



PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Development Manager

DATE: 7 March 2017

DEVELOPMENT: Demolition of 2 x existing dwellings, industrial and agricultural outbuildings and erection of 55 dwellings, 3 x offices (B1 Use Class) and industrial building extension (B2 Use Class) with associated access, drainage and landscape works

SITE: Rudgwick Metals Ltd, Church Street, Rudgwick, Horsham

WARD: Rudgwick

APPLICATION: DC/16/2917

APPLICANT: Berkeley Homes (Southern) Ltd

REASON FOR INCLUSION ON THE AGENDA: - More than eight representations received which are contrary to the officer recommendation
- The application involves land owned by a Council Member.

RECOMMENDATION: That planning permission be delegated for approval to the Development Manager, subject to completion of a legal agreement and appropriate conditions. The legal agreement will secure affordable housing provision (35%) and contributions for education, libraries, fire and rescue services, highway improvements, health improvements, community and sports facilities.

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application proposes redevelopment of the site with a mixed use scheme comprising the construction of 55 dwellings, 3 x office units (Class B1), the retention of the existing commercial use with a replacement extension (Class B2) and a new access from Church Street. The proposal includes the demolition of two existing dwellings as well as derelict farm and workshop buildings.

1.3 The current scheme proposes a mix of detached, semi-detached and terraced houses and a block of flats. All of the buildings would be two storeys high and would be of traditional design with hipped roofs with a mix of external materials. The proposal includes 19 affordable units (35%). The housing mix is as follows:

Market Housing	
2 Bed Houses	4
3 Bed Houses	22
4 Bed Houses	9
5 Bed Houses	1
Total	36

Affordable Housing	
1 Bed Flats	2
2 Bed Flats	6
2 Bed Houses	7
3 Bed Houses	4
Total	19

- 1.4 Two existing dwellings are proposed to be demolished in order to facilitate the construction of a new access road to serve the proposed development. The dwellings proposed to be demolished are located on the north side of the existing access road just off Church Street. The new access road would run from Church Street west to east, through the curtilage of the two existing dwellings to be demolished. The road would then go north and divide into two main branches, one to provide access to the existing and proposed commercial units and the other to serve the main residential elements of the scheme. Windacres Bungalow, an existing dwelling adjacent the west of the site, would retain their access over the site from north to south.
- 1.5 Adjacent to the access and close to the site frontage with Church Street, two replacement detached houses are proposed. These would be located on the land between the proposed access to serve the site and the southern site boundary. The southern boundary of the site would be adjacent to the existing access that currently serves Rudgwick Metals and a number of other dwellings around the site. The existing access is outside the current application site and is not in the ownership of the applicant. This existing access will remain in place serving adjacent properties.
- 1.6 The proposal includes areas of open space either side of the new access to the site in the south east corner. The area to the east of the access road would include a surface water attenuation basin. The scheme retains the majority of the trees within and surrounding the site. An access gate is proposed to the north east boundary to allow access to Windacres Farm.
- 1.7 The area of open space and attenuation pond separate the main proportion of the development in the north section of the site from the two houses proposed adjacent to Church Street. This northern section includes the remaining 53 dwellings proposed, the existing Rudgwick Metals business to be retained and extended, and the three new office units. The dwellings would be located to the east and west sides of the site divided by the

main internal road. The dwellings would mainly have a north to south orientation with front and rear gardens.

- 1.8 The proposal includes 125 residential and 18 commercial car parking spaces. Parking would be provided in parking barns, garages and parking courts. The proposal also includes cycle parking in dedicated cycle sheds and integral storage areas. Landscaping is proposed throughout including new tree planting. The scheme would require the removal of a number of trees, including trees which currently run across the site and trees near the main access. The trees to be removed are within Category B (moderate quality), Category C (low quality) and Category U (unsuited for retention). The trees and hedgerow around the boundaries of the site would be retained and enhanced.
- 1.9 The commercial elements of the scheme would be located in the north west section of the site. As stated, Rudgwick Metals is to be retained on site. The scheme includes a two-storey extension to Rudgwick Metals which replaces an existing extension. This is located to the south elevation of the existing business. The replacement extension would have a floor area of 15m x 18.5m. The scheme also includes 3 x B1 office units adjacent to Rudgwick Metals. These units would be single-storey and would have a total floor area of 138sqm. The new units would be accessed via the new road proposed along the west side of the site.
- 1.10 In summary, the proposal would provide the following:
- 53 new dwellings to the main section of the site (all within two-storey buildings).
 - 2 replacement two-storey dwellings adjacent to the entrance of the site off Church Street.
 - Retention of the existing Rudgwick Metals business on site.
 - Two-storey extension to Rudgwick Metals.
 - 3 new commercial units (Class B1) adjacent to Rudgwick Metals.
 - New access road from Church Street.
 - Open space amenity area including an attenuation pond.
 - Demolition of two dwellings adjacent Church Street and farm and commercial outbuildings.
- 1.11 This application is accompanied by the following supporting documents:
- Design and Access Statement
 - Planning Statement
 - Landscape Statement
 - Transport Assessment
 - Framework Travel Plan
 - Flood Risk Assessment
 - Tree Report, Tree Constraints Plan, Tree Protection Plan
 - Ecology Assessment and Mitigation Strategy
 - Utilities Assessment
 - Ground Investigation Assessment
 - Sustainability and Renewable Energy Statement
 - Waste Management Strategy
 - Noise Impact Assessment

DESCRIPTION OF THE SITE

- 1.12 The site lies on the north side of Rudgwick village to the east of Church Street. The site is 2.62 hectares in size and has an irregular shape with the majority of the site located to the east of dwellings fronting Church Street and Highcroft Drive. Currently there are two dilapidated detached dwellings adjacent the access to the site called Windacres Lodge and Windacres Barn. The site is accessed from Church Street via an access to the south of

these dwellings. This access leads to the main part of the site which includes Rudgwick Metals. This access also serves three dwellings adjacent the application site; Windacres House, Windacres Cottage and Windacres Bungalow.

