



PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development and Building Control

DATE: 6th June 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: Deferred from June Planning Committee North for amendments.

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 was considered at the April Planning Committee North meeting. The April committee report is attached as an addendum. The application was deferred from the meeting for the following reasons:

- To explore options for further pedestrian improvements to Worthing Road, such as yellow lines, a pedestrian crossing and a refuge island.
- To consider more disabled and visitor parking spaces.

1.3 Following discussions with the applicant and WSCC Highways, amended details have been submitted to address the deferral reasons as follows:

- An additional 3 parking spaces have been added to the proposal. The total number of parking spaces is now 28 spaces, of which 6 are now disabled/accessible spaces and 1 is for visitors.

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
- 3.2 **WSCC Highways:** Comment. A pedestrian refuge may be able to be accommodated but this would have to be designed by the applicant to ensure there is sufficient carriageway width to provide a suitably wide enough refuge and that the retained carriageway running lanes are appropriate. The Highway Authority view is that it is not essential that this is provided. If the applicant does propose a pedestrian refuge the revised design would have to be run past the road safety auditors as it is a change to the design that has not been audited.

PUBLIC CONSULTATIONS:

Representations:

- 3.3 **2** additional objections have received from adjacent properties on the following grounds:

- The retirement homes should be accommodated in the new Berkeley homes scheme.
- The proposal would add to the water neutrality issue.
- The proposal will lead to a loss of amenity for adjacent properties.
- Lack of parking.

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

- 6.1 This planning application for 36 retirement living apartments and 6 retirement cottages was considered by the Planning North Committee in April 2023. The application was deferred for consideration of the following:

- To explore options for further pedestrian improvements to Worthing Road, such as yellow lines, a pedestrian crossing and a refuge island.
- To consider more disabled and visitor parking spaces.

- 6.2 The applicant has now submitted details to seek to address the reasons for deferral. The purpose of this report is to assess the amended details to ascertain whether the reasons for deferral have been adequately addressed. The original April committee report is attached as an addendum. The original committee report goes through all planning considerations in detail and outlines all comments received.

Parking provision

- 6.3 At the April committee, councillors expressed concern regarding the lack of parking the proposal included. Particular concern was raised regarding the lack of disabled spaces and on-site visitor spaces. To address this concern, the applicant has submitted an amended plan which indicates additional parking spaces. The amendments are as follows:
- The number of parking spaces has been increased by 3, now totalling 28.
 - 1 of the new spaces is for a visitor space.
 - The reconfiguration allows for 5 additional disabled spaces creating a total of 6.
- 6.4 The provision of the additional 3 car parking spaces has been achieved through minor amendments to the layout. The position of the retirement flats and cottages remain as proposed either side of the central access road. The additional spaces have been partly

provided by reducing the amount of landscaping proposed. This results in the loss of a tree proposed under the landscaping scheme to the central area. Despite the loss of some elements of landscaping to provide the additional car parking spaces, the proposal would still provide adequate landscaping around the site, including the parking area. A strong line of landscaping and new trees is still proposed to the front of the site onto Worthing Road. The amendment to include additional parking spaces would not be detriment of the overall appearance of this proposal.

- 6.5 Given the loss of one proposed tree to accommodate the additional car parking spaces, the proposal now results in 42 new trees proposed. In accordance with Policy SNP18, this results a deficit of 33 trees which are not being provided. As outlined in the April committee report, Policy SNP18 requires these trees 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 number of trees now required to be provided elsewhere within the Parish has now increased from 32 to 33 as a result of the increase in parking. 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.
- 6.6 In relation to the overall number of parking spaces provided, the increase in 3 spaces is welcomed and addresses the concerns of the councillors. The ratio of parking spaces provided is now 0.66 spaces per unit. The applicant has stated that this significantly exceeds the level of demand in a typical Churchill Retirement Living development which is stated as 0.28 spaces per unit.
- 6.7 As outlined in the April committee report, substantial evidence has been submitted to justify the lower levels of parking provision, including examples of where the applicants have successfully defended its position at appeal. Moreover, West Sussex County Council Highways have advised that this level of parking is appropriate for the development. With the additional spaces, it is considered that the concerns identified at the April committee have been adequately addressed.

