Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0498
Keepers Cottages, Coolham Road, Coolham, Horsham, RH13 8GP

DESCRIPTION:
Demolition of existing 2No cottages and erection of 1No dwelling with associated landscaping and car parking.

RELEVANT PLANNING HISTORY:

BL/83/87	Use of 2 cottages as tourist accommodation (keepers cottages - formerly 'court farm cottages')	Application Permitted on 16.09.1987
BL/47/92	Renewal of unimplemented permission to use cottages for tourist accommodation	Application Permitted on 05.08.1992
BL/69/97	Renewal of planning permission bl/47/92 Site: 1&2 Court Farm Cottages West Chiltington Lane Coneyhurst	Application Permitted on 08.10.1997
BL/88/98	Renewal of permission bl/69/97 for use of 2 cottages as tourist accommodation	Application Permitted on 06.10.1998
DC/15/0434	The continued use of Keepers Cottages as private residential dwellings under Use Class C3 (Lawful Development Certificate - Existing)	Application Refused on 11.05.2015
DC/17/0112	Application for the renovation and reinstatement of 2x 2-bed semi-detached cottages back into residential use	Application Permitted on 07.07.2017
DISC/20/0094	Approval of details reserved by condition 3 on DC/17/0112	Application permitted on 27.11.2020
DC/21/2563	Demolition of existing Keepers Cottages. Erection of a relocated two-storey residential dwelling with access, landscaping and associated infrastructure.	Application Refused on 25.01.2022
DISC/20/0094	Approval of details reserved by condition 3 on DC/17/0112	Application Permitted on 27.11.2020

SITE AND SURROUNDS
The application site is located outside the built up area boundary and is approximately 3.5 km east of Billingshurst. The site lies some distance from the cluster of farm buildings at Court Farm, off West Chiltington Lane. Part of the access track is a poorly maintained dirt track. The two cottages remain in a dilapidated state which was noted in the previous officer report, with the appearance and planning history indicating that the buildings are not structurally sound such that habitation is possible. Since the permission was enacted under DC/17/0112 there appears to have been some works in so far as to

keep the application possible of completion but these works do not appear to have been significant in altering the character or appearance of the site.

The wider area is primarily characterised by enclosed agricultural fields, with sporadic residential and commercial buildings located along the road frontage. The unclassified settlement of Coolham is located 300m to the south, and the built-up area of Billingshurst is located approximately 3.7km to the north-west. The nearest residential properties located 120m to the north and south.

DETAILED DESCRIPTION

The application seeks permission for replacement of the existing 2No cottages with a 1No dwelling with associated landscaping and car parking. The existing two bedroom dwellings would be required to be demolished and the new dwellinghouse would have four bedrooms.

The proposal would include an informal driveway and would include some indicative landscaping on the submitted plan titled 'Proposed Site Plan'. The existing outbuilding on site would be retained.

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 4 - Strategic Policy: Settlement Expansion
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 28 - Replacement Dwellings and House Extensions in the Countryside
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 - Parking

The Horsham District Local Plan 2023-2040

The Horsham District Local Plan 2023-2040 was submitted for examination on the 26th of July 2024. Paragraph 48 of the NPPF states that *"local planning authorities may give weight to relevant policies in emerging plans according to:*

a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
c) the degree of consistency of the relevant policies in the emerging plan to this Framework [NPPF] (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)"

Policies in this Plan do not carry full statutory weight but are gathering weight as the Plan proceeds through its stages. They provide an indication of the direction of future policy. Since the 26th of July 2024, when the Plan was agreed for submission to the Secretary of State, it has gained weight for the determination of planning applications. The relevant policies are:

Policy 1: Sustainable Development
Policy 2: Development Hierarchy
Policy 3: Settlement Expansion
Policy 6: Climate Change
Policy 7: Appropriate Energy Use
Policy 8: Sustainable Design and Construction
Policy 9: Water Neutrality
Policy 11: Environmental Protection
Policy 13: The Natural Environment and Landscape Character
Policy 14: Countryside Protection
Policy 15: Settlement Coalescence
Policy 17: Green Infrastructure and Biodiversity
Policy 19: Development Quality
Policy 20: Development Principles
Policy 23: Infrastructure Provision
Policy 24: Sustainable Transport
Policy 25: Parking
Policy 37: Housing Provision
Policy 38: Meeting Local Housing Needs
Policy 39: Affordable Housing
Policy 40: Improving Housing Standards in the District

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.