- 1.13 Rudgwick Metals is located in the north west section of the site. This is a metal storage and cutting business. The business is contained within a two-storey green metal clad industrial building which includes a parking area. The building includes a single-storey extension. The site also contains a number of substantial open fronted and enclosed agricultural buildings together with farm office buildings. These buildings are located along the western boundary of the site along with agricultural equipment. A number of these buildings are unused and some are dilapidated. The remainder of the site is open grassed land.
- 1.14 The site is surrounded by trees around its boundaries. The site also includes some trees within the site located along the access and dividing the site. None of the trees within or around the boundaries of the site are covered by a Tree Preservation Order. The site slopes gently from north to south as well as west to east. There is a public right of way along the southern side of the access to the site. This path then joins a pathway to the south east of the site. There is also a public footpath approximately 215m to the east of the site running north to south. This pathway is separated from the site by trees and fields.
- 1.15 The front of the site is adjacent to the Rudgwick Conservation Area which includes a number of listed buildings fronting Church Street. Two listed buildings are situated directly opposite the existing entrance to the site. The majority of the site is within the defined Built-Up-Area Boundary of Rudgwick.
- 1.16 To the south of the site lies residential development accessed off Summerfold and Windacres Drive. This includes 25 houses approved for development at land to the south of Summerfold in 2015. To the north and west of the irregularly shaped site lies further residential development accessed from Church Street and Highcroft Drive. Land to the east is predominantly agricultural, with the exception of the dwellings Windacres Cottage and Windacres House that are located in relatively close proximity to the south eastern corner of the site.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 The National Planning Policy Framework (March 2012), sections 1, 4, 6, 7, 8, 10, 11 and 12.
- 2.3 Planning Practice Guidance (March 2014).

RELEVANT COUNCIL POLICY

- 2.4 The following policies in the HDPF are considered to be relevant:

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 7: Strategic Policy: Economic Growth

Policy 9: Employment Development
 Policy 10: Rural Economic Development
 Policy 15: Strategic Policy: Housing Provision
 Policy 16: Strategic Policy: Meeting Local Housing Needs
 Policy 17: Exceptions Housing Schemes
 Policy 24: Strategic Policy: Environmental Protection
 Policy 25: Strategic Policy: The Natural Environment and Landscape Character
 Policy 26: Strategic Policy: Countryside Protection
 Policy 31: Green Infrastructure and Biodiversity
 Policy 32: Strategic Policy: The Quality of New Development
 Policy 33: Development Principles
 Policy 34: Cultural and Heritage Assets
 Policy 35: Strategic Policy: Climate Change
 Policy 36: Strategic Policy: Appropriate Energy Use
 Policy 37: Sustainable Construction
 Policy 38: Strategic Policy: Flooding
 Policy 39: Strategic Policy: Infrastructure Provision
 Policy 40: Sustainable Transport
 Policy 41: Parking
 Policy 42: Strategic Policy: Inclusive Communities

2.5 Local Development Framework:

Supplementary Planning Document:

Planning Obligations (2007)

Development Plan Document:

Site Specific Allocations of Land (2007): Policy AL9 Land at Windacres Farm Rudgwick.

- Policy AL9 states the following:

Land amounting to 2.5 hectares is allocated for residential development and employment use. At a density of 30 dwellings per hectare, this site is expected to accommodate around 30 dwellings as described below.

Development will be subject to the following:

- a. retention of existing business on the site;*
- b. the provision of sheltered accommodation for the elderly;*
- c. contribution to local employment in the form of new small employment units (B1);*
- d. retention and enhancement of the existing mature hedgerows;*
- e. access to be from Windacres Farm, south of Windacres Lodge onto Church Street;*
- f. the careful siting, design and separation of employment uses and housing;*
- g. improvements to cycle and pedestrian links to the village from the site;*
- h. the provision of replacement dwellings if demolition is necessary to achieve access to the site; and*
- i. contributions will be required towards the improvement of infrastructure, including the provision of more sustainable transport choices, services and community facilities unless it is demonstrated that the site or local circumstances do not justify such a provision, in accordance with Core Policies CP13 and CP20.*

RELEVANT NEIGHBOURHOOD PLAN

- 2.6 The site is within the Parish of Rudgwick. A neighbourhood plan designation area was approved on the 28th June 2016. To date, a draft neighbourhood plan has not been produced.

PLANNING HISTORY

DC/09/1623	Redevelopment of site with mixed use scheme including demolition of existing 2 dwellings, derelict farm buildings and workshops and erection of 36 dwellings, parking barns, 3 x B1 office units and 3 x B1 shed units, a community facility (meeting rooms, coffee shop) and extension to existing industrial unit.	Permitted 08.08.2013
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3. OUTCOME OF CONSULTATIONS

- 3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk.

INTERNAL CONSULTATIONS

- 3.2 **HDC – Housing (summarised):** No objection. The intention to provide 35% affordable housing is welcomed.
- 3.3 **HDC - Strategic Planning (Summarised):** No objection. The principle of mixed use (residential and employment) development on the application site has already been established through the allocation of the site in the Site Allocations of Land AL9. The proposed development is in the Built-Up-Area Boundary and is also in accordance with HDPF Policy 3. The proposal will also contribute to the provision of housing identified in HDPF Policy 15, the need for which has increased since the site was allocated for development in 2007.
- 3.4 **HDC – Technical Services (Drainage):** No objection. The overall drainage strategy proposed is acceptable. Suitable drainage conditions are recommended.
- 3.5 **HDC – Refuse Collections Supervisor (summarised):** Comment. Further information is required regarding access to the site for refuse vehicles, the capacity of the shared road surface for refuse vehicles and the size and location of domestic and commercial bin provision.
- 3.6 **HDC – Environmental Health (summarised):** No objection subject to conditions.
- 3.7 **HDC – Parks & Countryside:** No objection.
- 3.8 **HDC – Ecology Consultant (summarised):** No objection subject to conditions.
- 3.9 **HDC – Economic Development Manager (summarised):** Comment. The additional commercial units are welcomed given the lack of supply of commercial units in the District. When compared to the previous approval, it is disappointing to see a reduction in the proposed employment space. An agreement is required to secure the provision of the new commercial units.
- 3.10 **HDC - Landscape Officer (summarised):** Objection. The principle of development of the site is not disputed however, the proposed site layout is considered to be discordant with the site's rural setting and the immediate existing urban grain.

- 3.11 **HDC - Conservation Officer (summarised):** Objection. The development would be too urban and would not respond well to the historic context of the site. The current development proposal is not considered to preserve, enhance or better reveal the positive characteristics of the historic core of the settlement and the setting of the heritage assets. In its current form, the proposal is not supported.

