

Mr Nikolas Antoniou  
NJA Town Planning Ltd  
The Beehive  
City Place  
Gatwick  
RH6 0PA

**Rosewood Barn Two Mile Ash Road Barns Green RH13 0PF  
Conversion of barn to form a three bedroom dwellinghouse.**

Your application DC/21/2323 has now been determined and I enclose the decision notice. The decision notice contains important information. Please take a moment to read it as further action may be required.

**Conditions**

Before you start work, information must be submitted for any conditions that require discharge before development can begin. The decision notice will set out what information need to be sent.

**Failure to discharge conditions before commencing development could result in the development being unlawful or enforcement action being taken.** You can notify us of your intention to initiate development by completing a pre-commencement notification which will help us to monitor your development. There is no fee to use this service. To do this, or for further information about discharging planning conditions, visit us online at [horsham.gov.uk/planning/discharging-a-planning-condition](https://horsham.gov.uk/planning/discharging-a-planning-condition)

**Community Infrastructure Levy (CIL)**

If this development is CIL liable, the requirements of CIL must be met before you start work. Failure to do so could result in additional financial penalties. For further information relating to CIL visit [horsham.gov.uk/planning/planning-policy/community-infrastructure-levy/cil-charges-and-how-to-pay](https://horsham.gov.uk/planning/planning-policy/community-infrastructure-levy/cil-charges-and-how-to-pay)

If you have any questions about the decision notice, you can call us and speak to a member of the team on 01403 215187 between 9AM - 5PM, Monday to Friday.

If you are acting as the planning agent for this application, please ensure that the applicant is given a copy of the decision notice and this letter.

Yours Sincerely,  
Development Management





Mr Nikolas Antoniou  
NJA Town Planning Ltd  
The Beehive  
City Place  
Gatwick  
RH6 0PA

Application Number: DC/21/2323

TOWN AND COUNTRY PLANNING ACT, 1990 (as amended)  
TOWN AND COUNTRY PLANNING (Development Management Procedure) (England) Order 2015

On behalf of: Mr and Mrs G Matlock

In pursuance of their powers under the above-mentioned Act and Order, the Council hereby notify you that they PERMIT the following development, that is to say:

**Conversion of barn to form a three bedroom dwellinghouse.**

**Rosewood Barn Two Mile Ash Road Barns Green RH13 0PF**

to be carried out in accordance with Application No. DC/21/2323 submitted to the Council on 13/10/2021 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes  
Head of Development and Building Control

Date: 17/03/2023

- 1 **Plans Condition:** The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule below.

**SCHEDULE OF PLANS/DOCUMENTS**

| Plan Type              | Description                                                                  | Drawing Number | Received Date |
|------------------------|------------------------------------------------------------------------------|----------------|---------------|
| Supporting Docs        | Bat Emergence and Re-Entry Surveys by arbtech                                | NONE           | 17.06.2022    |
| Supporting Docs        | Preliminary Ecological Appraisal and Preliminary Roost Assessment by arbtech | ISSUE 1        | 07.01.2022    |
| Supporting Docs        | Water Neutrality Report by cgs civils dated 16.08.2022                       | C1880          | 23.08.2022    |
| Elevation & Floor plan | Existing Floor Plans, Section and Elevations                                 | 1094/01        | 13.10.2021    |
| Elevation & Floor plan | Proposed Floor Plans and Elevations                                          | 1094/02 REV B  | 13.10.2021    |

|               |                    |         |            |
|---------------|--------------------|---------|------------|
| Location plan | Site Location Plan | 1094/03 | 13.10.2021 |
| Site plan     | Block Plan         | 1094/04 | 13.10.2021 |

Reason: For the avoidance of doubt and in the interest of proper planning.

- 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 drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

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

- 4 **Pre-Commencement Condition:** No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

- (a) A preliminary risk assessment which has identified:
- all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at the site.

The following aspects (b) - (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

- (b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.
- (c) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (b) and an options appraisal.
- (d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

The scheme shall be implemented as approved. Any changes to these components require the consent of the local planning authority.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 5 **Pre-Commencement Condition:** No development shall commence until a Biodiversity Enhancement Strategy for Protected and Priority species has been submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner 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).

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

- 7 **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

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).

- 8 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until details of the parking, turning and access facilities for the dwelling, including upgrading the surfacing of the access point, has been submitted to and approved by the Local Planning Authority in writing. The dwelling shall not 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).

- 9 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until cycle parking facilities serving it have been provided within the side or rear garden for the 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).

- 10 **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 side or rear garden for the 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).

- 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 **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 Classes A, AA, B, C, D, E, F of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) 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 character of the subject building in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 13 **Regulatory Condition:** No external lighting or floodlighting shall be installed other than with the permission of the Local Planning Authority by way of formal application.

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

- 14 **Regulatory Condition:** The development hereby permitted shall be undertaken in strict accordance with the ecological mitigation and enhancement measures set out in Preliminary Ecological Appraisal and Preliminary Roost Assessment by arbtech received 07.01.2022 and Bat Emergence and Re-Entry Surveys by arbtech received 17.06.2022.

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).

#### **Note to Applicant**

The Applicant is advised that in addition to obtaining planning permission, the improvement to the construction of the access point crossover to current WSCC standards would also require formal approval from the highway authority to carry out any site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted.

Additional information about the licence application process can be found at the following web page:

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>

Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-applicationform/>

#### **Note to Applicant**

The Applicant is advised that a licence from Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead may be required. The Applicant should obtain this licence before any works begin on site.

#### **Note to Applicant – Community Infrastructure Levy (CIL):**

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1<sup>st</sup> October 2017. This development constitutes CIL liable development.

