PLANNING COMMITTEE REPORT

TO:	Planning Committee North
BY:	Head of Development and Building Control
DATE:	7th January 2025
DEVELOPMENT:	Change of use of existing public house to residential, demolition of existing rear extensions and erection of rear two storey extension to accommodate four x 2 bedroom flats and two x 1 bedroom flats, including associated car parking, landscaping, bin storage and cycle store
SITE:	The Lamb Inn, Lambs Green Rusper West Sussex RH12 4RG
WARD:	Colgate and Rusper
APPLICATION:	DC/24/0874
APPLICANT:	**Name:** Mr Benedict Bokot-Ingram **Address:** The Lamb Inn Lambs Green Rusper West Sussex RH12 4RG

REASON FOR INCLUSION ON THE AGENDA: By request of Rusper Parish Council

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

1.1 DESCRIPTION OF THE APPLICATION

1.2 This application seeks planning permission for the change of use of existing public house to residential, demolition of existing rear extensions and erection of a rear two storey extension to accommodate four, two bedroom flats and two, one bedroom flats.

1.3 This application seeks to demolish the various existing rear extensions and replace these with a two storey rear projection. The scheme would retain the main original Public House Building, converting this to residential on both floors. The proposal would deliver six residential units in total (four two bed flats and two one bed flats).

1.4 The proposed rear extension would be two-storey with four small dormer windows to the first floor roof on the west elevation and rooflights to the east elevation. The rear extension would include a metal clad linking element to the original building, which would contain the staircase leading up to apartments 5 and 6 on the first floor. The rest of the extension would be vertical composite cladding with plain clay tile roof.

1.5 The planning application was submitted with a detached Coach House element within the existing car park. In discussion with the applicant, this has been removed and revised plans have been submitted that omit this element of the proposal. The description has been amended to reflect this.

1.6 The proposal includes 14 car parking spaces and communal amenity space, cycle parking, and designated refuse storage.

1.7 **DESCRIPTION OF THE SITE**

1.8 The Lambs Inn is a detached Public House, situated outside of the Built-Up-Area in Lambs Green, Rusper. It is located on Lambs Green Road, the main road through Lambs Green. Lambs Green is a small hamlet located east of Rusper village.

1.9 Some of the original sections of the building date back to the mid to late 19th century, with extensive more recent additions mainly single storey to the rear and sides. The site includes a large car park to the west which can contain approximately 20 vehicles, a seating area and garden to the north and east.

1.10 The existing use as public house has ceased since August 2023. The Public House was on the market from October 2021 until August 2023 and planning permission was granted under DC/23/0153 in November 2023 for the conversion of the public house to four flats, which included the retention and conversion of the existing rear extensions.

2. INTRODUCTION

STATUTORY BACKGROUND

2.1 The Town and Country Planning Act 1990.

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

National Planning Policy Framework: December 2024

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 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 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 40 - Sustainable Transport
Policy 41 - Parking
Policy 41 - Community Facilities, Leisure and Recreation

Rusper Neighbourhood Plan:
RUS3: Design
RUS8 Community Facilities

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 6: Climate Change
Strategic Policy 7: Appropriate Energy Use
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 11: Environmental Protection
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Strategic Policy 27: Inclusive Communities, Health and Wellbeing
Policy 28: Community Facilities, Leisure and Recreation
Strategic Policy 34: Tourism Facilities and Visitor Accommodation
Strategic Policy 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs
Policy 40: Improving Housing Standards in the District
Policy 45: Replacement Dwellings and House Extensions in the Countryside

Supplementary Planning Guidance:
Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/23/0153	Change of use of existing public house to form 4no. self-contained apartments and associated alterations.	Application Permitted on 24.11.2023

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 Arboricultural Officer:** No significant Arboricultural Concerns [Summary].

- The site has one dying weeping willow and a short row of young fastigiate hornbeams within the boundary, the latter of which are shown for retention. New development of this scale should be enhanced by the provision of tree planting which can be secured by condition, within communal car parking areas, as deemed appropriate.
- Pressures to lop/fell surrounding trees due to issues of proximity, and nuisance (leaf/twig seed fall) may be increased by the change of use and very limited outdoor space available to occupiers of the converted pub building.