OUTSIDE AGENCIES

- 3.12 **West Sussex County Council – Flood Risk Management Consultant (summarised):** No objection. The Flood Risk Assessment proposes sustainable drainage techniques which are acceptable in principle. Development shall not commence until a finalised surface water drainage design and details of the maintenance and management of the SuDS system have been submitted to and approved by the Local Planning Authority.
- 3.13 **West Sussex County Council - Highways (summarised):** No objection. The Highway Authority does not consider that this development would result in any impacts on the local highway network that could be considered severe and it has been demonstrated that safe and suitable access can be achieved. Subject to conditions no objection is raised to this application.
- 3.14 **West Sussex County Council – Section 106 (summarised):** Comment. Contributions are required in relation to School Infrastructure (Primary, Secondary and 6th Form), Library Infrastructure, Transport and Fire & Rescue Service Infrastructure.
- 3.15 **NHS Coastal West Sussex Clinical Commissioning Group:** No objection subject to a contribution towards improvements for Rudgwick Medical Centre to accommodate the increase in patients.
- 3.16 **Southern Water (Summarised):** No objection subject to conditions.
- 3.17 **Environment Agency (summarised):** No comments received.
- 3.18 **Natural England (summarised):** No objection.
- 3.19 **Sussex Police:** Comment. With the level of crime in the Horsham District being below average when compared with the rest of Sussex, no major concerns are raised.
- 3.20 **Historic England:** Comment. The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

PUBLIC CONSULTATIONS

- 3.21 **Rudgwick Parish Council:** Objection. The Parish recognise that the site has been allocated for residential development and employment use. This application proposes the erection of 55 dwellings, which is a considerable expansion of the previous application (DC/09/1623), and would be an overdevelopment of the site resulting in a significant increase in traffic movements. The number of dwellings, together with a lack of open space, would make the development too urban and not in keeping with the rural character of the area. The need for lorries to access the site with the industrial units through the housing also causes concern.
- 3.22 **Rudgwick Preservation Society:** Objection. The scheme is overdevelopment of the site with greater density than previously proposed. This is out of character with neighbouring properties and the adjacent Conservation Area and Listed Buildings. The development will also produce a lot more traffic onto Church Street with heavy traffic unsuitable for this road.

There is also a lack of places at the local primary school. It is also essential for the infrastructure to be in place and drainage and sewage disposal to be dealt with. There has also been a lack of consultation.

3.23 11 letters of objection have been received from local residents. The grounds of objection are as follows:

- The application is overdevelopment of the site. The proposal represents a considerable increase in the number of dwellings and density on site when compared to the previous approval.
- The original scheme allowed for a mixed development with 36 dwellings with sheltered housing. This element of the original scheme has been lost.
- The proposal is close to the current building development adjacent to Summerfold. The proposal will result in a cumulative effect on the village. The current scheme would be the largest development in Rudgwick.
- The scheme results in the loss of open fields and will impact on the rural character of the village. The scheme will have a massive impact on the dynamics of the village.
- The proposal would result in noise disturbance.
- The additional dwellings are not required by the village.
- Concern is raised over road tarmacking and potential drainage and flooding issues. Flooding is already a problem in this area.
- The scheme will put a considerable amount of additional cars on the road as most of the inhabitants will have to drive and commute to work. There is an issue with speeding on Church Street and there is concern that the new access will be dangerous. Road usage has substantially increased over the last few years.
- There is a lack of parking for the development and the scheme will result in on-street parking to the detriment of local residents.
- There is a lack of infrastructure in the area. The local doctor's surgery, school and dentist are all at capacity and very stretched.
- The scheme was submitted at Christmas time when residents are busy and have had limited time to comment.
- Given its allocation, development of this site is inevitable; however, the last application was more sustainable.
- Concern is raised over industrial traffic in close proximity to dwellings.
- There is a lack of cycle parking for the industrial units.
- Concern is raised over discrepancies in the Transport and Sustainability Statements.
- Concern is raised that the scheme proposes to use Highcroft Drive as an access to the site. There is a long standing agreement not to use this access.
- The proposal should include bungalows. The new houses to the front should be appropriately designed for the setting of the Conservation Area.
- The applicant should wait for the Neighbourhood Plan to be developed so that it can be incorporated into this process.
- Concern is raised over the access to Windacres Bungalow which will share a drive with the development. The access appears too narrow with limited visibility.

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

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

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

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

6. PLANNING ASSESSMENTS

- 6.1 The main issues to consider in the determination of this application are the principle of the proposed development in land use terms; the impact on the character and visual amenity of the landscape and locality; the impact of the development on the amenity of prospective and neighbouring occupiers; whether safe vehicular and pedestrian access can be provided to the site and the impact of the development on highway and pedestrian safety; whether appropriate provision can be made for car and cycle parking, refuse storage/collection, drainage/flooding and; whether the development can be delivered without harming the interests of nature conservation, flooding and land contamination.

Principle of Development

- 6.2 Under the HDPF, the Site Specific Allocations of Land DPD (2007) (SSAL) remains part of Council's development plan. Since the previous application was granted, the NPPF has been published and the HDPF adopted. It is therefore necessary to consider the requirements of these documents as well as the allocation of this site in the Site Specific Allocations of Land document.
- 6.3 Policy AL9 of the SSAL allocates the Rudgwick Metals site for residential development and employment use. The policy sets out a number of criteria for the development of the site as outlined below.
- 6.4 Firstly, the policy states that at a density of 30 dwellings per hectare, this site is expected to accommodate around 30 dwellings. This requirement would still be applicable but does allow some flexibility in numbers. In the current scheme, the overall residential density is 30.9dph. This includes the land comprising the two replacement dwellings at the front of the site, the main spine road through the site and the larger parcel of residential development. For clarity, this does not include the commercial area of the site or its access road, nor does it include the area of land to be designated as open space either side of the entrance road.
- 6.5 With this density, the scheme yields 55 residential units. This is higher than the 30 dwellings recommended by the policy. The increase in residential units is partly achieved through the reduction of new employment units, when compared to the previous permission. Additionally, as an allocated site, an increase in housing is acceptable, subject to a satisfactory layout and an appropriate level of density, as this would further assist with the delivery of the 16,000 homes required under the HDPF. It is therefore considered that the principle of the 55 dwellings on this site is acceptable. The layout of the 55 units is also considered appropriate as outlined below.
- 6.6 Criterion A of Policy AL9 requires the retention of the existing business on site. The requirements to support local economies is still applicable and an objective in the adopted HDPF under Chapter 5. The scheme retains the existing business on site, Rudgwick Metals, with the addition of a replacement two-storey extension.
- 6.7 Criterion B requires the provision of sheltered housing for the elderly. Horsham District Council's Housing Manager has commented that there is not a specific requirement for sheltered housing for the elderly on this site. The Council currently has adequate provision for sheltered accommodation in the district, including sites at Horsham, Southwater and Pulborough. Non-compliance with this requirement is therefore considered acceptable, as

there is not sufficient up-to-date evidence to require such specialist forms of accommodation.