If you have not received a Liability Notice from the Council within 1 month of the decision date please contact the CIL Team at [cil@horsham.gov.uk](mailto:cil@horsham.gov.uk)

CIL is a mandatory financial charge on development. To avoid additional financial penalties, the requirements of CIL must be managed before development is commenced (including in the event of any successful appeal).

Payment must be made in accordance with the requirements of the CIL Demand Notice issued.

#### **Note to Applicant**

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.

## **ADDITIONAL INFORMATION**

### **Planning Permission – Important Provisos**

If planning permission has been granted, please note that your Notice of Decision refers only to consideration of your proposal under the Town and Country Planning Acts. It is not a building regulations approval and does not mean that you can disregard other Acts of Regulations, or avoid any other legal obligations. Some of these obligations, of particular relevance to your proposal are referred to elsewhere in this note. Before you proceed with your proposal you should ensure that a Building Control application is not required, or has been submitted. The Building Control Department can be contacted on 01403 215151.

If this permission relates to new dwellings, commercial premises or other buildings which will require a new postal address you should contact the Council's Street Naming & Numbering Department as soon as possible or before work commences on site. Further details are available on the Street Naming page on the Council's website or alternatively e-mail [streetnaming@horsham.gov.uk](mailto:streetnaming@horsham.gov.uk) or telephone 01403 215139.

It is the responsibility of the developer to provide bins for the development. If you are a developer and need to purchase bins, please email [hop.oast.admin@horsham.gov.uk](mailto:hop.oast.admin@horsham.gov.uk).

It must be stressed that the information included on this Notice of Decision may not include all your legal obligations, and it does not grant you rights to carry out works on or over lands, or to access land that is not within your control or ownership.

### **Amendments**

Should alterations or amendments be required to the approved plans, it will be necessary to apply either under Section 96A of the Town and Country Planning Act 1990 for non material alterations, or under Section 73 of the Act for minor material alterations. An application must be made using the standard application form and you should consult with us, to establish the correct type of application to be made.

### **Monitoring**

Horsham District Council monitors the implementation of planning permissions. Please be aware that monitoring officers may visit the application site at various stages of the development to ensure compliance with the approved plans and conditions.

### **Right of Appeals**

If you are aggrieved by the decision to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

You must appeal within 12 weeks of the date of the decision notice for a householder application or 'minor commercial' (shop front) development, and within 6 months for other types of planning applications. There are different timescale – usually 28 days – if an enforcement notice is/has been served for the same (or very similar) land and development. Please note, only the applicant possesses the right of appeal.

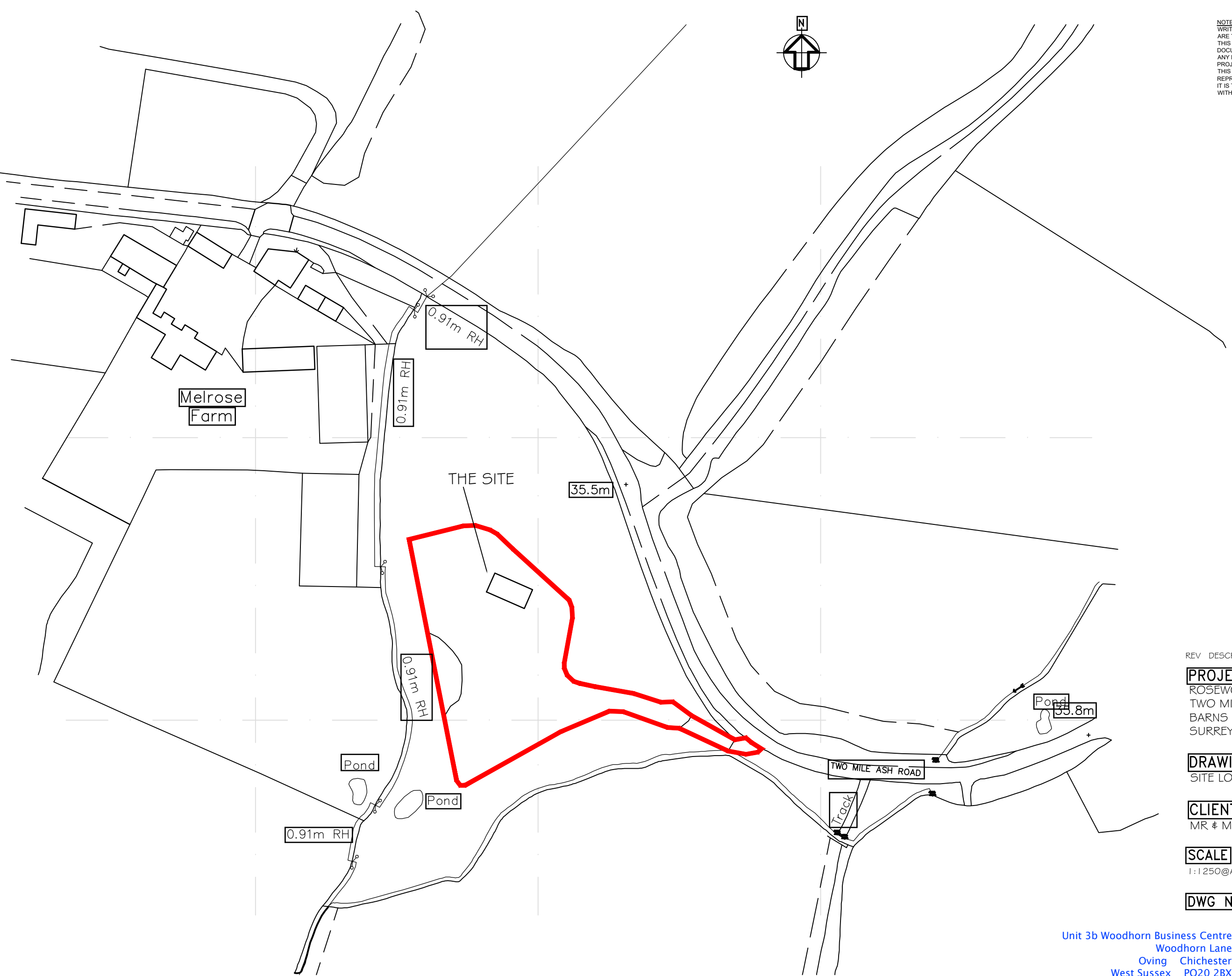
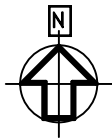
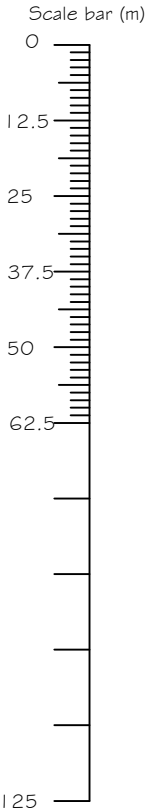
Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are at <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>.