3.3 **HDC Conservation:** No Objection.

- The Lamb Inn seems to be a late nineteenth century Beer House and probably to serve local agricultural labourers. A commercial vinery appears close by at about the same time. It has been unsympathetically altered at the rear but still appears as an attractive building in the street scene. It should be considered a non-designated asset. The removal of the unsympathetic extensions will be a beneficial alterations and better reveal the historic appearance of the building.
- The proposed extension to the principal building and the new detached building are designed to reflect a traditional rural public house with ancillary buildings providing additional facility that might be expected in this context. The officer is satisfied this will be apparent and the proposed development will have a neutral impact within the setting of the neighbouring listed building. Conditions suggested (Roof Details/ Junctions, Windows, Roof Lights, Rainwater Goods).

3.4 **HDC Drainage Engineer:** More information required [Summary].
More information is required such as a detailed foul water drainage strategy and surface water drainage strategy.

3.5 **HDC Environmental Health:** Comments [Summary].

- As with all commercial buildings, extended or refurbished before 2000 asbestos containing materials may be present.
- There is concern that the plans shows stacking layouts with bedrooms sited above each other. This could lead to noise intrusion.
- If minded to approve, the following conditions are recommended:
  - Submission of details of sound insulation.
  - Submission of asbestos survey.
  - All site clearance debris and construction waste to be removed from site by an appropriately licensed water removal contractor.
  - Hours of working .

OUTSIDE AGENCIES

3.6 **Ecology Consultant:** Recommend Granting Permission subject to the below [Summary]:

- Natural England's formal comments on the conclusion of the water Neutrality Appropriate Assessment.
- Condition requiring all mitigation and enhancement works to be carried out in accordance with the submitted Preliminary Roost Assessment.
- Condition requiring the submission of a Biodiversity Enhancement Layout.
- Condition requiring the submission of Wildlife sensitive Lighting Scheme.

3.7 **Natural England:** No Objection [Summary].

3.8 **Southern Water:** Comment [Summary].
The development site is not located within Southern Water's statutory area for wastewater drainage services. Under current legislation, Southern Water can consider the adoption of SuDS if they are to be designed and constructed in line with the Design and Construction Guidance.

3.9 **WSCC Highways:** No Objection [Summary].
WSCC do not consider the proposal to create any highway safety or capacity issues, because of the change from a public house to 6 residential dwellings. No objection is raised.

3.10 **Nature Space (Newt Officer):** No Objection [Summary].
Informative recommended

PUBLIC CONSULTATIONS

3.11 Representations:
Eight letters of Objection have been received from six addresses, objecting to the application on the following grounds:

- Overdevelopment
- Noise
- Design and character (out of keeping)
- Too much parking and lack of greening
- Lack of parking
- Diminishes the view to the listed building
- 4 dwellings maximum
- Loss of Pub
- Security concerns with proposed design
- Coach House is too large
- Extension is over dominant
- No public sewers- drainage and maintenance concerns
- Parking area requires planting/ greenery/ shrubbery to preserve residential nature of the hamlet

3.12 Parish Comments:
Rusper Parish Council:

4th November 2024: Objection

Object to the application, as amended, as the extension is substantially larger than the previous application and as it is in a sensitive location, due to the listed building behind, the Council defer to the Listed Buildings department. Further objection to the application is that there is no public transport available on this route. The Council notes that there are bike racks and bin storage included in the car parking area but can see no details such as height and materials of these two storage units.

27th July 2024: Objection

RPC has no objection to the basic principle of redeveloping the existing building to provide flats, however the extension to the development to include a new building on the existing car park area would significantly impact the views and setting of the 15th century timber framed dwelling Woodreeves. RPC also note that the water neutrality statement is based upon no resident having a bath however each dwelling has a bath within its design. In the event that the officers are minded to propose the acceptance of this application, Rusper Parish Council would ask for it to go to full committee and that the Parish Council is allowed to speak to their objections at the meeting.

