



# **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee (North)

**BY:** Head of Development

**DATE:** 5 June 2018

**DEVELOPMENT:** Demolition of existing building and erection of 5 no flats with associated amenity space. Application following refusal of previous application DC/17/0765.

**SITE:** 1A Clarence Road Horsham West Sussex RH13 5SJ

**WARD:** Horsham Park

**APPLICATION:** DC/18/0294

**APPLICANT:** **Name:** Clarence Road Developments Ltd **Address:** c/o Agent

**REASON FOR INCLUSION ON THE AGENDA:** As the application represents a departure from the Local Plan

**RECOMMENDATION:** To grant planning permission subject to appropriate conditions

## **1. THE PURPOSE OF THIS REPORT**

1.1 To consider the planning application.

### DESCRIPTION OF THE APPLICATION

- 1.2 The application seeks planning permission for the demolition of the existing single storey storage building and the redevelopment of the site to provide five flats over three floors with associated amenity space. All existing buildings and structures on the site will be demolished. The existing access fronting Clarence Road will be removed and it is understood that controlled on street parking would be introduced along Clarence Road in front of the site. No off-street parking is proposed as part of the scheme. Two, 2-bedroom flats will be provided on the ground floor, with two 1-bedroom flats on the first floor and a 2-bedroom flat on the second floor.
- 1.3 The proposal seeks to construct a structure with a footprint measuring some 172m<sup>2</sup> which comprises of a two storey building towards the front of the site providing flats over three floors and measuring 10 metres to the ridge and a single storey element to the rear measuring some 3.9 metres in length by 11.1 metres and 4.9 metres to the ridge. The building will be within 1 metre of either side boundary of the site and 10.5 metres from the rear boundary.
- 1.4 The front elevation of the property will have bay windows either side of a centralised front door and what would appear to be a blocked up type window at first floor level. The roof of the front elevation will have two pitched roofed dormers with a roof light in the centre,

providing light to a living room and bedroom. The rear elevation will have a two storey projecting element with a large dormer providing windows to light to a bedroom, staircase/landing and hallway. This extends across the full width of the property and has the same eaves and ridge height. The side elevations both also feature large dormers (one with a roof light), providing light to an open plan kitchen/dining/living area and a bathroom. At first floor level, two small windows within either side elevation provide light to the kitchen and a bathroom.

- 1.5 Planning permission was granted under DC/16/1891 for the redevelopment of the site to provide a pair of semi-detached properties in November 2016. Subsequent to this, an application for the provision of 5 flats on the site (DC/17/0765) was refused and dismissed at appeal in 2017. A copy of the Inspectors decision is attached at Appendix A. The Council refused to grant planning permission on the grounds that the proposed development, by reason of its scale, mass and bulk coupled with the number of residential units would represent a cramped over-development which would fail to respect the pattern of development within the locality to the detriment of the visual amenity and character of the area and the privacy and amenity of the occupiers of neighbouring properties. A further reason for refusal related to the lack of affordable housing or an equivalent financial contribution. Whilst the proposal was subsequently dismissed at appeal, the only reason which the Inspector agreed with the Council on was in relation to the overlooking of 31 Brighton Road from the south facing side dormer. The current application seeks to address this issue by detailing that the windows within the relevant dormer will be obscure glazed to 1800mm above floor level and non-opening to 1800mm with a flat roof light installed within the dormer.

#### DESCRIPTION OF THE SITE

- 1.6 The application relates to an existing single storey building, proposed to be demolished, located on Clarence Road, Horsham. The site was used by Dairy Crest for ancillary storage for the main distribution depot on Brighton Road (approximately 70 metres to the south west of the site, currently being developed in accordance with planning permission DC/15/1545).
- 1.7 The site is located within the built up area boundary of Horsham but outside the defined Town Centre. The immediate area is predominantly residential in nature with residential properties (and associated garden space) located on all boundaries. The site itself is approximately 0.07ha and comprises a single storey commercial building that fills almost the entire the footprint of the site, with the exception of a small hardstanding area at the front of the site which is used for parking/deliveries. Directly opposite the site is a recently completed residential development providing 46 retirement apartments and associated parking accessed directly from Clarence Road.