- 6.8 Criterion C requires a contribution to local employment in the form of new small employment units (B1). In accordance with the HDPF, the requirement to support local economies is still applicable. The policy does not state the amount of units to be provided. Consequently, the proposed 3 small Class B1 units proposed are acceptable in principle. Whilst it is noted that this represents a reduction in employment units over those previously approved for this site, the previous permission has now expired and is not therefore deliverable. Furthermore, the policy does not set out a specific level of employment floorspace that should be created.
- 6.9 Criterion D requires the retention and enhancement of the existing mature hedgerows. The scheme indicates that the trees and hedgerows around the boundaries of the site would be retained. The scheme also includes additional landscaping including new trees. The scheme would require the removal of some trees which currently run across the site as well as some trees near the main access. The trees to be removed are not considered to be worthy of specific protection and therefore their removal is considered acceptable in the context of bringing forward this allocated site for development. The proposal would also reinstate trees and hedges to form a field division in the site, in line with historic maps for this site.
- 6.10 Criterion E requires access to be from Windacres Farm, south of Windacres Lodge on to Church Street. The current scheme indicates a new access from Church Street as required by the policy. Concern has been raised by adjacent residents that the proposal would result in the use of Highcroft Drive to access the site. The applicant has confirmed that there are no proposals and no rights to use this access.
- 6.11 Criterion F requires careful siting, design and separation of employment uses and housing. Under the current scheme, Rudgwick Metals is retained in the north west section of the site. The scheme includes a two-storey extension to the business and 3 new small B1 commercial units adjacent Rudgwick Metals. The existing business and new commercial units would be in close proximity to proposed residential units. The potential impact on the amenity of the residential units is considered acceptable, as outlined below in the amenity section. This is achieved through appropriate measures to mitigate potential noise impact.
- 6.12 Criterion G requires improvements to cycle and pedestrian links to the village from the site. The new access to the site would allow safe cycle and pedestrian access to the site. Additionally, West Sussex County Council has indicated that the transport contribution could go towards safety improvements on the A281 to improve pedestrian and cycle movement within the village of Rudgwick.
- 6.13 Criterion H requires the provision of replacement dwellings if demolition is necessary to achieve access to the site. As in the previous approval, the scheme indicates the replacement of two dwellings on site with two dwellings adjacent the entrance of the site on the south side of the new access road.
- 6.14 As outlined above, the current proposal is considered largely in accordance with the requirements of the Policy AL9 of the Site Specific Allocations of Land (2007). Given the date of the adoption of the SSAL in 2007, it is considered appropriate for the current scheme to take into account current requirements as outlined in the relatively recently adopted HDPF in 2015 as well as the NPPF. Currently there is not a specific requirement for the provision of sheltered accommodation across the District and it is therefore considered appropriate to not provide sheltered accommodation on this site, as set out in criterion B. In addition to the site allocation, the proposed areas for development are within the Built-up-Area boundary of Rudgwick. It should also be noted that Rudgwick Parish does not have a made neighbourhood plan to be taken into consideration at this time.

- 6.15 An additional material consideration for the principle of development of this site is the previous planning permission. Under DC/09/1623, permission was granted in August 2013 for a mixed use scheme including demolition of existing 2 dwellings, derelict farm buildings and workshops and the erection of 36 dwellings, parking barns, 3 x B1 office units and 3 x B1 shed units, a community facility (meeting rooms, coffee shop) and an extension to the existing industrial unit.
- 6.16 This permission has expired and works were not commenced. However, whilst no longer extant, the previous permission set out parameters for the development of the site that were considered acceptable. The current scheme follows a similar form and is considered to include improvements, in terms of the layout for the site, economical use of land and its deliverability, when compared to the previous approval. This is expanded upon below in the design and landscape section.
- 6.17 For the reasons outlined above, the principle of residential development, within the Built-Up-Area boundary, where the land has been allocated for development within the Site Specific Allocation of Land document is considered appropriate and assists in the District's housing requirements, in accordance with Policies 1, 2, 3 and 4 of the HDPF and Policy AL9 of the SSAL.

Housing Mix and Affordable Housing

- 6.18 In accordance with the NPPF there is a requirement to plan for a mix of housing types. Within this context Policy 16 of the HDPF requires that the mix of housing types should be based on evidence set out in the latest Strategic Housing Market Assessment (SHMA). In November 2016, Chilmark Consulting Ltd undertook a Market Housing Mix Assessment of Crawley and Horsham. The assessment indicates that in the Horsham District there is a good spread of market housing choice at present. However, there is a need to refine and maintain the market mix to ensure that choice and access to appropriate housing remains in future. In conclusion, the assessment states that there is a need to maintain a spread of choice in market housing sizes, especially for smaller units.
- 6.19 The current proposal includes a significant proportion of smaller units in line with the requirements of the recent market housing assessment. It proposes 4 x 2 bed and 22 x 3 bed market housing, units out of a total of 36 units. This is considered an appropriate proportion of smaller units in accordance with the recent market assessment recommendations.
- 6.20 The 2014 SHMA update focused mainly on affordable housing need and indicates that there is a greater need for 2 bedroom affordable units with slightly reduced need for 3 bedroom accommodation. The current proposal includes a high proportion of 1 and 2 bedroom affordable houses and apartments (2 x 1 bed and 13 x 2 bed units) and is therefore in line with the needs identified in the latest SHMA in relation to affordable housing.
- 6.21 The current scheme includes a total of 19 affordable units (35%) across the development. The affordable housing is pepper potted throughout the site. These units would be secured through a proposed S106 agreement. The applicant has stated that the affordable housing will be delivered by Moat Housing, who are an established registered provider within the District. In discussion with the Council's Housing Officer, it has been agreed a tenure split of 50% affordable rent and 50% shared ownership for the 19 affordable units.
- 6.22 Having regard to the above, it is considered that the development will help to provide a suitable range of dwelling types that will meet local and District needs and that the development is compliant with the identified mix of dwellings outlined in the Council's updated latest market assessment and is also in accordance with Policy 16 of the HDPF.

