Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1999
Land at 509467 125933, Hilland Road, Billingshurst, West Sussex,

DESCRIPTION:
Erection of 6 no. dwellings.

RELEVANT PLANNING HISTORY:

DC/22/2190	Erection of 4no detached four-bed dwellings and 4no detached single garages with access road, parking and associated landscape works.	Application Refused on 14.12.2023
DC/15/0059	Application for the Variation of Condition 38 of planning permission DC/13/0735 (Outline application for development comprising the demolition of existing buildings and structures and redevelopment to provide up to 475 residential dwellings, land to accommodate a new primary school and land to accommodate an extension to existing doctors' surgery, land for new dentist's surgery and creche (falling within Class D1), with associated access and play space. Such development to include provision of strategic landscape, provision of new vehicular, cycle and pedestrian access routes, ancillary engineering and other operations)	Permitted on 16/03/2016
DC/13/0735	Development comprising the demolition of existing buildings and structures and redevelopment to provide up to 510 residential dwellings, land to accommodate a new primary school and land to accommodate an extension to existing doctors' surgery, land for new dentist's surgery and creche (falling within Class D1), with associated access and play space. Such development to include provision of strategic landscape, provision of new vehicular, cycle and pedestrian access routes, ancillary engineering and other operations (Outline)	Permitted on 07/03/2014

DESCRIPTION OF THE SITE
The application site comprises a sloping parcel of land on the eastern edge of Billingshurst, within the wider East of Billingshurst development area, where up to 475 houses were permitted under outline consent DC/13/0735 and varied under DC/15/0059. Under the Outline permission, parcel H9 was designated as a Hamlet / Farmstead type of development, similar to parcels H1, H5 and H8a. The indicative parameter plan under DC/13/0735 indicated a low-density parcel for up to 5 units set behind vegetated boundaries, with an extensive area to the south of parcel H9 specified as 'Strategic structural planting', and linked through to areas on each side of the roundabout. With the exception of parcel H9, all other designated parcels H1 to H11 have all commenced and largely completed.

DESCRIPTION OF THE APPLICATION

The proposal is a full application, submitted outside of the previously approved Outline consent for the wider 'East of Billingshurst' development.

It seeks to erect 6 houses, consisting of two detached dwellings, one with a detached garage and 4x semi detached dwellings. Each of the dwellings would benefit from a parking area to the side and an amenity area. Five of the houses would be aligned along the southern side and 1 would be sited at the northern end of the site.

A landscape plan has been submitted and indicative site details indicating ten trees to be planted within the site and the area to the west outside of the red line boundary would have a row of four trees fronting the highway along A272 Hilland Road. The Landscape plan indicates the species of tree and hedging

A vehicular cul-de-sac would serve all houses, off the spine road / Hilland Road (A272).

Externally, the design of the detached dwelling to the northern section of the plot would include brick elevations to the ground floor and plain tile to the first floor. This would have generous proportions and be 4 bed. Plots 2 and 3 would have a half hipped roof, facing brick at ground floor and fibre cement cladding at first floor, with plain tiles on the roof. Plots 4 and 5 would closely reflect the design of 2 and three, also being 3 bedroom with the third bedrooms being for a single bed. Bedrooms 1 as indicated on the floor plans would have an ensuite.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 – Strategic Policy: Sustainable Development
Policy 2 – Strategic Policy: Strategic Development
Policy 3 – Strategic Policy: Development Hierarchy
Policy 16 – Strategic Policy: Meeting Local Housing Needs
Policy 31 – Green Infrastructure and Biodiversity
Policy 32 – Strategic Policy – The Quality of New
Policy 33 – Development Principles
Policy 34 – Cultural and Heritage Assets
Policy 38 – Strategic Policy: Flooding
Policy 40 – Sustainable Transport
Policy 41 – Parking
Policy 42 – Inclusive Communities
Policy 43 – Community Facilities, Leisure and Recreation