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

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

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

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

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

6. PLANNING ASSESSMENTS

Principle of Development:

6.1 Policies 1 and 2 of the Horsham District Planning Framework (2015) (HDPF) outline its strategic aims, which include a presumption in favour of sustainable development and an intention to focus development in and around the key settlement of Horsham, while allowing growth in the rest of the district in accordance with the settlement hierarchy. The settlement hierarchy is identified by Policy 3 of the HDPF which directs development first to the built-up area of Horsham followed by towns and villages, and then unclassified settlements.

6.2 Policy 26 of the HDPF states inappropriate development which is not essential to its countryside location should be resisted outside built-up areas to, amongst other things, ensure that it enables the sustainable development of rural areas.

6.3 Policy RUS8 of the Rusper Neighbourhood Plan identifies The Lamb Inn as a community facility. This policy states that proposals that will result in the loss of a facility will be resisted unless it can be clearly demonstrated that the existing use is no longer viable or suited to the use or that the use can be satisfactorily re-located for the ongoing benefit of the local community.

6.4 This site is outside of any defined Built-Up-Area boundary. The policies in the HDPF (policy 4 primarily) set out an overall strategy for the pattern and scale of places in line with the National Planning Policy Framework. Residential development here would not be sustainable and does not accord with the broad overall strategy for the location of development in the District.

6.5 The principle of the conversion of the Public house to residential dwellings was established in the granting of DC/23/0153. This principle argument is in line with the previous approval on the site for four flats within the existing building and existing extensions. It is considered though that this application represents a betterment on the extant permission by improving the appearance of the rear extension (discussed in the design section below) and by providing two additional residential units. The stand alone new residential units on the car park have been removed from the proposal and revised plans submitted to reflect this.

Design and Appearance

6.6 Policies 25, 32, and 33 of the HDPF promote development that protects, conserves and enhances the landscape and townscape character from inappropriate development. Proposals should take into account townscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings.

6.7 The proposal includes the demolition of the rear dormer, rear two-storey extension and single storey extensions and outbuildings across the site. This will all be replaced by a cohesive and attractive 2 storey rear projection linked to the original building on both floors by a metal and glass clad linking element. The new rear extension will be clad in vertical composite cladding with clay tile roof and is designed to compliment the heritage of the original building rather than replicate it.

6.8 The detached new build residential element in the car park has been removed and revised plans have been submitted. Some of the concerns raised by objectors were related to the design and appearance of this element which is now not being considered.

6.9 Despite the scale of the rear element, which has a ridge height of only around 10cm less than the original building, it is considered that the extension will appear as an appropriate addition to the historical building by virtue of its design characteristics and simple linking feature. A mixed palette of traditional vernacular materials is proposed to reflect and compliment the mix of materials found in the surrounding area.

6.10 The existing building has a varied mix of rear and side extensions which are incongruous to the original building and are not attractive or well thought out additions. The extant planning permission for conversion was considered to be a missed opportunity in that it did not include improvements to these incongruous additions, and it is officer opinion that this proposal is an improvement on eth existing appearance of the building.

6.11 In terms of hard and soft landscaping, the submitted plans show permeable hard surfacing, areas for seating, flowering lawn and trees for shade. Any new planting is to be native to the boundaries. It is considered appropriate to require full details of both hard and landscaping works for communal and private areas of the site as a pre-occupation planning condition, with the intention to ensure that these areas are as attractive and functional as possible.

Heritage Impacts:

6.12 Policy 34 of the HDPF states that development should be reinforce the special character of the historic environment through appropriate siting, scale, form and design; and should make a positive contribution to the character and distinctiveness of the area. Proposals should preserve and ensure clear legibility of locally distinctive vernacular building forms and their settings, features, fabric and materials. Paragraph 216 of the NPPF also states that effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

6.13 The Conservation Officer has considered the site and stated that The Public House appears to be a late nineteenth century Beer House and was probably built to serve local agricultural labourers. A commercial vinery appears close by at about the same time. In this case the Conservation Officer considers that the former public house would be considered a non-designated asset.

6.14 The removal of the unsympathetic extensions will be a beneficial alteration and better reveal the historic appearance of the building. The proposed extension to the principal building and the new detached building are designed to reflect a traditional rural public house with ancillary buildings providing additional facility that might be expected in this context. Overall, the Conservation Officer has no objection to the proposal.