NOTES  
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IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENSURE COMPLIANCE WITH THE BUILDING REGULATIONS.



| REV | DESCRIPTION | DATE |
|-----|-------------|------|
|-----|-------------|------|

|                   |
|-------------------|
| <b>PROJECT</b>    |
| ROSEWOOD BARN     |
| TWO MILE ASH ROAD |
| BARN'S GREEN      |
| SURREY            |

|                      |
|----------------------|
| <b>DRAWING TITLE</b> |
| SITE LOCATION PLAN   |

|                  |
|------------------|
| <b>CLIENT</b>    |
| MR & MRS MATLOCK |

|              |
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| <b>SCALE</b> |
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| <b>DRAWN BY</b> |
| PLB             |

|             |
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| <b>DATE</b> |
| SEP 21      |

|               |         |
|---------------|---------|
| <b>DWG NO</b> | 1094/03 |
|---------------|---------|

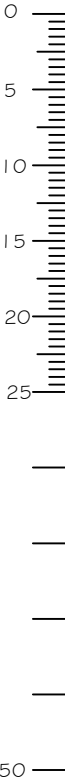
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| <b>REV.</b> |
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Unit 3b Woodhorn Business Centre  
Woodhorn Lane  
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West Sussex PO20 2BX  
Tel 01243 774764  
[www.sloaneandbrown.co.uk](http://www.sloaneandbrown.co.uk)

CHARTERED BUILDING SURVEYORS  
**SLOANE & BROWN**  
ARCHITECTURAL SERVICES

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ALL EXISTING TREES  
AND PLANTING TO BE  
RETAINED

NEW DRIVEWAY AND  
PARKING / TURNING  
AREA IN PERMEABLE  
MATERIAL

ALL EXISTING TREES  
AND PLANTING TO BE  
RETAINED

EXISTING ACCESS  
ONTO PUBLIC ROAD

Pond

REV DESCRIPTION

DATE

**PROJECT**

ROSEWOOD BARN  
TWO MILE ASH ROAD  
BARNES GREEN  
SURREY

**DRAWING TITLE**

BLOCK PLAN

**CLIENT**

MR & MRS MATLOCK

**SCALE**

1:500@A3

**DRAWN BY**

PLB

**DATE**

SEP 21

**DWG NO**

1094/04

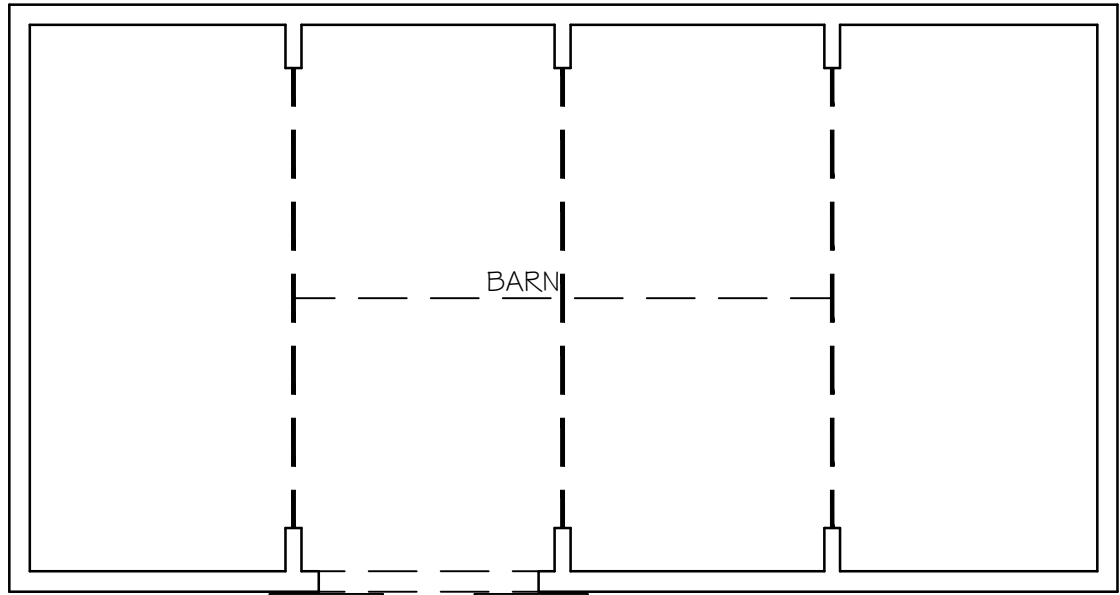
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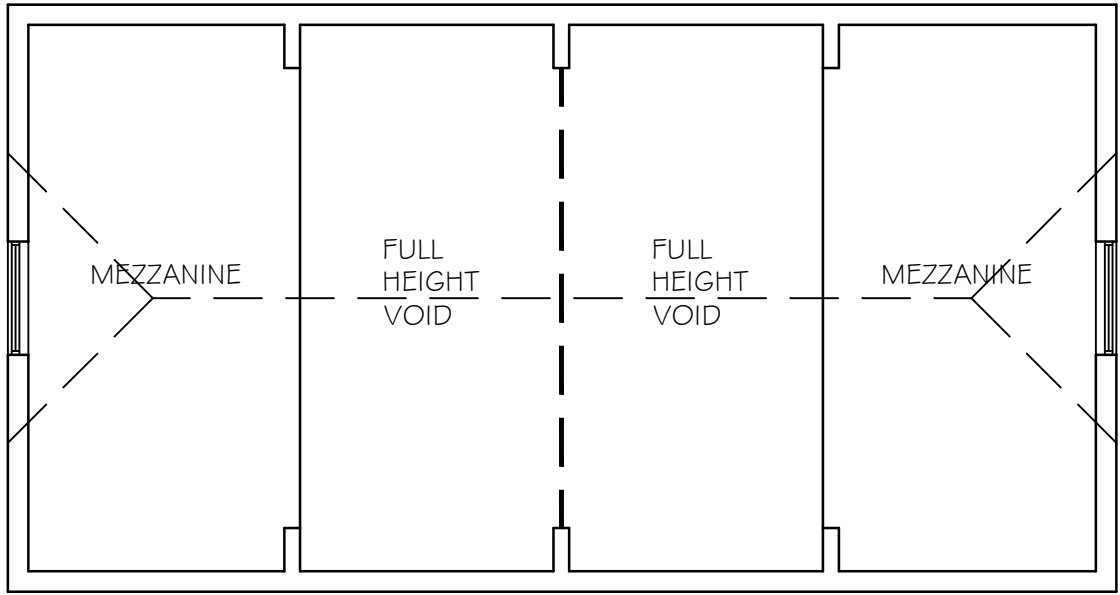
CHARTERED BUILDING SURVEYORS

