **Pre-Occupation Condition:** The development hereby permitted shall not be occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained
- 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 the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted,

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

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

16. **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of a minimum 30 megabits per second through full fibre broadband connection has been provided to the premises.

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

17. **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a scheme of air quality mitigation has been submitted to and been approved in writing by the Local Planning Authority. The details shall have regard to the Council's latest Air Quality & Emissions Reduction Guidance document. The approved scheme shall be installed prior to first occupation of the development and shall thereafter remain as such.

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

18. **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until 1 no. fire hydrant to BS750 standards or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) has been installed, connected to a water supply with appropriate pressure and volume for firefighting, and made ready for use in consultation with the WSCC Fire and Rescue Service. The hydrant or stored water supply shall thereafter be retained as such.

Reason: In accordance with fire and safety regulations in accordance with Policy 33 of the Horsham District Planning Framework (2015).

19. **Regulatory Condition:** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Bat Survey Note (Tyler Grange, January 2023) and the Preliminary Ecological Appraisal and Ecological Impact Assessment (Tyler Grange, January 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This will 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 Development Framework.

20. **Regulatory Condition:** No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

21. **Regulatory Condition:** No part of the development hereby permitted shall be first occupied until the highway works (including dropped kerbs) to Worthing Road, shown on drawing no.536.0036.004) have been completed.

Reason: To encourage and promote sustainable transport in accordance with Policy 40 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 or Orders amending or revoking and re-enacting the same, no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the first floor side elevation of the south western cottage (rear of 1 Green Close) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

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

23. **Regulatory Condition:** The development hereby permitted shall be implemented strictly in accordance with the Arboricultural Assessment and Method Statement and Tree Protection Plan.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

24. **Regulatory Condition:** The development hereby permitted shall be occupied only by:
- Persons aged 60 or over; or
  - A spouse/or partner (who is themselves over 55 years old) living as part of a single household with such a person or persons; or
  - Persons who were living in one of the apartments as part of a single household with a person or persons aged 60 or over who has since died; or
  - Any other individual expressly agreed in writing by the Local Planning Authority.

Reason: To limit the use of the development for elderly occupants in accordance with Policies 18 and 41 of 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).

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

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