## 2. INTRODUCTION

#### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

#### RELEVANT PLANNING POLICIES

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

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

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

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

- Policy 3 - Strategic Policy: Development Hierarchy
- Policy 5 - Strategic Policy: Horsham Town
- Policy 15 - Strategic Policy: Housing Provision
- Policy 16 - Strategic Policy: Meeting Local Housing Needs
- Policy 24 - Strategic Policy: Environmental Protection
- Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
- Policy 31 - Green Infrastructure and Biodiversity
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles
- Policy 35 - Strategic Policy: Climate Change
- Policy 37 - Sustainable Construction
- Policy 39 - Strategic Policy: Infrastructure Provision
- Policy 40 - Sustainable Transport
- Policy 41 - Parking

Supplementary Planning Guidance:

- 2.3 Planning Obligations and Affordable Housing Supplementary Planning Document (SPD)

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 The un-parished part of “Horsham Town” (that being the Forest, Denne and Trafalgar Neighbourhood Council areas) were designated as a Neighbourhood Forum (Horsham Blueprint) on 5 June 2015. To date no neighbourhood plan has been developed for the area.

PLANNING HISTORY AND RELEVANT APPLICATIONS

- 2.5 The below applications are the most recent and relevant application relating to this site:

DC/16/1891	Demolition of existing building and redevelopment of the site for 2no. dwelling house with associated amenity space	Application Granted 30.11.2016
DC/17/0765	Demolition of existing building and erection of 5 no flats with associated amenity space	Application Refused on 09.06.2017 and dismissed on appeal

**3. OUTCOME OF CONSULTATIONS**

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

INTERNAL CONSULTATIONS

- 3.2 **HDC Environmental Health:** No objection  
Recommends conditions in respect of land contamination, asbestos and waste removal, the submission of a construction environmental management plan, construction hours and lighting.
- 3.3 **HDC Housing:** Objection  
The scheme proposes no affordable accommodation or alternative commuted sum and is therefore not policy compliant.

OUTSIDE AGENCIES

- 3.4 **WSCC Highways:** No objection

Recommends conditions in respect of the closure of the existing vehicular access onto Clarence Road and the provision of covered and secure cycle parking.

3.5 **Southern Water:** No objection

A formal application for connections to the foul and surface water sewers will be required.

PARISH COUNCIL

3.6 **Forest Neighbourhood Council:** Objection

*“FNC still considers that the plans do not adequately resolve the neighbouring issues of overlooking or car parking and therefore object to what is proposed. However if permission is granted, then as stated in the inspector's report the proposed development would therefore be expected to provide at least one affordable unit or an equivalent financial contribution. FNC would need to agree this before commencement of the building.”*

PUBLIC CONSULTATIONS

3.7 **Five** letters/emails of objection have been received, including one from Horsham District Cycling Forum, which raise the following concerns:

- Overdevelopment of the site
- Overlooking from the dormer windows at second floor level
- Unsatisfactory living conditions for future residents of the second floor flat
- Increase in noise as a result of ground floor 'extension'
- Inadequate provision for the storage of refuse/recycling
- Unsatisfactory boundary treatments
- No off-street parking being provided
- Party wall issues
- No provision for cycle storage facilities

#### **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**

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 in the consideration of the application are:-

- Recent appeal decision on this site
- Principle of residential development
- Impact on the character and appearance of the streetscene
- Impact on the privacy and amenity of the occupiers of neighbouring properties
- Affordable housing
- Highway safety and car parking provision
- Community Infrastructure Levy (CIL)