**SLOANE  
&  
BROWN**

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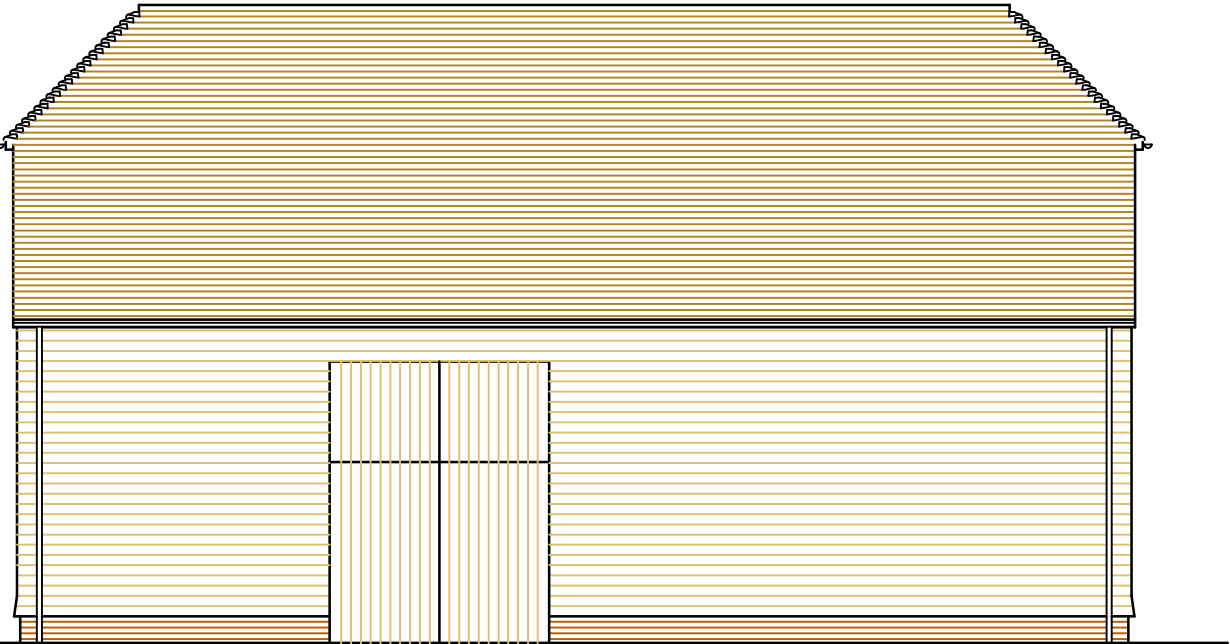
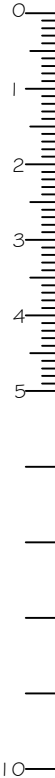
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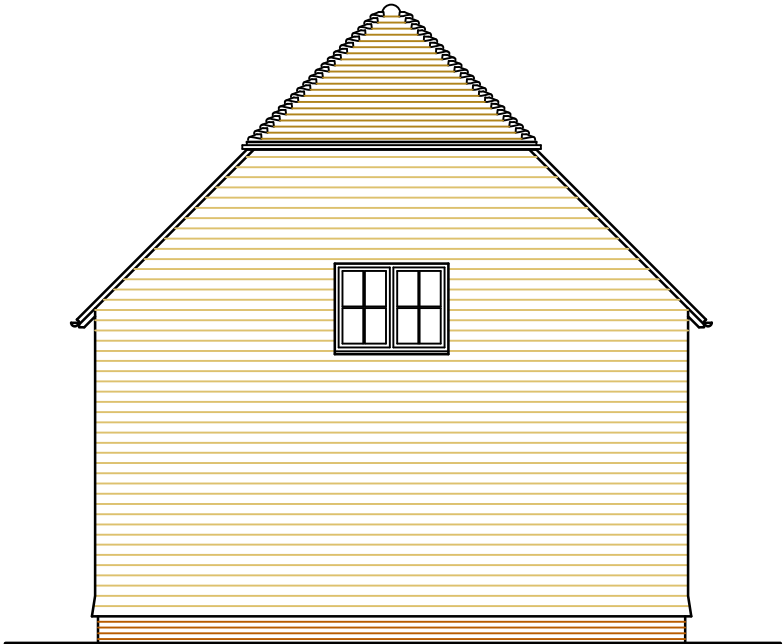
EXISTING FIRST FLOOR PLAN