Billingshurst Neighbourhood Plan 2019-2031
Policy BILL 1: Billingshurst Built-up Area boundary
Policy BILL 2: Housing Design and Character
Policy BILL 3: Energy Efficiency and Design
Policy Bill 14: Residential Parking Provision
Policy BILL 16: Multi-Value Sustainable Drainage Systems

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 2.9 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing

development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

Horsham District Local Plan (2023-40) (Regulation 19):
Policy 1: Sustainable Development
Policy 6: Climate Change
Policy 7: Appropriate Energy Use
Policy 8: Sustainable Design and Construction
Policy 9: Water Neutrality
Policy 13: The Natural Environment and Landscape Character
Policy 17: Green Infrastructure and Biodiversity
Policy 19: Development Quality
Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Policy 24: Sustainable Transport
Policy 25: Parking

REPRESENTATIONS AND CONSULTATIONS RESPONSES
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

Consultations:
NatureSpace: The ecological report submitted suggests a Precautionary Working Methods to minimise risk to great crested newts. It is considered that this is an appropriate approach for the site and the scale of works. These should be written by a suitably qualified Ecologist, submitted with planning and secured via condition. The development is situated in the amber impact risk zone indicating that suitable habitat is present in the surrounding landscape.

Archaeological Consultant: The proposed development area has been previously archaeologically evaluated. No further archaeological fieldwork is required for this site. The proposed development area is within a wider development area that has been previously archaeologically investigated and so no further work is required.

Southern Water: The supporting documents make reference to drainage using Sustainable Drainage Systems (SuDS). Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Design and Construction Guidance (Appendix C) and CIRIA guidance.

WSCC Highways: Current site is vacant agricultural land, access into the site is along a 30mph road, visibility splays of 2.4 x43m are achievable along both sides of the access. No incidents near access to site in last 5 years. The internal road proposed will be a shared hard surface with a turning head suitable for a 10.5 metre refuse vehicle turning within the site. The nationally recognised TRICS database has been interrogated to estimate the vehicular trips associated with the proposal. It is estimated that 3 trips are generated each during morning and evening peak hours and 30 trips during the whole day. The Highway Authority do not anticipate a material intensification of vehicular trips from the development proposal that would be detrimental to the operation of the local highway network. There are many retail units, jobs, services, eating joints etc. which could be accessed by well-connected footways. Therefore, there are no transport grounds to resist this proposal. No objections to condition.

Natural England: No objection, concur with the conclusion of your authority's HRA appropriate assessment insofar that adverse effects on the integrity of the Arun Valley Designated sites can be

ruled out, as such no objections subject to the: delivery, management and maintenance of measures identified in the water neutrality statement to achieve water neutrality.

Fire and rescue: Comments, recommendations made in relation to conditions required to ensure fire safety for future residents

Arboriculture officer: The planning statement for the above application claims the belt of trees to the east of the site boundary will not be impacted upon. The submitted landscape plans refer to an AIA document for details of the proposed tree protection but this is not part of the application.

Representations:
Two neutral letters of objection have been received from two address:

- Design could be improved as an access road leading into Duckmoor development rather than housing.

Parish Comments:
Parish Council: No objection subject to the provision of eco features, including solar panels, and consideration to residents during the works.

Member Comments:
None received

HUMAN RIGHTS AND EQUALITY:
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.

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.

PLANNING ASSESSMENT

Background:

This parcel of land was part of the wider 'East of Billingshurst' development permitted in outline originally under DC/13/0735 and then amended under DC/15/0059. Whilst the other parcels have subsequently come forward for delivery under reserved matters within the consented time-frame, parcel H9 did not come forward within the relevant period of time, and so the outline consent for Parcel H9 has now lapsed. This parcel had been designated as a 'woodland farmstead' character area, drawing on traditional Sussex agricultural building clusters to form a small edge development of up to 5 dwellings. The Design Code approved under DISC/14/0282 set out the expectations of Farmstead areas to adopt barn-style buildings, with brick-faced elevations and timber cladding, using the building forms to create a courtyard style cluster of houses and open-sided car-ports. Although relatively blank elevations would define the outward facing edges of the cluster, the gardens, marked by rough split timber post and rail fences would form a soft edge and reflect the rural character beyond the eastern site boundary.