Impact on the Amenities of Nearby and Future Occupants

- 6.23 Policy 33 of the HDPF requires that developments are designed to avoid unacceptable harm to the amenity of occupiers / users of nearby properties and land.
- 6.24 The introduction of a mixed use scheme with 55 no. dwellings into what is currently mainly an open field would result in increased levels of disturbance to adjacent residential occupiers associated with, for instance, the comings and goings of vehicles. However, it is not considered that this would result in an unacceptably harmful impact on the living environment of adjacent residents.
- 6.25 The proposed houses and commercial units would be set a significant distance from any adjacent properties and would not result in a loss of amenity in relation to loss of light, outlook, overshadowing or an increased sense of enclosure. The proposal would result in the new access in close proximity to the side elevation of Beckington, a dwelling to the north of the new access road off Church Street. However, this does not result in a significant impact on the amenity of this property in relation to noise disturbance. Windacres Cottage is an existing dwelling adjacent the south east corner of the site. A unit is proposed 12m to the north of this site with a side elevation facing over the top half of the garden of Windacres Cottage. This unit includes a small bathroom window to the side elevation. This may result in limited views of the garden of Windacres Cottage over the boundary. To protect the amenity of Windacres Cottage, a condition is recommended that this window is obscure glazed and fixed shut to a height of 1.7m above the finished floor level of the room the window serves.
- 6.26 In terms of amenity space, each of the houses would include a private garden of an appropriate size. Whilst no balconies are provided for the flats, the scheme includes adequate outside amenity areas incorporated into its layout, including the use of an area of open space, and therefore is considered acceptable in this respect.
- 6.27 As a mixed use scheme, the proposal includes the retention of the existing business (Rudgwick Metals) on site as well as three additional small business units. The existing business is located in the north west section of the site. The scheme includes a two-storey extension to the south elevation of Rudgwick Metals. This replaces an existing single-storey unit. This extension would not significantly affect the amenity of any adjacent properties in terms of loss of light or an increased sense of enclose.
- 6.28 The three new commercial buildings are proposed adjacent to the west elevation of the replacement extension. These units and the replacement extension would be in close proximity to proposed housing directly to the south. Given this relationship, there is potential for the use of the units and extension to result in noise disturbance to the nearby residential units. To this end, a condition is recommended stating that the B1 units should not be used (including deliveries) except between 0800 hours and 1800 hours on Mondays to Fridays, 0800 hours and 1300 hours Saturdays inclusive with no working on Sundays, Bank or Public Holidays. It should also be noted that the new units and the extension would not include any south facing windows. The proposed residential units would also have limited windows facing the new commercial units and extension.
- 6.29 Class B1 uses are defined as offices, research and development uses and light industrial uses that can be carried out in a residential area without detriment to the amenity to existing or proposed properties. A condition is also recommended limiting the use of the 3 new units to Class B1. With these conditions in place, the use of the Class B1 units would not result in a detrimental impact on the amenity of any adjacent properties.
- 6.30 In relation to Rudgwick Metals, the applicant has submitted a Noise Report which considers the impact of noise from the business and the potential impact of any future industrial

operator of the site upon the proposed new housing. The acoustic model has also considered the impact of noise associated with vehicle movements to the B2 premises. The site has lawful B2 (general industrial), B1 (office) and B8 (storage and distribution) consent and operates 0700 hours and 1800 hours on Monday to Fridays inclusive and 0700 hours and 1300 hours on Saturdays.

- 6.31 Detailed background noise surveys were undertaken on the site and acoustic modelling has been undertaken to determine the likely propagation of noise from the B2 premises across the proposed residential development. The assessment has demonstrated that the impact of noise associated with the industrial use will be acceptable at the nearest residential property proposed. This assessment is backed up by an Officer site visit where no discernible noises were heard from the existing premises.
- 6.32 Whilst there are no concerns with the existing business and its potential impact on new properties nearby, there is the possibility that the existing business could vacate the premises and a new industrial business could take it over. This may result in a new industrial use which could potentially result in noise disturbance to adjacent properties. Consequently, it is proposed to add a clause in the S106 which limits the use of the premises to the existing hours of use (including delivery times) and also limits the potential noise output to an acceptable level in terms of decibel levels. These details will be finalised in the preparation of the S106 in consultation with the Council's Environmental Health Team. These restrictions will ensure that the existing business and any future occupiers would not have a significant impact on the amenity of any adjacent properties, whilst ensuring that the current business remains operational.
- 6.33 In light of the above, it is considered that the development can be appropriately controlled to ensure that it would not have a harmful impact on the amenity of existing or prospective occupiers in terms of loss of light, outlook, noise disturbance or privacy. Measures to protect residents from the harmful effects of noise, vibration and dust during the construction period can be controlled by a Construction Environmental Management Plan to be submitted and approved by the Local Planning Authority. The scheme is therefore in accordance with the requirements of Policy 33 of the HDPF.

Highways and Parking Considerations

- 6.34 The development will be served by a new access road off Church Street. This road would be north of the two new dwellings proposed adjacent the entrance to the site. The new access runs west to east adjacent the southern boundary of Beckington, a detached dwelling facing Church Street. The road would then go north east and divides into two. One stretch would serve the new commercial units with the arm running up the western side of the site. The other arm would serve the new dwellings on the main part of the site. The existing access would remain to the south of the site serving adjacent dwellings.
- 6.35 West Sussex County Council Highway Authority (WSCC) has commented that the access proposals from Church Street (B2128) remain unchanged from the consented 2013 application. The Highway Authority has commented that the access from Church Street is acceptable and would not result in any highway safety concern.
- 6.36 Currently, Windacres Bungalow, a dwelling adjacent the western boundary of the site, shares the existing access to the site. The existing access is not within the ownership of the applicant and is not included in the current application. As in the previous scheme, the access to Windacres Bungalow would remain via the existing access road to the south of the site and the new access road. This would require access over the new road proposed within the site.
- 6.37 This access would cut straight over the new road through the site. WSCC as Local Highway Authority have reviewed the proposed access to Windacres Bungalow to assess

whether there would be any issues with visibility and highway safety. WSCC have commented that the engineer's report confirms that there would be no highway concerns to the visibility from this access. Notwithstanding this, the Highway Authority have commented that it may be appropriate for the applicant to incorporate speed reducing measures at the detailed design stage, in the vicinity of the bend to further reduce speeds. This is something to be considered through a Road Safety Audit at the detailed design stage. These details are secured via a recommended condition.

- 6.38 With respects to the internal layout, the application form implies the carriageway will be offered for adoption by WSCC. The extent of adoption is not indicated and WSCC have commented that there would seem no in principle issues with the layout that would prevent this from being considered for future adoption.
- 6.39 A 2m wide footway is proposed throughout the site. This will allow a continuous walking route for pedestrians in line with guidance in Manual for Streets. Crossing points to include tactile paving are proposed from the site access to allow pedestrians to access the existing footway on the western side of Church Street to allow access to local facilities.
- 6.40 Turning is shown for a HGV that would be used in association with the existing retained B2 use. The Highway Authority has commented that this would be acceptable. Adequate turning is also achievable for a refuse vehicle within the site. The internal site layout in all other respects appears to follow the appropriate guidance. These details would be finalised through a suitable condition requiring full details of the new internal roads and pavements to be approved in consultation with WSCC.
- 6.41 Parking is proposed within allocated and unallocated bays for the business and residential uses. Based on the submitted Transport Assessment, a total of 122 car parking spaces are proposed; viewed against the WSCC standards, the proposed parking provisions are slightly over standards. The Highway Authority therefore raises no concerns relating to parking.
- 6.42 In conclusion, the Highway Authority does not consider that this development would result in any impacts on the local highway network that could be considered severe and it has been demonstrated that safe and suitable access can be achieved. Subject to conditions, the Highway Authority raises no objection to this application. The proposal is therefore in accordance with Policies 40 and 41 of the HDPF and the NPPF.