NOTES  
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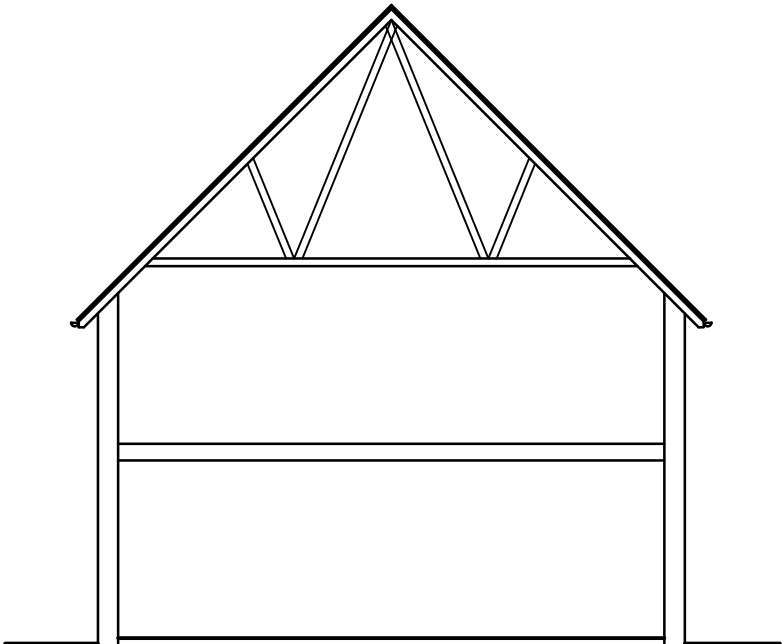
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EXISTING SOUTH ELEVATION



EXISTING EAST ELEVATION



EXISTING SECTION

REV DESCRIPTION DATE

**PROJECT**  
ROSEWOOD BARN  
TWO MILE ASH ROAD  
BARNES GREEN  
SURREY

**DRAWING TITLE**  
EXISTING FLOOR PLANS, SECTION AND ELEVATIONS

**CLIENT**  
MR & MRS MATLOCK

**SCALE**  
1:100@A3

**DRAWN BY**  
PLB

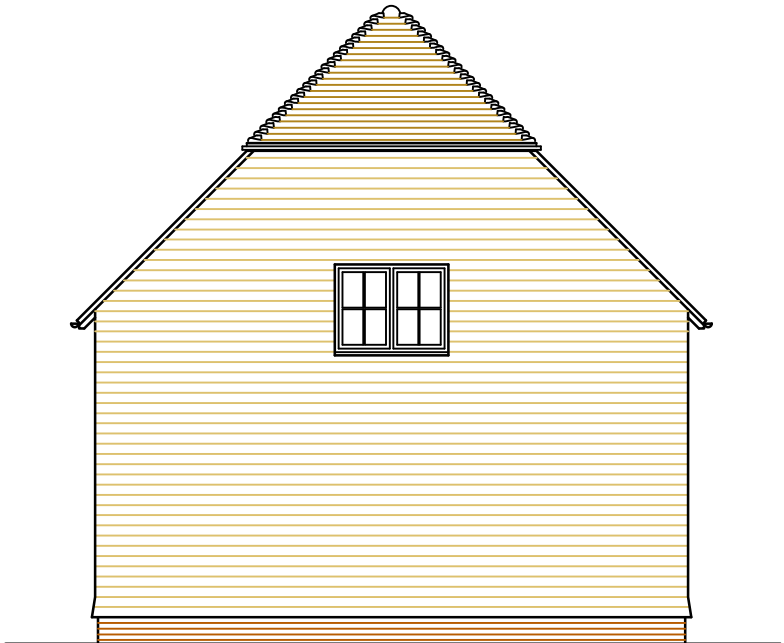
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SEP 21