Within the East of Billingshurst development, the other 'farmstead' character areas all exhibit different architectural details, but tend to comprise larger dwellings with gardens facing the outer parcel edges as per the Design Code.

Although the eastern application boundary to the development currently retains a rural edge, it is acknowledged that an outline application for some 83 dwellings was allowed on appeal in December 2022 on land beyond the eastern field boundary (known as Duckmoor – DC/20/2607). As such, whilst the outline application described the potential development as barn style buildings, given the context of the site and its more surroundings, a more residential appearance is considered appropriate.

Since this, an application was refused on the site for four dwellings DC/22/2190. The reason for refusal was in relation to a lack of agreement with regards to the S106 legal agreement required to ensure the development was water neutral. This decision did not raise any other concerns in respect of the proposal, which is the same as that now proposed by this current application.

Principle of Development:

Policy 3 of the HDPF states that development will be permitted within towns and villages which have defined built-up areas. Any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement, in accordance with the settlement hierarchy.

The application site is located within the built-up area of Billingshurst, which is categorised as one of the 'Small Towns and Larger Villages' within the settlement hierarchy set out under HDPF policy 3. This type of settlement is seen as having a good level of services and community facilities and reasonable to public transport, acting as hubs to the smaller villages to meet their respective needs.

The site is located within the defined built-up area boundary where there is a presumption in favour of sustainable development, subject to any proposal being of a nature and scale to maintain the characteristics and function of the settlement.

Policy 16 of the HDPF requires new residential development to contribute 20% affordable housing, on sites under 0.5ha or less than 15 new units. However, contributions are not pursued on development of less than 10 units following para 63 of the NPPF, which sets out that affordable housing should not be sought for residential developments that are not major developments.

The proposed development is therefore considered acceptable in principle, subject to all other material considerations.

Design and Appearance:

Policy 25 of the HDPF seeks to protect the natural environment and landscape character of the District, including the landform, development pattern, together with protected landscapes and habitats. Development will be required to protect, conserve and enhance landscape and townscape character, taking account of areas or features identified as being of landscape importance, individual settlement characteristics and settlement separation.

Policies 32 and 33 of the HDPF require development to be of a high standard of design and layout. Development proposals must be locally distinctive in character and respect the character of their surroundings. Where relevant, the scale, massing and appearance of development will be required to relate sympathetically with its built-surroundings, landscape, open spaces and to consider any impact on the skyline and important views.

The site area is small and triangular in its shape (approx. 0.23ha), constrained along the east side by an existing and mature tree belt / field boundary, and by the highway alongside the western boundary. The sloping site to the south abuts what will mature into part of the wider strategic landscaping that is part of the 'East of Billingshurst' development. The application site is between the rural context to the east and the developed village to the west. To the north of the parcel, is another strategic area of landscaping that separates the application site and other residential development, with an area for attenuation ponds. The position of the plot is similar to that under DC/22/2190, albeit with an approximate 2 metre variation from the previous siting.

Since the previous application under DC/22/2190, the number of dwellings has increased, with an

additional two dwellings proposed. Given the area of land within the application site, the number of dwellings would not be such that it would result in a cramped form of development. The dwellings are of generous proportions at roof level, with the half hipped semi detached dwellings and the detached four bedroom dwellings having brick at ground floor level, plain roof tiles and cement cladding at first floor level.

The application differs from that of the previous application, which had no objections in respect of design, in terms of the number of detached dwellings, with each of the dwellings previously being proposed with a garage. This current proposal under consideration would have one garage to serve the northern detached dwelling. This would be subservient in scale to its host dwellinghouse and would be single bay. Plot 6 would have a car port and the dwelling would be hipped.

The external materials which would be expected to be seen on the edge of the built-up area, which has a semi-rural character whilst reflecting a density which is similar to the more residential areas to the north and west. It is noted that when approaching from the south, the rear gardens of the development would be most visible, which would not result in an open frontage that would be considered to improve visual amenity, or be a positive enhancement to the streetscene, however the appearance of the development from this approach would not be dissimilar from other residential development within the near locality. As such, the proposal would not result in harm to the character of the area to such an extent that would warrant a refusal.