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

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

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:

Natural England: No objection, concur with the conclusion of the local planning 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: Comment. Currently the nearest fire hydrant to the proposed property is 580 metres away. The supply of water for firefighting for a domestic premises should be within 175 metres. If an alternative supply of water for firefighting is to be considered it will need to conform with the details identified in Approved Document – B (AB-B) Volume 1 – 2019 edition:B5 section 14.

WSCC Highways: No objection: -

The site is located off Coolham Road, a C-classified road subject to national speed limit in this location. Access to the maintained highway network is at the existing access point on Coolham Road. A series of private access tracks and bridleways link the site to the maintained highway. The LHA would not anticipate that the proposed development would give rise to a material intensification of use of this access point.

An existing driveway is to be retained for use by the proposed dwelling, and this appears suitable for the proposed use. The private access road can be used to turn and exit towards Coolham Road in a forward gear.

In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 115), and that there are no transport grounds to resist the proposal.

Ecology Consultant: Further information required: -

The Bat Emergence Activity Survey (Phlorum Limited, September 2024) identified a feeding roost or a possible day or night roost for Soprano Pipistrelle in the roof space of Building B1 (residential building) during emergence surveys in June, July and September 2024. Therefore either a European Protected Species Mitigation Licence (EPSML) or a Bat Mitigation Class licence will be required to implement the development if consented.

If the applicant intends to apply for an EPSML, details of the mitigation measures must be submitted to the LPA prior to determination. If the applicant intends to use a registered bat consultant under a Bat Mitigation Class Licence, the outline mitigation to be included in the method statement will be required prior to determination and, post consent, evidence of the site registration under a Bat Mitigation Class Licence for Bats will need to be submitted to the LPA. For both types of licence, details of the mitigation measures to be included in the method statement under the licence are needed prior to determination so that the LPA has certainty of likely impacts on protected species.

Although the applicant's ecologist has provided details of compensation measures to support the bat licence, we still need submission of *outline* mitigation measures likely to be included in the licence method statement. This includes measures such as a toolbox talk, undertaking the work under the supervision of a licensed ecologist with an endoscope, erecting a bat box prior to work commencing and the measures to be taken if a bat is found.

Note that there is habitat on site suitable for supporting Hazel Dormouse, there are records for this species within 2km of the site and areas of Priority deciduous woodland habitat adjacent to the site. We therefore request justification as to the approach taken not to undertake surveys for this European Protected Species and the measures that will be taken to protect Hazel Dormouse on site.

Southern Water: Comment: -

The Environment Agency should be consulted directly by the applicant regarding the use of a private wastewater treatment works which disposes of effluent to sub-soil irrigation. The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development. It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site. Southern Water has noted that the applicant has submitted a Water Neutrality report which we understand the Local Planning Authority will be working in conjunction with Natural England on reviewing the developers proposals. We would not comment on the developers proposals directly, however if the LPA have any specific questions, they can be forwarded to us for a direct response.

Parish Comments:
No objection.

Representations:
1x Objection received with concerns that:

- Traffic concerns
- Highways safety concerns
- Other development in the area led to unauthorised development
- -Biodiversity

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

Principle of Development:

The application submission makes reference to a previous planning permission under reference DC/17/0112 for the renovation and reinstatement of 2no. dwellings (known as 1 and 2 Keepers Cottages). This application outlined that the building known as Keepers Cottages had been left unoccupied and unmaintained for a number of years and were in a general state of significant disrepair. A Structural Report commissioned indicated that the buildings were subject to a number of structural failings, however the internal walls, chimney stacks and chimney breasts were in sound condition. The Report thereby concluded that a large proportion of the original building could be retained and successfully converted.