**DWG NO** 1094/01

**REV.**



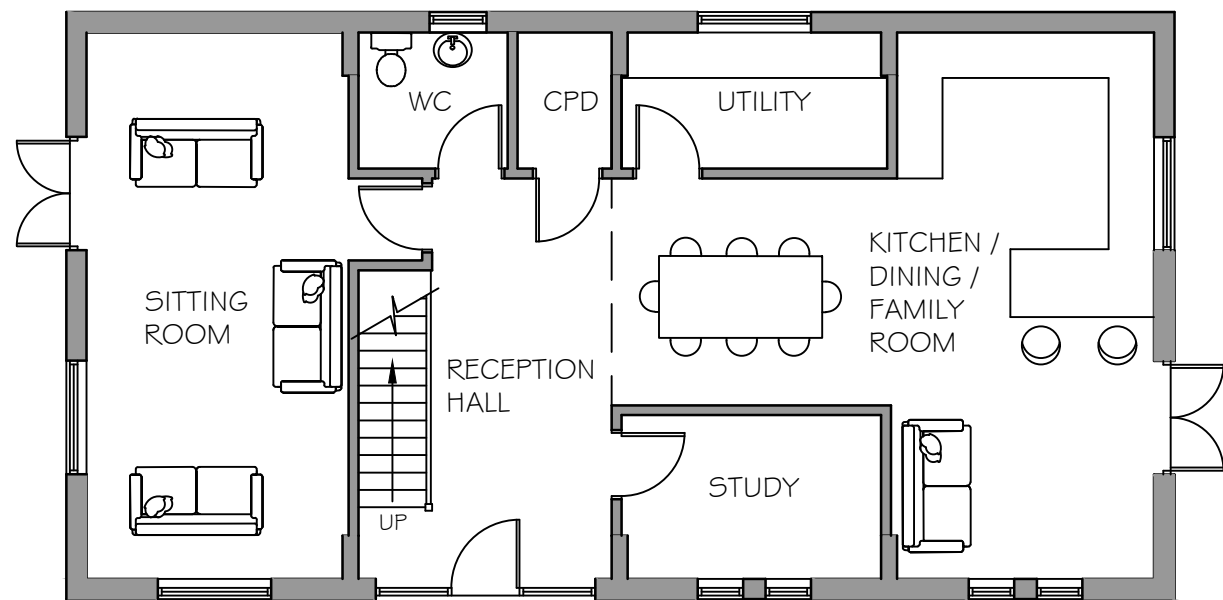
EXISTING NORTH ELEVATION



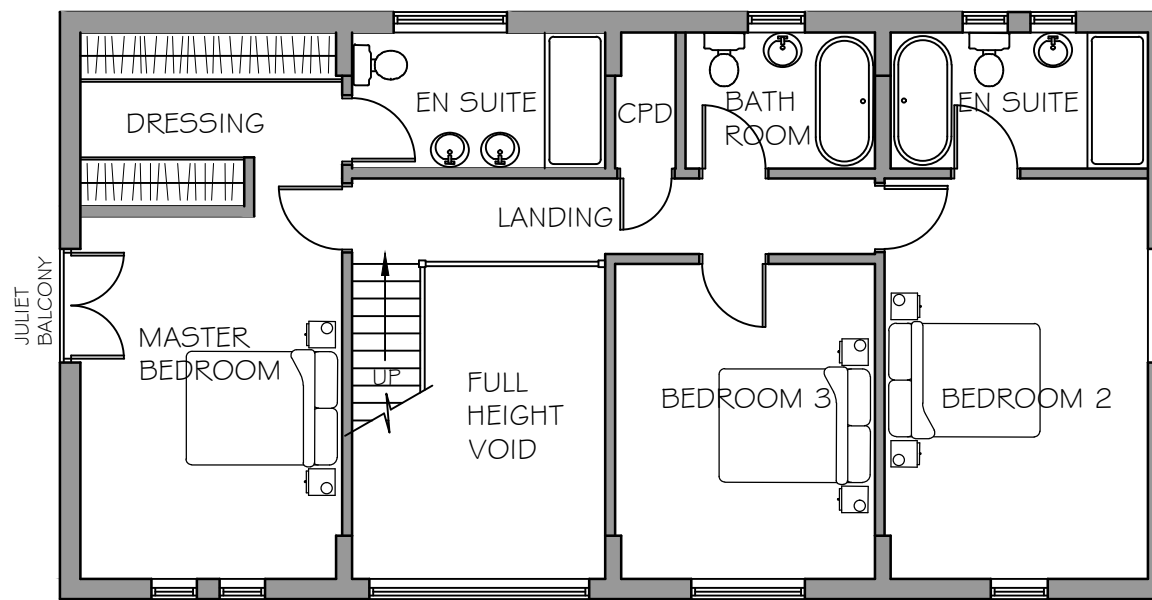
EXISTING WEST ELEVATION

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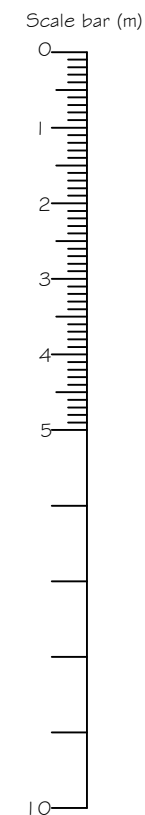


PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN

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PROPOSED SOUTH ELEVATION



PROPOSED EAST ELEV



PROPOSED NORTH ELEVATION



PROPOSED WEST ELEV

|     |                    |          |
|-----|--------------------|----------|
| B   | MINOR AMENDMENTS   | 29.09.21 |
| A   | VARIOUS AMENDMENTS | 24.09.21 |
| REV | DESCRIPTION        | DATE     |

**PROJECT**  
 ROSEWOOD BARN  
 TWO MILE ASH ROAD  
 BARNES GREEN  
 SURREY

**DRAWING TITLE**  
 PROPOSED FLOOR PLANS AND ELEVATIONS

**CLIENT**  
 MR & MRS MATLOCK

|              |                 |             |
|--------------|-----------------|-------------|
| <b>SCALE</b> | <b>DRAWN BY</b> | <b>DATE</b> |
| 1:100@A3     | PLB             | SEP 21      |

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|---------------|---------|-------------|---|
| <b>DWG NO</b> | 1094/02 | <b>REV.</b> | B |
|---------------|---------|-------------|---|

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## **DELEGATED APPLICATIONS - ASSESSMENT SHEET**

### **APPLICATION NO./ADDRESS:**

DC/21/2323

Rosewood Barn , Two Mile Ash Road, Barns Green , RH13 0PF

### **DESCRIPTION:**

Conversion of barn to form a three bedroom dwellinghouse.

### **RELEVANT PLANNING HISTORY:**

|          |                                                                                                                                                     |                                        |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| SQ/85/94 | Renewal of unimplemented permission to erect an agricultural livestock shelter and fodder store<br>Site: Melrose Farm Two Mile Ash Road Barns Green | Application Permitted on<br>13.10.1994 |
| SQ/1/00  | Retention of external doors & internal layout on previously approved barn<br>Site: Melrose Farm Two Mile Ash Road Barns Green                       | Withdrawn Application on<br>08.03.2000 |

### **SITE AND SURROUNDS**

The application site is located to the south of Two Mile Ash Road, outside of any defined built-up area boundary. The site is therefore within a countryside location in policy terms.