The site itself slopes towards the south with an overall change in levels across the site and away from the road, it is noted that the site level details have been included as part of the proposed plans. No topographical survey has been included as part of this application, however the topographical survey submitted as part of the previous application, and officer site visit would indicate that the finished floor levels would be slightly higher than the road. This would not however be to such an extent that it would result in an imposing development when approaching the development or in wider views.

The Landscape plan is detailed in its species and variety, with qualitative landscape enhancements over what is currently at the site, which is bare grass with the row of eastern trees outside the boundaries of the site. The council's Aboricultural officer has been consulted as part of the application and has no objections to the proposal, subject to the proposals securing tree protection measures throughout the development face. Overall, subject to conditions ensuring tree and root protection area retention there are no objections to the development in this regard.

It is therefore considered that the proposal would achieve a standard of design compliant with the requirements of HDPF policies 25, 32 and 33 in addition to policy BILL 2 of the Billingshurst Neighbourhood Plan. Furthermore, although the building forms and site layout differs from the original outline permissions, the proposal would retain the spirit of the approved Design Code for this parcel. Appropriate conditions are considered to suitably address the outstanding matters.

Residential Amenity:

Policy 33 of the HDPF 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.

The site is separated from other residential development by an intervening public highway to the west (some 22m) and an attenuation pond and open space to the north. Within the site, the siting of the dwellings are such that there would be some degree limited mutual overlooking. This would not be to such an extent that would be unacceptable However, it is noted that the site levels may require levelling and retaining walls, with some detail required via a pre-commencement condition to demonstrate the proposed levels with sufficient clarity in this respect.

The nearest existing dwellings are to the west separated by a highway and are a distance such that would not result in a loss of privacy given the approximate 37 metres distanced between the nearest western neighbour and the proposed dwellings.

The amenity spaces within the gardens are of the proposed dwellings are sufficient for the size of each dwelling and would meet nationally described space standards. Overall, the proposed layout would not

result in unacceptable relationship with neighbouring dwellings and would not result in an insufficient amount of amenity space for the future occupiers.

It is therefore considered that the proposal would not lead to a harmful sense of overbearing impact and a loss of amenity to the neighbouring properties, and that each dwelling would have suitable residential amenity.

Highways Impacts:

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

Highways have been consulted during the course of the application and note the current vacant land is along a 30mph road. In terms of visibility, the required visibility splays of 2.4 x43m are achievable along both sides of the access proposed. The road proposed within the site itself would be shared between the dwellings and would have a turning head suitable for a 10.5 metre refuse vehicle turning within the site.

The proposal would not be anticipated to result in a material intensification of vehicular trips from the development proposal that would be detrimental to the operation of the local highway network, and there is sufficient access to facilities such as jobs, services etc which could be accessed by well-connected footways.

The development would include 13 parking spaces within the application site and would include a visitor parking space which is sufficient to meet parking requirements for a development of this scale. A condition would be required to ensure that the parking spaces are built out as a pre-occupation condition and to secure safe and secure bicycle parking provision is made within the curtilage of each dwelling.

It is considered that the proposals would be in accordance with policies 40 and 41 of the HDPF.

Ecology:

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.

The applicant has provided an ecological report [Ecological Assessment, Derek Finnie Associates, December 2024]. The report gives an overview of the habitats on site, which consist of managed grassland. The ecological report has determined that a precautionary method of works would be suitable for the site. This is deemed appropriate for the site and should written by a suitable qualified Ecologist, submitted to planning and secured by condition. The habitat survey outlines that there is low potential for bats and the Great Crested Newts.

A condition to secure details of wildlife sensitive lighting and precautionary method of works would meet the requirements of HDPF policy 31.