Following the discharge of pre-commencement conditions in relations to DC/17/0112, including the installation of a foul water drainage pipe and two inspection chambers, appeal history in relation to DC/21/2563 and photograph submissions of works to evidence that the application has been enacted such that the DC/17/0112 works may be completed at any time.

Where the appeal under DC/21/2563 and the current application differ is in the siting of the new dwellinghouse, which would be within the existing curtilage of the existing Keepers Cottage. Given the above, the application would need to be assessed in relation to Policy 28 of the Horsham District Planning Framework (HDPF). This states that outside the defined built-up areas, replacement dwellings will be supported if the development can be accommodated appropriately within the curtilage of the existing dwelling. In addition, replacement dwelling will only be supported on a one for one basis and if it can be demonstrated that the property is not derelict. Replacement dwellings should not be disproportionate to the size of the existing dwelling.

The proposal would replace the two-bedroom dwellings with one 4-bedroom dwelling. Part of the objective of Policy 28 of the Horsham District Planning Framework was to restrict the expansion of residential development in countryside locations from replacement dwellings that would increase the number of dwellings within a site. In this sense, policy 28 cannot be said to be strictly relevant to the proposed development, but in the absence of an adopted or draft local plan policy that protects existing housing stock, policy 28 is the most relevant, with no NP policies seeking to control housing mix. Therefore, whilst it is acknowledged that the proposal would result in a net loss of one dwelling house and not policy compliant in this sense, it would not be considered to be a disproportionate replacement to the size of the two existing dwellings and as demonstrated in the planning section above, would not be derelict in the sense that the two dwellings would be capable of completion at any time. Overall therefore, the proposal is considered to sufficiently accord with Policy 28 of the Horsham District Planning Framework.

It is noted that the proposed development would represent development in the exact siting as existing built for such that in this instance it would be on previously developed land within the continuity of existing buildings and other than not providing affordable housing, would otherwise largely accord with the above policy.

On balance, the proposal would demolish the existing built form and represent development that is as a whole in compliance with Policy 28 of the HDPF.

Design/ Appearance and Landscape:

Policies 25, 32, and 33 of the HDPF promote development that protects, conserves and enhances the townscape character from inappropriate development. Proposal 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.

Whilst the DC/17/0112 permission is extant and possible of completion, the derelict nature of the building detracts from the rural landscape setting which is characterised by arable fields, hedgerows, mature trees and woodland. The reinstatement of residential dwellings in this location, with proposed materials that reflect the character of the area would be acceptable and it is considered in this instance that the resultant appearance of the dwellinghouse would not be unexpected in site's rural context.

There is little separation between the surrounding agricultural land and the proposed dwellinghouse. Nevertheless, suitable landscaping that would be sensitive to site boundary treatments which can be secured through condition, would help to prevent the erosion of the rural Landscape character of the site. Given the scale and design would reflect the existing built form on site, with the addition of hardstanding the proposal would be considered to reflect the character of the site itself and would not be considered to harm the rural character of the area in which forms its context. No objections in respect of policies 25, 32 and 33 of the HDPF.

Amenity Impacts:

Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contributes 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.

As per the previous officer's report in respect of DC/17/0112 the absence of immediate residential development would prevent harmful loss of light, outlook or privacy for neighbouring residents. The amenity space is considered sufficient to serve a dwellinghouse of this size and the proposal would be in accordance to NDSS. There are no objections to the proposal due to unacceptable impacts on neighbouring development or future occupiers.

Highways Impacts:

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

There is an existing separate access from Coolham Road and the proposed development would provide parking. The Highways Authority have been consulted as part of the application and consider that the proposed development would not give rise to a material intensification of use of this access point. Overall there are no objections to the proposal on the basis of concern for highways safety.

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.