The site is located in a clearing surrounded by woodland, and comprises a Sussex vernacular barn. The building is accessed to the south-east and north-west. The wider surroundings are characterised by agricultural fields and woodland, with sporadic residential and commercial building located to the north, east and west. The defined built-up area boundary of Barns Green is located 0.9km to the west.

### **DETAILED DESCRIPTION**

The application seeks full planning permission for the conversion of the existing barn to a 3-bed dwelling.

The proposal would involve the provision of windows and doors to all elevations, with the replacement of the cart door with a fully glazed doors and window feature. Internally, the existing mezzanine would be enlarged, with the provision of internal partitions to provide sitting room, kitchen/dining/family room, study, utility room and w.c to the ground floor, with 3no. bedrooms (all with ensuite) and bathroom to the upper floor.

A new driveway is proposed to the south-eastern corner of the site, with a parking/turning area proposed to the south and east of the existing building. This would be laid to a permeable material with all boundary trees and planting 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 11 - Tourism and Cultural Facilities  
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 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

**Neighbourhood Plan:**

Barns Green and Itchingfield Neighbourhood Plan has been through examination and is awaiting a referendum date.

Policy 11 – Windfall Development  
Policy 12 – Design of Housing  
Policy 13 – Sustainable Design Requirements  
Policy 15 – Off-Street 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](http://www.horsham.gov.uk)

**Consultations:**

**OUTSIDE AGENCIES**

**WSCC Highways:** The site is served via an existing field style access point onto Two Mile Ash Road. From a desktop study it seems that the access point has been used to access the plot within recent years.

Given the existing use of the site as an agricultural barn it would be difficult to substantiate that the proposed conversion to form a three-bedroom dwellinghouse would result in a material intensification in use of the site in highways terms.

The access point appears to be unmade; the applicants would be advised to upgrade the access point crossover to current WSCC specification. The proposed includes a large hardstanding parking and turning area large enough to meet the needs of a dwelling of this size in this location.

The dwelling should be provided a secure and covered cycle store. This provision can be secured via condition.

The Local Highways Authority does not consider that the proposal would have and 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 111), and that there are no transport grounds to resist the proposal.

**Southern Water:** The impact of any works within the highway/access road on public apparatus shall be assessed and approved, in consultation with Southern Water, under a NRSWA enquiry in order to protect public apparatus. Please send these enquiries to: [Developer.Services@southernwater.co.uk](mailto:Developer.Services@southernwater.co.uk). Furthermore, 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 requires a formal application for a connection to the public foul sewer to be made by the Applicant or developer. To make an application visit Southern Water's Get Connected service: [developerservices.southernwater.co.uk](https://developerservices.southernwater.co.uk) and please read our New Connections Charging Arrangements documents which are available on our website via the following link: [southernwater.co.uk/developing-building/connection-charging-arrangements](https://southernwater.co.uk/developing-building/connection-charging-arrangements). Initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer and should be in line with the Hierarchy of H3 of Building Regulations with preference for use of soakaways. [gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h](https://gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h).

**Ecology Consultant:** Recommended Approval subject to conditions

From the Bat Emergence and Re-entry Surveys (Arbtech Consulting Ltd., June 2022), that a European Protected Species Mitigation Licence for bats will be required before commencement of any works and recommend that a copy of this is secured by a condition of any consent. This is because the Bat Emergence and Re-entry Surveys (Arbtech Consulting Ltd., June 2022) identified a maternity roost of Common Pipistrelle bats, a maternity roost of Brown Long-Eared bats and day roosts for four Soprano Pipistrelle bats, all within the barn.

Barns Green parish falls within the 12 km wider conservation area for the The Mens Special Area of Conservation (SAC) (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol). The qualifying features for the SAC are Bechstein's and Barbastelle bats, but neither of these species were recorded during the bat survey (Bat Emergence and Re-entry Surveys (Arbtech Consulting Ltd., June 2022)). In addition, it appears that all existing trees and planting will be retained, with no loss of hedgerow or woodland (Block Plan Dwg No. 1094/04 (Sloane & Brown, September 2021)). Therefore, there will be no severance to the flight lines of foraging or commuting bats from the SAC. Believe that there will therefore be no Likely Significant Effect on the SAC. Recommend that potential roost assessments should be undertaken on any trees which may be scheduled to be removed from the site in the future.

Note that there are no ponds within the development area, although there is one pond within 500 m which will be retained (Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech Consulting Ltd., December 2021)). We therefore support the standard precautionary methods of working to protect Great Crested Newt and other amphibians (Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech Consulting Ltd., December 2021)).

Satisfied that there is sufficient ecological information available for determination. This provides certainty for the LPA of the likely impacts on protected and Priority species and, with appropriate mitigation measures secured, the development can be made acceptable. This will enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

The mitigation measures identified in the Bat Emergence and Re-entry Surveys (Arbtech Consulting Ltd., June 2022), the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech Consulting Ltd., December 2021) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority Species. Also support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Bat Emergence and Re-entry Surveys (Arbtech Consulting Ltd., June 2022)). Therefore, technical specification should be submitted prior to occupation, which demonstrates measures to avoid lighting impacts to foraging / commuting bats, which are likely to be present within the local area.

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. Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013. Recommend that reasonable biodiversity enhancements should be identified and implemented to secure net gains for biodiversity, as outlined under Paragraph 174[d] of the National Planning Policy Framework 2021. The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and should be secured by a condition of any consent for discharge prior to slab level. Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013. In terms of biodiversity net gain, the enhancements proposed will contribute to this aim.

### **Natural England (Standing Advice):** Objection

It cannot be concluded that existing 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. Developments within Sussex North must therefore must not add to this impact and one way of achieving this is to 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.