6.15 A Listed Building (Woodreaves) is situated to the rear of the site. The HDC Conservation Officer is satisfied that the proposed development will have a neutral impact on the setting of the neighbouring listed building. Since these comments were received, the detached

element has been removed and this is considered to reduce the impact on the setting of Woodreaves even further.

Amenity Impacts:

6.16 Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contribute a sense of place both in the buildings and spaces themselves. Policy 33 continues that development shall be required to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land.

6.17 The application site is located close to residential dwellings in a rural location. To the south are Woodreeves and Four Ways and to the west is Ivy Cottage. To the east is the Croudace builders yard. The proposed use is considered to be compatible with the surrounding users and would likely reduce the noise and disturbance emanating from the site and reduce the intensity of the use of the site from the Public House use. It is not therefore considered that the proposal would result in harm to the amenities of neighbouring properties and users of land through noise and general disturbance. The building is established and it is not considered that the proposal would result in any further harm to the amenities of neighbouring properties through loss of light or privacy.

6.18 For these reasons, the proposed development is not considered to result in adverse impact on the amenities and sensitivities of neighbouring properties, in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

6.19 Some initial concern was raised by the Council's Environmental Health team in relation to the layout of the flats and the impact of vertical stacking, which has been addressed where possible. Where this has not been changed, the applicant is happy to accept a condition in relation to sound insulation, with details to be submitted prior to occupation. Building regulations will also help to ensure adequate insulation and noise measures are considered at the construction stage.

6.20 Lambs Green is located approximately 4 miles from Gatwick Airport. The HDC Environmental Health officer has commented that the Lamb Inn site is outside the 51dB contour for the predicted 2032 noise levels from Gatwick with the Northern Runway in use. This is well below the 57dBLAEQ 16 hour level identified in the Aviation Policy Framework 2013 as the average level of daytime aircraft noise marking the approximate onset of significant community annoyance. Accordingly, the officer does not consider risk from aircraft noise to be a significant constraint on the proposed development.

Water Neutrality

6.21 Horsham District is situated in an area of serious water stress, as identified by the Environment Agency. In September 2021, Natural England released a Position Statement which advised all local authorities within the Sussex North Water Supply Zone that it cannot be concluded that existing water abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites near Pulborough. The Position Statement advises the affected local authorities that developments within the Sussex North Supply Zone must not therefore add to this impact, and to achieve this, all proposals must demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.

6.22 In assessing the impact of development on protected habitat sites such as those in the Arun Valley, decision makers must, as the competent authority for determining impact on such sites, ensure full compliance with the Conservation of Habitats and Species Regulations 2017 (known as the Habitat Regulations). The Regulations require that a Habitats

Regulations Assessment (HRA) be carried out to determine if a plan or project may affect the protected features of a habitats site, before the grant of any planning permission. Section 70(3) of the Regulations requires that planning permission must not be granted unless the competent authority (Horsham District Council) is satisfied that the proposed development will not adversely affect the integrity of the affected habits site. Section 63 of the Regulations sets out the process by which an HRA must take place.

6.23 The application site falls within the Sussex North Water Supply Zone which draws its water supply from groundwater abstraction at Hardham (near Pulborough), adjacent to the Arun Valley sites. The water abstraction issues raised by the Natural England Position Statement are therefore material planning considerations relevant to the proposal. Given the requirements of the Habitat Regulations and paragraph 187 of the NPPF, adverse impact on the integrity of the Arun Valley sites must be given great weight in decision making. In order to demonstrate that no adverse impact will occur at the Arun Valley sites, all new development within the supply zone must demonstrate water neutrality, i.e., that water consumption from the site when occupied will not increase water abstraction in the Arun Valley.

6.24 The Applicant has provided a copy of metered water bills relating to the combination of the Public House and residential for the last four years and seven months. The pub closed in November 2023. These bills indicate that the property has used an average water consumption of 1334.3 litres per day. This is considered sufficient evidence to demonstrate an existing baseline of the site with certainty.

6.25 The Water Neutrality Statement outlines that the proposed dwellings, after mitigation in the form of aerated taps and duel flush toilets would have a litres per person water usage of 94.5 litres. This calculates as 1262.53 litres per day. The proposed development would therefore result in less water consumption than the existing demand, and the development is considered to be water neutral.