Ecology were consulted during the course of the application and initially objected to the proposal on the basis of requiring further information. After this initial objection further Ecology information was requested and submitted to the Local Planning Authority. The Preliminary surveys indicated that there was requirement for further surveys. The surveys submitted include Bat Emergence Activity survey (Phlorum Limited September 2024) and Preliminary Ecological Appraisal V2 (Phlorum Limited September 2024). This identified that there is roost potential in building 1 (residential building) in June, July and September, as such the Ecology consultant has identified that a European protected species mitigation license would be required to carry out the development. The Ecology consultant note that some information regarding mitigation measures are absent from the submission. Whilst the Ecology consultant has outlined that they object to the development on the basis of this absence of information, it is understood that a European protected species mitigation license would require appropriate mitigations for the nature of the works in light of the presence of a protected species within an application site. As such, submission of evidence that the European protected species mitigation license has been granted to the application for the works would necessitate appropriate mitigation measures and methodology. Provided that this information is submitted to the LPA prior to the commencement of any works on site and that the works are carried out in accordance to these outlined mitigation measures, it is not considered that there would be potential for the development to result in harm to protected species. On the balance of these considerations and the sensitivities of the application site, a pre-commencement condition would sufficiently ensure that the mitigation measures required would have been met such that the LPA is considered to have at that point, discharged its statutory obligations under the ODPM Circa 06/2005.

The Ecologist has gone on to highlight that building 2 (small outbuilding) was categorised as having low bat potential to support roosting bats within Preliminary Ecological Appraisal V2 but was not presented within the Bat Emergence survey in September. They have requested that this building is presented within a further Bat Emergence survey. Whilst the request for this further survey is acknowledged, given that the preliminary ecological appraisal noted that there was low bat potential, further survey works are not required in respect of this building for bat roosts. The absence of this further information is not required given that the granting of permission does not form a defence in the circumstance of a wildlife crime. Whilst the findings of the Preliminary Ecological appraisal suggest the bat roost potential within building 2 is low such that it is considered unlikely that it would support roosting bats, an informative will be attached to this permission which reminds the applicant that in the event that a protected species is found within this building, there should be an immediate cease to works on site and an application made to Natural England for a mitigation license. The Hazel dormouse has not been surveyed within the scope of this application, the Preliminary Ecological Appraisal notes that there are

no records within 2km of the site, however there is moderate suitable habitat for this species on the site and nearby. It is therefore recommended that a Non-Licensed Precautionary Method Statement for Hazel Dormouse should be submitted. While it is noted that the Ecologist recommends that this information be submitted prior to determination, a pre-commencement condition could be secured and would offer appropriate protections.

Given that there is moderate potential for reptiles within the application site, a condition would be required for the applicant to submit a precautionary method statement for reptiles. This considered reasonable and necessary to address potential impacts on Great Crested Newts. For these reasons, the development is considered to have taken appropriate consideration of Great Crested Newts and their habitat.

Overall there are no objections to the proposal subject to the appropriately worded Pre-commencement conditions.

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

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
- Cycle parking facilities
- Electric vehicle charging points

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

Water Neutrality:

The application site falls within the Sussex North Water Supply Zone as defined by Natural England and which includes supplies from groundwater abstraction which cannot, with certainty, demonstrate no adverse impacts upon the defined Arun Valley SAC, SPA and Ramsar sites.

An advice note from Natural England (September 2021) 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.

The Water Neutrality information submitted indicates that the existing two cottages are not occupied and therefore there is a nil baseline use. The statement goes on to outline that the proposed water consumption of the 4 bedroom dwellinghouse would have an occupancy of 2.86 people. The WNS have provided a Part G calculator and is supported by detail of fixtures and fittings. They conclude that per person per day would use 97.58 l/p/d which when accounting for the occupancy would be 279 litres/day within the site.

Given the nil baseline, the consumption required mitigation which has been established as a legal agreement to ensure the offsetting strategy is enforceable. In this instance the offsetting strategy is through a Rainwater Harvesting System undertaken at Sluetts farm. The current agricultural use at Sluetts farm would cease to be supplied by mains and would utilise the rainwater from the RHS

proposed. This reduction in mains usage from the other site is sufficient to meet the water requirements for the proposed development.