Background to application

- 6.2 Planning permission was granted under DC/16/1891 for the redevelopment of the site to provide a pair of semi-detached properties in November 2016. Subsequent to this, an application for the provision of 5 flats on the site (DC/17/0765) was refused and dismissed at appeal in 2017. A copy of the Inspectors decision is attached at Appendix A.
- 6.3 The Council refused to grant planning permission on the grounds that the proposed development, by reason of its scale, mass and bulk coupled with the number of residential units would represent a cramped over-development which would fail to respect the pattern of development within the locality to the detriment of the visual amenity and character of the area and the privacy and amenity of the occupiers of neighbouring properties. A further reason for refusal related to the lack of affordable housing or an equivalent financial contribution.
- 6.4 Whilst the proposal was subsequently dismissed at appeal, the only reason which the Inspector agreed with the Council on was in relation to the overlooking of 31 Brighton Road from the south facing side dormer. In respect of the impact of the proposal on the character and appearance, the Inspector concluded that the proposal would have a satisfactory design and appearance that would not be out of keeping with or detract from the pattern of development in the surrounding area. In terms of the impact on the living conditions of the occupiers of neighbouring properties, the Inspector considered that there would not be a material effect on the living conditions of the occupiers of the adjacent buildings in respect of the scale or mass being either dominating or overbearing. With regard to the dormer windows, the Inspector considered that the north facing side dormer would not give rise to any loss of privacy for adjoining occupiers and that the rear dormer would provide oblique views and would not result in the overlooking of adjacent properties.
- 6.5 In respect of the dormer of the south side of the building, the Inspector considered that *"The dormer window would provide elevated and conspicuous direct views over the roof slopes of the house at 1 Clarence Road and diagonally towards the bungalow at 31 Brighton Road. The whole of the rear wall to the bungalow and most of the rear garden would be overlooked from this prominent vantage point. The depth of the rear garden to the bungalow is about 10m. In view of the dormer's siting close to the common boundary, its pronounced and lofty position and the size of its windows, it would give rise to a significant sense of being overlooked with a resultant loss of privacy for the occupiers of the bungalow."* Whilst the Applicant suggested that a condition could be imposed requiring the windows within the dormer to be obscure glazed, the Inspector concluded that *"...given the extent of the windows and that they would be the main natural light source to the habitable room, such a condition would lead to unacceptable living conditions for the occupiers of the flat."*
- 6.6 The current application seeks to address the issue raised by the Inspector in dismissing the appeal by detailing that the windows within the south side facing dormer will be obscure glazed to 1800mm and fixed shut to 1800mm above floor level and a flat roof light installed within the dormer. The dormer provides light and outlook to an open plan kitchen, dining and living area. There is a small window within the side elevation and a small dormer window within the front elevation that also provide light and outlook to this room.

#### Principle of residential development

- 6.7 Policies within the HDPF seek to direct new development to the main settlements of the District to ensure that the countryside is protected from inappropriate development. The site is located within the built-up area boundary of Horsham, categorised as 'Main Town' in the HDPF and is therefore sited in a settlement that has *"...a large range of employment, services and facilities and leisure opportunities, including those providing a district function. Strong social networks, with good rail and bus accessibility. The settlement meets the majority of its own needs and many of those in smaller settlements."* The principle of providing additional residential accommodation in this location is therefore supported, subject to other material planning considerations. In addition, the principle of the residential use of the site has been

established through application DC/16/1891 and no concerns in respect of the principle of the development were raised by the Inspector.