Impact on landscape character and the visual amenity of the locality

- 6.43 The site contains a mix of agricultural and employment buildings, some of which are derelict. These are in the north western corner of the site with the north-eastern part of the site being laid to grassland as is the central part of the site. The site is considered to have an affinity with the open countryside given its position at the edge of the built-up-area in close proximity to the open fields.
- 6.44 In this location, Policies 25 and 26 of the HPDF are therefore applicable. Policy 25 seeks to protect the countryside against inappropriate development unless it is considered to be appropriate in scale and essential to that location. The Council's Landscape Officer and Conservation Officer have both commented that the proposed layout arrangement is too urban for this location and would significantly change the site's rural character. It is acknowledged that the proposed layout of the houses is significantly denser when compared to the existing urban grain in the immediate surrounding area. However, the proposal is similar in scale and layout to the previous permission with some notable improvements. Additionally, given the allocation of the site in the Site Specific Allocation of Land document for development there is a requirement to ensure that an appropriately efficient use of the land is achieved. In this instance, no objection is raised to the loss of the open landscape setting of the site.

- 6.45 The previous permission proposed the same main area for development in the north section of the site along with the development of the area adjacent to Church Street. Under the previous permission, three storey buildings were approved. The current scheme limits the heights of all buildings to two storeys. This is seen as an improvement to the visual impact of the current scheme when compared to the previous permission. In addition, the previous permission proposed a large section of commercial buildings along the western boundary and a large area of car parking was proposed in the central area. Therefore, whilst the numbers of residential properties was less in the previous proposal, the overall level of built form was similar. In the current scheme, the restricted height of buildings proposed, along with the provision of a large and attractive open space towards the centre of the site, rather than the previously approved extensive car parking area are considered as substantial visual improvements.
- 6.46 The current scheme does result in an increase in the number of residential units within the site when compared to the previous permission. However, this is partly achieved through a reduction in the number of commercial units. With the reduction of commercial units, the proposal is still considered in accordance with its allocation which does not specify the number of additional commercial units required by this site. It should also be noted that the previous permission included areas left marked for 'future development'. The use of those areas would have increased the density of the site. The current scheme does not leave any areas for future development and again includes an open central area as an amenity space.
- 6.47 To address some of the concerns regarding visual impact raised by the Landscape Architect and Conservation Officer, the current scheme has been amended as follows:
- The garage court to the rear of plots 1-3 has been relocated to enable plots 1-3 to be pushed back thereby allowing for a new hedgerow to be planted. This reinstates the historic field boundary of this site.
 - Windows have been added to the side elevations of plots 28 and 42 and the roof style changed from barn hip to traditional hipped roof structure to soften the edge of the built form when viewed from the east.
 - The visual impact of the unit fronting off Church Street (plot 55) has been reduced lowering the finished floor level height of the unit by 400mm and by adding mature planting in front of the building. These measures help mitigate the visual impact of this dwelling when viewed from Church Street.
 - The visual impact of plot 54 has also been improved by reducing the scale of the proposed garage.
 - Close boarded fencing has been replaced along the eastern boundary with open post and rail fencing, to reflect the rural nature of land to this eastern side and to soften the boundary between the existing fields and the edge of the Built-up Area. An inappropriately lengthy and contrived access to a proposed rear garden, which ran along the eastern boundary has also been removed. Hedging is also proposed along this boundary.
- 6.48 The amendments improve the visual impact of the proposal when viewed from Church Street and to the east of the site. In terms of views of the site from the surrounding area, public footpath no.1396 runs in close proximity and along the southern boundary of the site. From this footpath, there will be glimpsed views of the proposals towards the attenuation basin area and development behind but these will be from a relatively short section of the public footpath. The public footpath no.1391 and Bridleway no. 1395 are a field width away from the site to the east and north. From these footpaths, there will also be some views of the proposed development. However, these pathways are situated a significant distance from the site, separated by fields and trees. The improvements to the scheme along the eastern boundary would assist in mitigating any views from these

footpaths. As amended, it is therefore felt that the visual impact of the proposal from the surrounding area is appropriate.

- 6.49 The site is in close proximity to the Rudgwick Conservation Area to the west. Given the existing properties along Church Street with densely planted gardens, no views of the proposed development are expected to be obtained from the nearby Conservation Area. There are also several listed buildings along the west side of Church Street. The majority of these buildings are separated from the site by existing dwellings and it is considered that the scheme would not affect the setting of these buildings. The proposed access to the site would be directly opposite Rudgwick Chapel, an unlisted building, and a Grade II listed barn to the south of Kings. The new access would replace an existing grass verge and require the removal of hedgerow. The dwelling at plot 55 would be sited 14m away from the road at Church Street. As amended, the scheme includes extensive planting in the front garden of this two-storey property. A condition is recommended requiring details of this mature planting as part of a detailed landscaping scheme. Given its set back position from the road and the proposed mature planting in front of the dwelling, the Conservation Officer has commented that the proposal would not result in any harm to the setting of this listed building.
- 6.50 It is therefore considered that the scheme is appropriate in respect of its impact on the setting of the nearby listed buildings or the Rudgwick Conservation Area and can be considered to accord with the aims of the HDPF and NPPF.
- 6.51 Subject to a condition requiring details of materials, no objection is raised to the design and appearance of the proposed buildings. The proposed houses would all have a traditional appearance with a mix of materials and the commercial buildings are also appropriate in scale and design adjacent to, and in the context of, Rudgwick Metals.
- 6.52 Whilst the proposed development would obviously have an impact in terms of the character and appearance of the site itself and would be partially visible from longer distance views from within the surrounding countryside, the proposal, as amended, is considered to strike an appropriate balance between making the best use of an allocated site whilst respecting and minimising impacts upon its surroundings. As an allocated site, the Council would seek to utilise this land to ensure it delivers an appropriate scheme which adds to the housing supply of the District. The scheme is considered in accordance with the requirements of the allocation of the site under Policy AL9. The scheme has been amended to improve its visual appearance from Church Street and when viewed from the east. It is therefore considered that the proposal is acceptable.