Water Neutrality:

The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be

addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

A dedicated Water neutrality Statement has been submitted as part of the application and outlines an existing baseline water consumption. Given the current application site consists of vacant agricultural land, the baseline is nil. The information submitted includes the proposed water consumption, the application proposes 1x four bedroom dwellings, 5 x three bedroom dwellings with an occupancy of 15.21. Prior to fitting efficient fixtures they used 110 litres per day per person such that the consumption would be 1673.10 litres per day. After fitting each of the dwellings with efficient fixtures and fittings, the development would use 1,284.48 litres per day. This is supported by the Part G calculator which outlines that each occupant would 84.45 litres per person per day. Further mitigation measures would be required to account for this usage, this would need to be out of the application site.

The remainder of the offsetting will be out of the at a farm named Heathtolt farm whose agricultural stock would be switched from mains water consumption over to a borehole fed supply. This mitigation would have to be guaranteed in perpetuity for the lifetime of the development to be considered water neutral to be secured by legal agreement.

An alternative option available to the applicants, as supported by recent appeal decisions, could be to utilise the emerging Sussex North Offsetting Water Scheme (SNOWS). Under this scheme, it is proposed to allow development supported in a made plan or a post-submission plan the option of offsetting its water demand through the purchasing of water credits via the Council. This has been agreed by the applicant, with a condition recommended to this effect.

These measures are considered sufficient to avoid adverse effects on the integrity of the interest features of the Arun Valley SPA, SAC & Ramsar site from the development either alone or in combination with other plans and projects.

Biodiversity Net Gain (BNG):

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 must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

A Biodiversity Gain Plan has been submitted which demonstrates that the development without mitigation would not meet 10% net gain and as such, a Statement of intent has been requested by the planning officer such that the applicant would need to demonstrate how they intend to meet offsite net gain requirements. The development will therefore be required to meet Biodiversity net gain commitments as set out within the Statement of intent.

Other Matters:

Climate Change:
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. The proposed development includes the following measures to build resilience to climate change and reduce carbon emissions:

- Requirement to provide full fibre broadband site connectivity
- Dedicated refuse and recycling storage capacity
- Opportunities for biodiversity gain
- Cycle parking facilities

Fire and access:

Officers have taken note of the Fire and Access Officer's consultation response, which advises that a fire hydrant would be required to serve the development. It is considered that this issue would be best addressed through the Building Regulations, with no duplication required as part of this planning application.

Archaeology:
The Council's Archaeological Advisor is satisfied that the application site has previously been subject to wider site evaluations in relation to archaeology. As such there is considered to be no conflict with policy 34 of the HDPF in respect of the historic environment.

Drainage:
Policy 38 of the HDPF requires development to ensure that it does not increase flood risk elsewhere. d rainage details have been submitted and are considered acceptable in regards to foul and surface water sewerage disposal, and sustainable surface water drainage. There are no objections to the proposal in this regard.

Conclusions:

The principle of development for this parcel of land has been previously established under DC/13/0735 and amended permission under DC/15/0059. The outline consent period within which reserved matters were to be submitted for this parcel has now expired, but the wider 'East of Billingshurst' development has been accepted for a low-density residential scheme. As such, as a separate Full planning application under its own merits, the site remains appropriate and within the strategic policy expectations, particularly HDPF policy 1 and policy BILL 3 of the Billingshurst Neighbourhood Plan.

The design, number of dwellings and layout differs from that outlined in the original application, however it is considered that the density of development, character of housing and impact on the surrounding residential development would be considered acceptable for the location. The proposal would result in the contribution of six dwellinghouses within the context of a housing shortage where subject to necessary conditions, all other material planning considerations are acceptable. As such, the proposal is recommended for approval.

Recommendation: Application Permitted

Conditions:

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 take place until a Reasonable Avoidance Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement, which will reflect paragraph 6.1.2 of the Ecological Assessment ref: DFA24094V2, shall outline a precautionary approach to works prior and during construction to mitigate potential impacts to protected species. The development shall be carried out in strict accordance with the agreed details.