No objection to the proposal in light of policy 31 of the HDPF, NPPF paragraph 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Conclusions:

It is acknowledged that there is unmet housing need within the district and the application would result in the loss of one dwellinghouse. However, there are no existing policies within the Horsham District Planning Framework that protect the existing housing stock and given that the scale of reduction in housing would only be one dwellinghouse, the harm that this would result in would be very limited in this instance. When viewed in light of policy 28 of the HDPF, the replacement would be acceptable and it would not be of a scale that would be harmful or disproportionate to what exists within the site. The impact on the amenities of the neighbouring dwellings and future occupiers are acceptable and the proposal would not be considered to harm the function or safety of the highway network.

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 commence until a Non-Licensed Precautionary Method Statement for Hazel Dormouse has been submitted to and approved in writing by the Local Planning Authority. This shall include, but not be limited to, a presence/absence survey and assessment, mitigation measures, and enhancement measures where necessary. The works shall be implemented in accordance with the approved recommendations and shall be maintained thereafter.

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).

4 **Pre-Commencement Condition:** Prior to the commencement of the development, a European Protected Species Mitigation Licence (EPSML) shall be submitted to and approved in writing by the local planning authority. The measures and/works shall be carried out strictly in accordance with the approved details submitted and approved within the License and shall be retained in that manner thereafter

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

5 **Regulatory Condition:** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Bat Emergence Activity Survey (Phlorum Limited, September 2024) and Preliminary Ecological Appraisal V2 (Phlorum Limited, September 2024) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham Development Framework.

6 **Pre-Commencement Condition**: No development shall commence until a precautionary method statement for protected species have been submitted to and approved in writing by the Local Planning Authority. This shall include, but not limited to consideration of mitigation measures for avoiding harm to reptiles, dormice and owls and enhancement measures where necessary. The development 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).

7 **Pre-Occupation Condition:** The development hereby permitted not 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 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.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 193 and 194 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

8 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the parking, turning and access facilities necessary to serve that dwelling have been implemented in accordance with the approved details on the submitted plans and shall be thereafter 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).

9 **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. 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).

10 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a fast charge electric vehicle charging point for that dwelling has been installed. As a

minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

11 **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).

12 **Pre-Occupation Condition**: The development hereby permitted shall not be occupied until a lighting design scheme for biodiversity has been submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

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

13 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or reenacting 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 the 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 enlargement of the dwelling above the existing, in accordance with Policies 28 and 33 of the Horsham District Planning Framework (2015).

14 **Regulatory Condition**: The materials indicated within the submitted and approved plans will be used in the construction of the development hereby permitted and shall remain thereafter unless approved by the Local Planning Authority.

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).

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/24/0498
(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
Location plan		003 REV P4	28.03.2024
Site plan	As existing	002 REV P3	28.03.2024
Site plan	As proposed	001 REV P6	28.03.2024
Roof plan	As existing	012 REV P1	28.03.2024
Roof plan	As proposed	022 REV P2	28.03.2024
Floor plan	Ground, as existing	010 REV P1	28.03.2024
Floor plan	Ground, as proposed	020 REV P3	28.03.2024
Floor plan	First, as existing	011 REV P1	28.03.2024
Floor plan	First, as proposed	021 REV P4	28.03.2024
Elevation plan	Front/South, as existing	013 REV P1	28.03.2024
Elevation plan	Side/East, as existing	014 REV P1	28.03.2024
Elevation plan	Rear/North, as existing	015 REV P1	28.03.2024
Elevation plan	Side/West, as existing	016 REV P1	28.03.2024
Elevation plan	Front/South, as proposed	023 REV P4	28.03.2024
Elevation plan	Side/East, as proposed	024 REV P3	28.03.2024
Elevation plan	Rear/North, as proposed	025 REV P3	28.03.2024
Elevation plan	Side/West, as proposed	026 REV P3	28.03.2024
Supporting Statement	Planning	NONE	28.03.2024
Supporting Statement	Water Neutrality	NONE	28.03.2024
Supporting Statement	Preliminary Ecological Appraisal Bat Emergence Activity Survey		30.03.2024

Supporting Statement	Preliminary Ecological Appraisal V2 (Phlorum Limited, September 2024)		30.03.2024

DELEGATED

Case Officer sign/initial Hannah Darley Date: 31/10/2024

Authorising Officer sign/initial Guy Everest Date: 19.11.2024