Worthing Road Pedestrian Improvements

- 6.8 At the April committee, concern was raised that the future elderly residents of this proposal would have difficulty in safely crossing Worthing Road. The proposal includes improvements to the pavements in the form of tactile crossings and an extension to the footway, but this was not considered adequate. Councillors enquired as to the possibility of a zebra crossing in this location however the Highways Department have commented that a zebra crossing or yellow lines are not feasible in this location. A higher form of crossing such as a signalised (puffin/pelican) would also not be considered in this scenario. Those types of crossings are only generally considered where there are higher flows of pedestrian movements. Given the relatively infrequent use of a crossing point in this location, because it only provides a connection to a bus stop rather than an onward connection elsewhere, a signalised crossing would not be considered safe.
- 6.9 To allow safe crossing, WSCC Highways have commented that a new pedestrian refuge may be able to be accommodated here. However, this would have to be designed by the applicant to ensure there is sufficient carriageway width to provide a suitably wide enough refuge and that the retained carriageway running lanes are appropriate. The Highway Authority view remains that it is not essential that this refuge is provided. If the applicant does propose a pedestrian refuge the revised design would have to be assessed by road safety auditors as it is a change to the design that has previously been audited.
- 6.10 The applicant has responded that they have received their own professional advice that a refuge cannot be safely accommodated due to the carriageway width of Worthing Road. The applicants state that the provision of a refuge would impede the transit of buses and HGV's that use Worthing Road. WSCC Highways Officers have only speculatively advised

that the refuge is feasible but have not offered a definitive position on the matter. In addition, WSCC Highways have stated that a pedestrian refuge is not necessary to make the proposed development acceptable. The requirement to deliver a pedestrian refuge would therefore not meet the statutory tests for planning obligations.

- 6.11 The scheme does include proposed tactile crossing to the pavements on Worthing Road and an extension to the footway. This would improve pedestrian access for Worthing Road. Whilst a pedestrian refuge would further improve pedestrian access, it is not considered necessary to make the application acceptable in highway safety terms. In addition, there is doubt as to whether a pedestrian refuge could be safely delivered here and the applicant has received their own advice that this is not feasible from a highway safety perspective. As such, the applicant has commented that the provision of a refuge island is not feasible in terms of highway safety and is not required for this application.

Conclusion

- 6.12 With the additional 3 car parking spaces (now a total of 28 spaces), the concerns regarding car parking provision have now been addressed. The additional car parking has been achieved with minimal impact on the appearance of the proposal. Overall, the concerns of the April committee regarding parking provision have been addressed through amendments to the parking layout.
- 6.13 In relation to further pedestrian improvements to Worthing Road, the provision of a crossing or refuge island to Worthing Road have been explored by the applicant as required by the April committee. Unfortunately, a crossing or a pedestrian refuge have been ruled out by WSCC Highways and the applicant for reasons of feasibility. However, these measures are not necessary to make the application acceptable and as such the lack of these measures does not constitute a reason for refusal. It is therefore felt that the requirements of the April committee to explore further pedestrian improvements to Worthing Road has been fulfilled.

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 33 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. **Regulatory (Time) Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
3. **Pre-Commencement Condition:** No development, 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).

4. **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).

5. **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).

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 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.

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 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).

8. **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).

9. **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).

10. **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).

11. **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.

12. **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.

13. **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).

14. **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).

15. **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).

16. **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).

17. **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).

18. **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).

19. **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).

20. **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.

21. **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).

22. **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).

23. **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).

24. **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).

25. **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).

26. **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).

27. **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).