Contamination

- 6.53 Policy 24 of the HDPF states that the high quality of the district's environment will be protected through the planning process. Developments are expected to minimise exposure to and the emission of pollutants. This includes addressing land contamination and making sure sites are appropriate for development taking into account ground conditions.
- 6.54 The Council's Environmental Health Team have commented that given the industrial use of the site, a condition is recommended requiring the submission of scheme dealing with components of land contamination to be submitted and approved by the Local Planning Authority prior to commencement of works. This would include a preliminary risk assessment and a site investigation report. Subject to this condition, the scheme is considered to be in accordance with Policy 24.

Nature Conservation, Ecology and Biodiversity

- 6.55 Policy 31 of the HDPF states that proposals that would result in the loss of existing green infrastructure will be resisted unless it can be demonstrated that new opportunities will be

provided that mitigate or compensate for this loss and ensures that the ecosystem service of the area is retained.

- 6.56 The Council's consultant ecologist has commented that the scheme has the potential to affect bat roosts and the loss of terrestrial habitats supporting great crested newts. To this end, the Ecologist has recommended conditions requiring the submission of an Ecological Mitigation and Management Plan for the approval of the Local Planning Authority prior to commencement of works. This will include details of habitat protection for retained habitats, and avoidance measures with regards to protected and notable species, as well as enhancement measures for biodiversity. This would be based upon the Ecological Mitigation Strategy submitted with the scheme. The applicant is also advised to contact Natural England regarding a potential licence for any ecological works.
- 6.57 A condition is also recommended requiring details of all external lighting for the site to be submitted and approved by the Local Planning Authority, in consultation with the Consultant Ecologist, prior to the installation of any lighting. Subject to these conditions, the scheme is considered appropriate in terms of its potential impacts upon ecology and can be controlled to comply with Policy 31 of the HDPF.

Flooding and Drainage

- 6.58 The site is located within Flood Zone 1 where there is a low probability of flooding and where residential development is considered acceptable by the NPPF. West Sussex County Council Flood Risk Management Consultant (WSCC) has commented that current mapping shows that the majority of the proposed site is at 'low risk' from surface water flooding and 'low risk' from ground water flooding based on current mapping.
- 6.59 Southern Water, West Sussex County Council and the Council's Drainage Engineer have all raised no objection to this proposal, subject to the use of a condition requiring the submission and approval of details relating to the proposed means of foul and surface water drainage for the site. Subject to this condition, the scheme is in accordance with Policy 38 of the HDPF.

Renewable Energy

- 6.60 In accordance with Policies 35, 36 and 37 of the HDPF, the scheme includes a Sustainability and Renewable Energy Statement. The statement incorporates sustainable design measures to reduce energy use. This includes a commitment to limiting the water supply to 110 litres per person per day, in line with the requirements of Policy 37. The proposal also includes a Waste Management Strategy which outlines measures to deal with potential impacts arising from waste generated by the site.

Air Quality

- 6.61 The Council's Environmental Health Officer has commented that the application makes no provision for residents to make green vehicle choices. Consequently, a condition is recommended requiring details of facilities for charging, plug-in and other ultra-low emission vehicles to be incorporated into the development. This is also in accordance with HDC's Air Quality Action Plan's standard mitigation for residential developments of 1 charging point per unit.

Refuse Collection

- 6.62 The Council's Waste Collection Supervisor has commented that further details are required of how the proposal will deal with domestic waste. To this end, a condition is recommended requiring full details of refuse and recycling storage facilities to be submitted for the approval of the Local Planning Authority prior to occupation of any new buildings.

Contributions

- 6.63 Policy 39 of the HDPF requires new development to meet its infrastructure needs. For this development, contributions would be required towards health provision, sports provision, community facilities, libraries, education, fire and rescue and transport infrastructure. In addition the provision of affordable housing needs to be secured through a legal agreement.
- 6.64 The developer contributions, secured in the event that planning permission is granted, would be allocated towards improvements within the local area, to ensure they benefit future residents of the development. The provision of a commuted sum for specific local projects is considered a fair approach to deal with the cumulative pressure of additional residents on existing qualitative and quantitative deficiencies in the District and in this case, to enhance existing facilities in the local area.
- 6.65 Under the Horsham District Infrastructure Study Main Report (2010) health is seen as an essential criteria in the consideration of developments. Lack of health facilities (doctor's surgeries and dentists) in the Rudgwick area has been raised as an issue within the representations received for this proposal
- 6.66 The NHS Coastal West Sussex Clinical Commissioning Group (CCG) have commented that currently the GP practices will struggle to cope with the increasing patient numbers. On this basis, the CCG have commented that S106 funding to be used towards improvements for the existing facilities in Rudgwick and have suggested a tariff for calculating the potential contribution.
- 6.67 At the time of writing the report, the amounts required for the above contributions and where the contributions would be spent were being finalised. The final contributions proposed will be reported to committee.

Conclusions

- 6.68 Taking all matters into account, the proposal is considered an acceptable form of development. The scheme would result in an appropriate development in accordance with the requirements of Policy AL9 of the Site Specific Allocation of Land document. Whilst it is acknowledged that the development would alter the character of the site and some views from surrounding areas, it is considered that the provision of both market and affordable homes would constitute significant benefits in favour of the development. The scheme is considered to be in accordance with the requirements of the HDPF and NPPF and would result in a sustainable form of development. The proposal is also considered appropriate with respect to its impact on demand for travel and highway considerations, trees, sustainability, ecology and flooding.

7. RECOMMENDATIONS

- 7.1 That planning permission be delegated for approval to the Development Manager subject to appropriate conditions (as outlined below) and subject to the satisfactory completion of the necessary Legal Agreement.

7.2 CONDITIONS

1. Approved Plan Numbers.
2. **Standard Time Condition:** The development hereby permitted must be begun within a period of three years beginning with the date on which this permission is granted.

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

3. **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for, but not be limited to:
- i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. the erection and maintenance of security hoarding, where appropriate
 - v. the provision of wheel washing facilities if necessary
 - vi. measures to control the emission of dust and dirt during construction
 - vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of adjacent properties during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4. **Pre-Commencement Condition:** No development shall commence until precise details of the existing and proposed finished floor levels of the development in relation to nearby datum points adjoining the application site have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details.

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

5. **Pre-Commencement Condition:** No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until the following preliminaries have been completed in the sequence set out below:
- All trees on the site shown for retention on approved drawing number 9354/02 Rev D, as well as those off-site whose root protection areas ingress into the site, shall be fully protected by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).
 - Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.
 - Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

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

6. **Pre-Commencement Condition:** No development shall commence until full details of underground services, including locations, dimensions and depths of all service facilities and required ground excavations, have been submitted to and approved by the Local

Planning Authority in writing. The submitted details shall show accordance with the approved Arboricultural Method Statement. The development shall thereafter be carried out in accordance with the approved details.