#### Impact on the character and appearance of the streetscene

- 6.8 The NPPF, in particular chapter 7, promotes good design, ensuring that new development contributes positively to making places better for people. Policy 32 of the HDPF seeks to achieve a high quality and inclusive design for all development in the District and to provide an attractive, functional, accessible, safe and adaptable environment, which complements the varying character of the District and contributes to a sense of place both in the buildings and spaces themselves and in the way they integrate with their surroundings. Policy 33 of the HDPF sets out the Council's development principles in order to conserve and enhance the natural and built environment. The policy, amongst other criteria, requires proposals to ensure that they are designed to ensure that the scale, massing and appearance of the development is of a high standard of design and layout and where relevant relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site, including any impact on the skyline and important views and be locally distinctive in character and respect the character of the surrounding area.
- 6.9 In terms of the character of the area, the site sits within a predominately residential area. The properties within this part of Clarence Road generally comprise two storey, semi-detached dwellings fronting onto the highway. The properties have small front garden areas and relatively large rear garden areas. The exception to this is the block of flats opposite the site known as Clarence Court. The properties to the south of the site and which front onto Clarence Road (no. 1 Clarence Road) or Brighton Road (no. 31 Brighton Road) are set within modest plots with the building providing the boundary wall of their gardens.
- 6.10 Whilst Officers raised concerns with the overdevelopment of the site, the Inspector in considering DC/17/0765, considered that *"The front wall, eaves and ridge lines to the proposed building would align with those of adjacent buildings in Clarence Road. Either side of a central front entrance there would be two storey bay windows resembling the scale and form of bay windows to houses in Clarence Road. Above these there would be two small front dormers with pitched roofs over set within the front roof slope, similar in scale to other dormers nearby. In all these respects, the development would be respectful to the character of the surrounding area."*
- 6.11 In terms of the increase in residential units on the site from the two semi-detached units allowed under DC/16/1891, the Inspector stated *"Whilst there would be an increase from two to five units compared to the consented scheme, the size and layout of the flats would be satisfactory and the rear garden area would be adequate for the occupiers. The proposal would provide additional accommodation within the built up area of Horsham and would not appear cramped in the context of the site."*
- 6.12 Given the appeal decision in respect of DC/17/0765 which was for the same scheme the subject of this application, albeit in respect of the dormer window on the south facing elevation, it is not considered that the application can be refused on the grounds of being out of keeping with the character and appearance of the area.

#### Impact on the privacy and amenity of the occupiers of neighbouring properties

- 6.13 The NPPF, in particular chapter 7, promotes good design, ensuring that new development contributes positively to making places better for people. Policy 32 of the HDPF seeks to achieve a high quality and inclusive design for all development in the District and to provide an attractive, functional, accessible, safe and adaptable environment, which complements the varying character of the District and contributes to a sense of place both in the buildings and spaces themselves and in the way they integrate with their surroundings. Policy 33 of the HDPF sets out the Council's development principles in order to conserve and enhance

the natural and built environment. The policy, amongst other criteria, requires proposals to ensure that they are designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land.

- 6.14 The two storey projecting element to the rear elevation extends across the width of the building, has an eaves and ridge height the same as the 'main' structure (some 7.2 metres eaves and 10 metre ridge). The structure sits within 1 metre of the side boundaries of the site and extends some 17.8 metres along the side boundaries.
- 6.15 Whilst Officers raised concerns with the impact of the proposal on the privacy and amenity of the occupiers of the adjacent dwellings, the Inspector in considering DC/17/0765, considered that the profile of the building would be similar to that allowed under DC/16/1891, with the exception at ground floor level where the building would extend some 4m beyond that previously permitted. The Inspector considered that *"Having regard to the siting of adjacent buildings, I consider that there would not be a material effect on the living conditions of the occupiers of these buildings in respect of the scale or mass of the proposal being either dominating or overbearing."* Officers also raised concerns with the size of the proposed dormer windows to the side and rear elevations of the proposal and the potential for overlooking of neighbouring properties. The Inspector however concluded that the rear and north facing dormers would not give rise to any loss of privacy for adjoining occupiers.
- 6.16 In respect of the dormer of the south side of the building however, the Inspector considered that *"The dormer window would provide elevated and conspicuous direct views over the roof slopes of the house at 1 Clarence Road and diagonally towards the bungalow at 31 Brighton Road. The whole of the rear wall to the bungalow and most of the rear garden would be overlooked from this prominent vantage point. The depth of the rear garden to the bungalow is about 10m. In view of the dormer's siting close to the common boundary, its pronounced and lofty position and the size of its windows, it would give rise to a significant sense of being overlooked with a resultant loss of privacy for the occupiers of the bungalow."* Whilst the Applicant suggested that a condition could be imposed requiring the windows within the dormer to be obscure glazed, Officers considered that this would not provide an acceptable solution and would result in unacceptable living conditions for future occupiers. The Inspector agreed with Officers concluding that *"...given the extent of the windows and that they would be the main natural light source to the habitable room, such a condition would lead to unacceptable living conditions for the occupiers of the flat."*
- 6.17 The scheme as resubmitted seeks to address this issue by proposing that the windows within the south side facing dormer are obscure glazed to 1800mm and fixed shut to 1800mm above floor level and a flat roof light installed within the dormer. The dormer provides light to an open plan kitchen, dining and living area. There is a small window within the side elevation and a small dormer window within the front elevation that also provide light to this room. Given that the Inspector raised no concern in respect of the size of the dormer and that an alternative method for providing natural light to the room has been presented, it is not considered that the application should be refused on the grounds of having an adverse impact on the privacy and amenity of the occupiers of the adjacent properties.