Highways Impacts:

6.26 Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.

6.27 No changes to the existing access are proposed. The proposed parking provision is within the existing pub car park where there is sufficient space to accommodate parking for the flats. The minimum requirement is calculated as 2x1.5 spaces (for the 1 bed units) and 4x1.7spaces (for the 2 bed units). This totals 9.8 spaces plus 6x0.2 visitor spaces, equals 11. 14 spaces are proposed on the site and the proposal is considered acceptable in parking terms. The scheme includes 6 electric vehicle charging points.

6.28 It is noted that representations have been received in relation to the safety of the road, and an increase in traffic movements resulting from the proposal. It is considered that the number of trips generated by this proposal will be less intensive than the trips associated with its use as a public house, and as such would not be seen as an intensification of use of the access over what it has previously been used for. WSCC Highways have raised no objection to the proposal and do not consider the proposal to create any highway safety or capacity issues.

6.29 A condition is recommended requiring full parking details to be to be submitted, which should show the layout of the parking spaces, if they are allocated and the location for visitor parking. Cycle parking should also be provided, also secured by condition.

Climate change:

6.30 Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water

consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change.

6.31 Conditions are attached to secure the following:

- Requirement to provide full fibre broadband site connectivity
- Refuse and recycling storage
- Biodiversity mitigation and enhancement
- Cycle parking facilities
- 6 electric vehicle charging points

6.32 Subject to these conditions the application will suitably reduce the impact of the development on climate change in accordance with local and national policy.

Ecology:

6.33 Policy 31 of the HDPF states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate.

6.34 Initially there was an absence of ecological information submitted with the application, for the LPA to consider if the application was acceptable on these grounds. This was identified and a Preliminary Roost Assessment (Lizard Landscape Design and Ecology, November 2024) was carried out and submitted.

6.35 The Preliminary assessment showed negligible/ low roost potential and a non- licenced Precautionary Method Statement for bats should be implemented on the site, along with the mitigation methods suggested, with no further surveys being required. Ecological conditions are recommended in support of this, including biodiversity enhancement and wildlife sensitive lighting.

Biodiversity Net Gain (BNG):

6.36 Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG), unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024, and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development may not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

6.37 The Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

6.38 The Applicant has demonstrated that the development is exempt from the requirement to achieve a minimum 10% BNG by reason of the development being below the threshold of 25 square metres of on-site habitat with any biodiversity value.

Other Matters:
Drainage

6.39 It is noted that the drainage engineers recommended that more information is required. It is considered appropriate, particularly as this is a brownfield site, to require this information in relation to both foul and surface water drainage as a pre-commencement condition to the application.

Conclusions and Planning Balance

6.40 It is recognised that the existing business has proven unviable in recent years, with the Public House now closed and planning permission extant for its conversion into four flats. The principle of the development, including the loss of the pub and its conversion to residential was established in the granting of DC/23/0153.

6.41 This proposal would result in 6no. residential dwellings that would preserve the continued use of the non- designated heritage asset with appropriately designed alterations. The proposal would also provide a windfall development that would contribute to housing need within the District.

6.42 The proposal is also considered to be acceptable in amenity terms, with residential use being compatible with the surrounding land uses. The resulting flats will result in an adequate standard of accommodation for future occupiers with sufficient amenity and parking space.

6.43 For these reasons, the development is recommended for approval subject to the conditions listed below.

7. RECOMMENDATIONS

7.1 To approve full planning permission, subject to the conditions set out below:

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

It is considered that this development constitutes CIL liable development.

Use Description	Proposed	Existing	Net Gain
District wide residential	372	262	110
		Total Gain	**110**
		Total Demolition	

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

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

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

Conditions:

1 **Approved Plans List**.

2 **Standard Time Condition**: The development hereby permitted shall begin 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 take place, including any works of demolition, until the following construction site set-up details have been submitted to, and approved in writing by, the Local Planning Authority.

i. the location for the loading and unloading of plant and materials, site offices, and storage of plant and materials (including any stripped topsoil)
ii. the provision of wheel washing facilities (if necessary) and dust suppression facilities

The approved details shall be adhered to throughout the construction period.