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

7. **Pre-Commencement Condition:** No development shall commence until an ecological mitigation and management plan, including provision for roosting bats and great crested newts and their habitats, has been submitted to and approved by the Local Planning Authority in writing. The approved provisions shall be implemented before development commences and shall thereafter be retained and maintained in accordance with the approved details.

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

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

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

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

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

10. **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) The intrusive site investigation results following (b) and, based on these, a detailed method statement, giving full details of the remediation measures required and how they are to be undertaken.
- (d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

The development shall thereafter be carried out in accordance with the approved details. 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).

11. **Pre-Commencement Condition:** No development shall commence, other than works to implement the access, until the vehicular access serving the development has been constructed in accordance with the approved planning drawing.

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

13. **Pre-Commencement Condition:** No development shall commence unit detailed plans of the roads, footways and parking areas serving the development shall be submitted to and approved by the Local Planning Authority. The scheme shall be implemented strictly in accordance with the agreed details.

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

14. **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 permitted buildings 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).

15. **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place level until confirmation has been submitted, in writing, to the Local Planning Authority that the relevant Building Control body shall be requiring the optional standard for water usage across the development. The dwellings hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to 110 litres per person per day. The subsequently approved water limiting measures shall thereafter be retained.

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

16. **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until details of the measures to facilitate the provision of high speed broadband internet connections to the development have been submitted to and approved in writing by the Local Planning Authority, details shall include a timetable and method of delivery for high speed broadband of each dwelling/unit. The delivery of high speed broadband infrastructure shall be implemented in accordance with the approved details.

Reason: As this matter is fundamental 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-Commencement (Slab Level) Condition:** Prior to the installation of any external lighting, details of the lighting shall be submitted to and approved, in writing, by the Local Planning Authority. The lighting shall only be implemented as approved and thereafter maintained as such.

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

18. **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, full details of the hard and soft landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority. The approved landscape 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. Any plants, which within a period of 5 years, die, are removed, or become 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).

19. **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, a landscape management plan, including long term design objectives, management responsibility and maintenance schedules for all communal landscape areas shall be submitted to and approved by the Local Planning Authority. The landscape management plan shall be carried out as approved.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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

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

21. **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, details of all boundary walls and/or fences shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied (or use hereby permitted commenced) until the boundary

treatments associated with that dwelling (or use) have been implemented as approved. The boundary treatments shall thereafter be maintained in accordance with the approved details.

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

22. **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, details of all secure and covered cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the approved cycle parking facilities associated with that dwelling or use have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

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

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

23. **Pre-Occupation Condition:** Prior to the occupation (or use) of any part of the development hereby permitted, a scheme outlining provision for residents to make green vehicle choices such as facilities for charging plug in and other ultra-low emissions vehicles shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation (or use) of the dwelling/building to which they relate and shall be maintained thereafter.

Reason: To ensure that suitable sustainable green vehicle choices are available for future residents offset the impact of the development hereby approved and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

24. **Pre-Occupation Condition:** Prior to the occupation (or use) of any part of the development hereby permitted, visibility splays of 2.4 metres by 43 metres shall have been provided at the approved site vehicular access onto Church Street in accordance with Plan no.S895-1-01 Rev H. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed in writing with the Local Planning Authority.

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

25. **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the car parking spaces (including garages) serving it have been constructed and made available for use in accordance with approved Plan no.S895-1-01 Rev H. The car parking spaces permitted shall thereafter be retained as such for their designated use.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

26. **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, the Applicant shall implement the measures incorporated within the approved travel plan. The Applicant shall thereafter monitor, report and subsequently revise the travel plan as specified within the approved document.

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

27. **Pre-Occupation Condition:** The dwelling at Plot 53 hereby permitted shall not be occupied until the side first floor window, facing south east, on plan no.S895/P51-S3 has been fitted with obscured glazing. No part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing and non-openable parts of those windows shall be retained permanently thereafter.

Reason: To protect the privacy of Windacres Cottage in accordance with Policy 33 of the Horsham District Planning Framework (2015).

28. **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and/or re-enacting that Order), the new employment units hereby permitted shall be used for Class B1 purposes only and for no other purposes whatsoever, (including those defined in the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without express planning consent from the Local Planning Authority first being obtained.

Reason: Changes of use as permitted by the Town and Country Planning (General Permitted Development) Order or Use Classes Order 1987 are not considered appropriate in this case due to the potential impact on the amenity of adjacent properties under Policy 33 of the Horsham District Planning Framework (2015).

29. **Regulatory Condition:** The Class B1 premises shall not be operated, no process carried out, no deliveries taken or dispatched and shall not be open for trade or business except between the hours of 0800 and 1800 hours Monday to Fridays and 0800 to 1300 Saturdays with no working or deliveries on Sundays, Bank or Public Holidays.

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

Notes to Applicant:

1. Please be advised that there are conditions on this notice that will require formal discharge. In order to secure the discharge you will need to submit an "Application for approval of details reserved by condition" application form and pay the appropriate fee, guidance and the forms can be found at www.planningportal.gov.uk/planning/applications/paperforms.
2. The applicant's attention is drawn to the provisions of both the Wildlife and Countryside Act 1981 and the Protection of Badgers Act 1992. Under these Acts, it is an offence to intentionally or recklessly kill, disturb, damage or destroy a protected species or its habitat. This includes but is not limited to wild birds, bats, badgers, dormice, reptiles and great crested newts.

3. The applicant is advised to contact West Sussex County Council Highways, tel no: 01243 642105 or to visit <https://www.westsussex.gov.uk/> for information on how to obtain formal approval from the highway authority to carry out works to the public highway. All necessary costs, the appropriate license and application fees for any works and any costs associated with the movement of any existing street furniture will have to be funded by the applicant. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed.
4. Please note that Southern Water require a formal application for connection to the water supply in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire (tel: 0330 303 0119) or www.southernwater.co.uk.
5. A Surface Water Drainage Statement is a site-specific drainage strategy that demonstrates that the drainage scheme proposed is in compliance with the National Planning Policy Framework and the Non-Statutory Technical Standards for Sustainable Drainage Systems. An Advice Note and a proforma for the statement can be found using the following link <https://www.horsham.gov.uk/planning/development-management>.
6. The applicant is advised to contact Natural England regarding the possibility of a licence for the proposed ecology works. Please refer to Natural England's website: <https://www.gov.uk/government/organisations/natural-england>.
7. Prior to the commencement of any works of demolition or refurbishment all asbestos containing materials shall be removed by an appropriately licensed and competent contractor.
8. The applicant is advised that the planting fronting Church Street shall be indicated as mature planting. Details of the planting are to be submitted with the landscaping plan.

Background Papers: DC/09/1623 & DC/16/2917