#### Affordable housing

- 6.18 Policy 16 of the HDPF states that on sites providing between 5 and 14 dwellings, the Council will require 20% of dwellings to be affordable, or, where on-site provision is not achievable a financial contribution equivalent to the cost of providing the units on site. The proposed development would therefore be expected to provide one affordable unit or an equivalent financial contribution. No draft undertaking has been received by the Council to date.
- 6.19 Following the Ministerial Statement (WMS) on affordable housing provision on sites of less than 10 units, the Council has taken a view that whilst the Ministerial Statement is a material consideration in determining an impacted application, as is the updated PPG, so is the

HDPF, and when balancing all the material considerations against one another, and given our acute need for the contributions to ensure the provision of affordable housing and the infrastructure needs of the District, it will continue to require these within its policy framework.

- 6.20 In his decision the Inspector acknowledges that there is an ongoing need for affordable housing provision in Horsham and financial contributions from sites of between 5 and 14 dwellings is considered as a key element in meeting that need and that the proposal is in conflict with Policy 16 of the HDPF.
- 6.21 The Inspector however goes on to say that “*The WMS and PPG are material considerations to which considerable weight should be attached as the most up to date statements of national planning policy on this issue*” and that “*...Paragraph 196 of the National Planning Policy Framework (the Framework) requires that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. There is therefore conflict between the requirements of the development plan and the WMS and PPG.*” The HDPF was adopted in 2015 and is therefore a relatively recently adopted plan. The Inspector acknowledges that substantial weight should be afforded to its provisions as a whole however, “*...the reaffirmation of the WMS and update to PPG clearly post-date the adoption of the HDPF*” and that “*The HDPF as adopted therefore does not fully acknowledge the current national planning policy position in relation to contributions towards affordable housing.*”
- 6.22 Whilst the Council provided up-to-date evidence within its appeal submission to support the continued relevance of our policies, the ongoing need for affordable housing provision and the lack of supply in recent years to meet the need, the Inspector considered that there was also a need for additional market housing, and in particular small units, and that the scheme as presented would help to meet this need. He considered that the proposal, which is for 5 flats, was at the lowest end of the range of 5-14 dwellings, is a relatively small scheme and that the WMS and revisions to PPG were drafted to avoid applying “*a disproportionate burden on small-scale development such as this*”. He therefore concluded that in this instance the WMS and PPG, as material considerations, outweigh the requirements of the development plan and that the scheme is not required to make provision for affordable housing.
- 6.23 Whilst the proposal the subject of this application remains contrary to the requirements of Policy 16 of the HDPF as it does not provide either on-site affordable units or an equivalent financial contribution, given the Inspector's decision in respect of DC/17/0765, it is not considered that the application can be refused for not providing affordable housing.