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

5 **Pre-Commencement Condition**: No development shall commence until either:

i) Details have been submitted to and been approved in writing by the Local Planning Authority confirming that the necessary credits to achieve water neutrality have been secured via the Sussex North Offsetting Water Scheme; or

ii) Confirmation has been submitted to and been approved in writing by the Local Planning Authority that the water demand from the proposed development has been offset in accordance with the terms of the s106 legal agreement completed to accompany the grant of this planning permission.

Reason: To ensure that the approved development is water neutral, thus avoiding contribution to the possible adverse effect upon the integrity of the Arun Valley Special Area of Conservation, Special Protection Area and Ramsar designations addressed by the Natural England Position Statement of September 2021 and to satisfy the Authority's duties pursuant to the Protection of Habitats and Species Regulations 2017 (as amended) at Regulation 63.

6 **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 an Arboricultural Method Statement detailing all trees/hedgerows on site and adjacent to the site to be retained during construction works, and measures to provide for their protection throughout all construction works, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and thereafter carried out at all times strictly in accordance with the agreed details.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

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

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 not be occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Densities and plant numbers and tree pit details
- Details of all hard surfacing materials and finishes
- Details of all boundary treatments

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

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

9 **Pre-Occupation Condition:** No part of the development shall be first occupied until a lighting design scheme for biodiversity has been submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans 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.

10 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of a minimum 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).

11 **Pre-Occupation Condition:** No part of the development shall be first occupied until the access and car parking has been constructed in accordance with the approved site plan and visibility splays plan. The access and spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide safe access and car-parking space for the use in accordance with Policies 40 and 41 of the Horsham District Planning Framework.

12 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the cycle parking facilities serving it have been provided within the side or rear garden for that dwelling. The facilities shall thereafter be retained for use at all times. The cycle parking facilities 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).

13 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling has been provided within the garage or side or rear garden for that dwelling (or use). The facilities shall thereafter be retained for use at all times.

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

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

Reason: In the interest of visual amenity and due to the constrains of the site and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

15 **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).

16 **Regulatory Condition:** The development hereby permitted shall be carried out in strict accordance with the Drainage Strategy (submitted on 23/12/2024).

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).

NOTE TO APPLICANT
Biodiversity Net Gain Condition
Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission is Horsham District Council.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link:

https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan

Statutory exemptions and transitional arrangements
There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at

https://www.gov.uk/guidance/biodiversity-net-gain

Irreplaceable habitat
If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

POSITIVE AND PROACTIVE STATEMENT
Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/24/1999
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Elevation & Floor plan	Proposed Plot 6	240023-A-PL-015 REV A	23.12.2024
Section plan	Proposed Site	240023-A-PL-016 REV A	23.12.2024
Plans	Street Scene	240023-A-PL-017 REV A	23.12.2024
Plans	Refuse Vehicle Tracking Plan	240023-A-PL-018 REV A	23.12.2024
Plans	Sightlines Plan	240023-A-PL-019 REV A	23.12.2024
Plans	Wider Context Plan	240023-A-PL-020 REV A	23.12.2024
Plans	Landscape Plan	M454-200 REV P1	23.12.2024
Location plan		240023-A-PL-001 REV A	23.12.2024
Block plan		240023-A-PL-002 REV A	23.12.2024
Layout plan	Proposed Site	240023-A-PL-010 REV A	23.12.2024
Layout plan	Proposed Site	240023-A-PL-011 REV A	23.12.2024
Elevation & Floor plan	Proposed Plot 1	240023-A-PL-012 REV A	23.12.2024
Elevation & Floor plan	Proposed Plots 2 and 3	240023-A-PL-013 REV A	23.12.2024
Elevation & Floor plan	Proposed Plots 4 and 5	240023-A-PL-014 REV A	23.12.2024
Supporting Statement	Planning	J005080	23.12.2024

Supporting Docs	Ecological Assessment	DFA24094V2	23.12.2024
Supporting Statement	Transport	NONE	23.12.2024
Supporting Docs	Drainage Strategy	NONE	23.12.2024
Supporting Statement	Water Neutrality	NONE	23.12.2024

DELEGATED

Authorising Officer sign/initial ..... Date: 03.04.2025