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

4 **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).

5 **Pre-Commencement Condition**: Prior to the commencement of development an intrusive pre-demolition and refurbishment asbestos survey in accordance with HSG264 shall be submitted to and approved in writing by the Local Planning Authority. All confirmed or suspected asbestos containing materials shall be removed from areas of the development which are to form private dwellings.

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).

6 **Pre-Commencement Condition**: No development (apart from demolition) shall commence until a scheme of sound insulation and construction, that shall ensure that the sound insulation of the party walls and floors are 5dBA or better than building regulations requirements is submitted to and approved in writing by the local planning authority. This shall also include details of post construction verification to be carried out. The proposal shall be implemented strictly in accordance with the agreed details.

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

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

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

8 **Pre-Occupation Condition**: The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (prepared by Folkes Architects, received 07.06.2024). No dwelling hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that dwelling has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter, or to a similar or improved water performance.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 187 of the National Planning Policy Framework (2023), and to enable the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

9 **Pre- Occupation Condition**: A verification report prepared by a competent person which confirms all asbestos or suspected asbestos containing materials have been removed shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development.

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).

10 **Pre- Occupation Condition**: Prior to occupation the post construction verification report in relation to sound insulation shall be submitted to and approved by the local Planning Authority and the premises shall not be occupied until any necessary remedial work has been satisfactorily completed.

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

11 **Pre- Occupation Condition:** No part of development hereby permitted shall be occupied until A Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Roost Assessment (Lizard Landscape Design and Ecology, November 2024), is submitted to and approved in writing by the local planning authority. The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2024 and s40 of the NERC Act 2006 (as amended).

12 **Pre- Occupation Condition:** No part of development hereby permitted shall be occupied until a lighting design scheme for biodiversity based on Guidance Note: 08/23 (Institute of Lighting Professionals) has been submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and

show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.
All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

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

13 **Pre-Occupation Condition:** No part of the development hereby permitted shall be first occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
- Details of all hard surfacing materials and finishes
- Details of all boundary treatments
- Details of all external lighting

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

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

14 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a landscape management and maintenance plan (including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility) for all communal landscape areas has been submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.

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).

15 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until details for the provision for the storage of refuse and recycling facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided prior to occupation (or use) of the development hereby permitted and 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).

16 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until details of the parking, turning and access facilities for the dwellings have been submitted to and approved by the Local Planning Authority in writing. No dwelling shall be first occupied until the approved parking, turning and access facilities necessary to serve it have been fully implemented. The parking, turning and access facilities shall thereafter be retained as such.

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

17 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until details of secure and covered cycle parking facilities for the occupants of, and visitors to, the development 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).

18 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until a scheme for the provision of electrical vehicle charging points to serve each dwelling has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed prior to first occupation of the development and shall thereafter remain as such.

Reason: To provide electric vehicle car charging space for the use in accordance with Policies 35 and 41 of the Horsham District Planning Framework (2015) and the WSCC Parking Standards (2019).

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

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

20 **Regulatory Condition:** The development hereby permitted shall be undertaken in strict accordance with the ecological mitigation and enhancement measures set out in Preliminary Roost Assessment (Lizard Landscape Design and Ecology, November 2024), This includes the non-licensed Precautionary Method Statement for bats. This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

21 **Regulatory Condition:** The new roof junctions at ridge, hips, valleys, eaves and verges shall be built to reflect traditional detailing including exposed rafter feet, cut verges, bonnet hip and valley tiles and hogs back or half round ridge tiles.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

22 **Regulatory Condition:** The new windows fitted in the extension and new building hereby permitted shall have casements flush fitted with their frames if manufactured in timber or plastic.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

23 **Regulatory Condition:** The roof lights hereby permitted shall be metal framed and sit flush with the roof slope.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

24 **Regulatory Condition:** All new and replacement rainwater goods shall be cast iron or cast aluminium or cast effect plastic.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

25 **Regulatory Condition:** If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy has been submitted to and approved by the local planning authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: 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).

26 **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

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

Note to Applicant

The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or

Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence."

Background Papers: DC/23/0153