#### Highway safety and car parking provision

- 6.24 No car parking provision is proposed as part of the development. Local residents and Forest Neighbourhood Council have raised concerns in relation to the lack of off-street car parking provision. Policy 41 of the HDPF requires adequate parking and facilities to be provided within developments to meet the needs of anticipated users. The policy also requires consideration be given to the needs of cycle parking, motorcycle parking, charging plug-in or other low emission vehicles and the mobility impaired.
- 6.25 WSCC highways advised as part of the application process that “*A nil car parking provision is proposed for the new dwellings. Using the WSCC Car Parking Calculator, the anticipated demand created by the development would be four car parking spaces. Whilst on-street car parking is limited in the immediate vicinity there are comprehensive parking restrictions prohibiting vehicles from parking in places that would be detrimental to highway safety. We would not consider that highway safety would be detrimentally affected through the proposed nil car parking provision.*”



- 6.26 The Inspector in considering parking provision stated “*I have noted that the County Council, the local highway authority, raises no objection to the proposal on these grounds. The site is in a sustainable location close to facilities and public transport links and I concur with the view that the proposal is acceptable in this respect.*”
- 6.27 Based on the advice provided by WSCC Highways and taking into account the fact that the site is sustainably located close to facilities and local transport links, a view that the Inspector agreed with, the Council remain of the view that it would not be reasonable to refuse the proposal on the grounds of a lack of off-street car parking provision being provided.

Conclusion

- 6.28 Planning permission was granted under DC/16/1891 for the redevelopment of the site to provide a pair of semi-detached properties in November 2016. Subsequent to this, an application for the provision of 5 flats on the site (DC/17/0765) was refused and dismissed at appeal in 2017. Whilst the application was refused for a number of reasons, the only reason which the Inspector agreed with the Council on was in relation to the overlooking of 31 Brighton Road from the south facing side dormer. The current application seeks to address this issue through this amended scheme which shows that the windows within the south side facing dormer will be obscure glazed and fixed shut to 1800mm above floor level and a flat roof light installed within the dormer to provide additional natural light to the open plan kitchen, dining and living area.
- 6.29 Given the Inspectors decision in terms of DC/17/0765 and that this application addresses the reason for the dismissal of the appeal, it is recommended that planning permission is granted subject to conditions as set out in paragraph 7.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 6.30 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1<sup>st</sup> October 2017.
- 6.31 It is considered that this development constitutes CIL liable development. At the time of drafting this report the proposal involves the following:

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	390.93	310	80.93
		<b>Total Gain</b>	<b>80.93</b>
		<b>Total Demolition</b>	<b>310</b>

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

**7. RECOMMENDATIONS**

- 7.1 It is recommended that the application be approved subject to appropriate conditions as suggested below:

Conditions:

1 **List of Approved Plans**

- 2 **Standard Time Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

- 3 **Pre-Commencement Condition:** No development shall commence 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).

- 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) 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).

- 5 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a 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).

- 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 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).

- 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 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).

- 8 **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).

- 9 **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).

- 10 **Pre-Occupation Condition:** The windows within the dormer to the south elevation and as shown on drawing no. (08)08 Rev A shall be obscure glazed to 1.8m and non-opening to 1800mm in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The windows as agreed shall be installed in accordance with the approved details and retained thereafter.

Reason: To protect the privacy and amenity of the occupiers of the neighbouring residential properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 11 **Pre-Occupation Condition:** The first floor windows within the side elevations shall be obscure glazed to 1.8m and non-opening below 1.8m in accordance with details to be submitted to and agreed in writing by be submitted to the Local Planning Authority. The windows as agreed shall be installed in accordance with the approved details and retained thereafter.

Reason: To protect the privacy and amenity of the occupiers of the neighbouring residential properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 12 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, details of 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).

- 13 **Pre-Occupation Condition:** No part of the development shall be first occupied until such time as the existing vehicular access onto Clarence Road has been physically closed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

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

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

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

Background Papers: DC/18/0294 (Current Application)  
DC/17/0765 (5 x Flats)  
DC/16/1891 (2 x Dwellings)