To achieve this Natural England is working in partnership with all the relevant authorities to secure water neutrality collectively through a water neutrality strategy. Whilst the strategy is evolving, Natural England advises that decisions on planning applications should await its completion. However, if there are applications which a planning authority deems critical to proceed in the absence of the strategy, then Natural England advises that any application needs to demonstrate water neutrality.

**Natural England (response received 21.09.2022):** No Objection subject to appropriate mitigation secured

From the evidence provided in the Water Neutrality Statement (version P9) dated 16th August 2022 the Applicant is proposing to offset the increased water usage of the barn conversion through the installation of a rainwater harvesting tank on site which will capture water runoff to provide water to the swimming pool, reducing the existing water usage of the swimming pool. The Applicant further proposes a number of water efficient fixtures and fittings which will reduce the water demand of the proposed development to a level which can be met through the installation of the rainwater harvesting tank.

Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given as above. You, as the competent authority, should ensure conditions are sufficiently robust to ensure that the mitigation measures can be fully implemented and are enforceable in perpetuity and therefore provide a sufficient degree of certainty to pass the Habitats Regulations.

### Parish Comments:

No Objection and recommend approval

### Representations:

None received

### EQUALITY AND HUMAN RIGHTS:

Under the Equality Act 2010, the Council has a legal duty to pay 'due regard' to the need to eliminate discrimination and promote equality, fostering good relations in respect of Race, Disability, Gender including gender reassignment, Age, Sexual Orientation, Pregnancy and maternity, Religion or belief. The Equality Act 2010 will form part of the planning assessment below.

Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application.

Consideration of Human Rights and Equalities forms part of the planning assessment below.

### PLANNING ASSESSMENT

The main considerations material to this application relate to:

- Principle of Development
- Design and Appearance
- Amenity Impacts
- Highways Impacts
- Water Neutrality
- Ecology
- Climate Change

## Principle of Development:

Policy 2 of the Horsham District Planning Framework (HDPF) sets out the main growth strategy, focusing development in the main settlements. The HDPF outlines that the proposed settlement hierarchy is the most sustainable approach to delivering housing; where new development is focused in the larger settlements of Horsham, Southwater and Billingshurst; and limited new development is directed elsewhere, and only where it accords with an adopted Neighbourhood Plan. Specifically, Policy 3 of the Horsham District Planning Framework seeks to retain the existing settlement pattern and ensure that development takes place in the most sustainable locations as possible.

Policy 4 of the HDPF refers to the expansion of settlements outside the built-up area, and states that such development is only supported where: the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge; the level of expansion is appropriate to the scale and function of the settlement type; the development is demonstrated to meet the identified local housing needs; the impact of development individually or cumulatively does not prejudice comprehensive long term development; and the development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced.

Paragraph 69 continues that "small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:...support the development of windfall sites through their policies and decisions - giving great weight to the benefits of using suitable sites within existing settlements for homes..."

Paragraph 79 of the NPPF states that to promote development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

Paragraph 80 of the NPPF continues that "planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- d) the development would involve the subdivision of an existing residential dwelling; or
- e) the design is of exceptional quality, in that it:
  - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
  - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

The term "isolated" is not defined within the National Planning Policy Framework, but case law has confirmed that it should be given its ordinary objective meaning of remote and far away from other places, buildings and people, and separate or remote from a settlement, services, and facilities. It was concluded in the Braintree Judgement that a settlement would not necessarily exclude a cluster of dwellings. The application site is located within proximity to a number of residential dwellings, and given this spatial context is not considered to be "isolated" in its truest sense, and does not therefore engage the considerations of paragraph 80.

As the site is located outside of any defined built-up area boundary, Policies 3 and 4 of the HDPF are of significant weight in the determination of the application. As stated within Policy 3 of the HDPF, development will be permitted within towns and villages that have defined built-up areas; with development in the countryside more strictly controlled through the provisions of Policy 4. This policy states that development outside of built up areas will only be supported where the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins a settlement edge. The application site is not identified in the Local Plan and is not allocated within an adopted Neighbourhood Plan. The proposed development would not therefore accord with the spatial strategy expressed through Policies 3 and 4 of the HDPF, and is considered unacceptable in principle.

In this countryside location, the proposal is also considered against Policy 26 'Countryside Protection' which protects the countryside against inappropriate development unless it is considered essential and appropriate in scale; whilst also meeting one of four criteria. This criteria includes: supporting the needs of agriculture or forestry; enabling the extraction of minerals or the disposal of waste; providing for quiet informal recreational use; or enabling the sustainable development of rural areas. The proposed development would not meet any of this criteria, nor is it considered to be essential to the countryside location.

The proposed dwelling would be distanced from day to day services, where the provision of market housing in this location, not linked to a rural use, would be contrary to Policy 26 of the HDPF, and would not be in accordance with the overarching spatial strategy for development as set out in Policies 3 and 4 of the HDPF. It is therefore considered that the principle of the proposed development within the countryside is contrary to the overarching spatial strategy and principles of the National Planning Policy Framework and Local Development Plan.

While the application site is located outside of a defined built-up area, where new development is not usually permitted, it is recognised that the proposal seeks to convert an existing rural building. The HDPF does not contain any specific policies for the conversion of existing buildings within the countryside to dwelling, but Policy 10 of the HDPF does however, make reference to the conversion of buildings to residential in so far as stating that *"proposals for the conversion of rural buildings to business and commercial uses will be considered favourably over residential in the first instance"*. It has not been demonstrated that an alternative business or commercial use has been considered, and no justification has been provided to suggest this is not viable.

Notwithstanding this, it is acknowledged that a rural conversion policy has been subject of consultation as part of the Local Plan Review 2018. This draft policy outlines that *"outside of defined built-up areas and secondary settlements, conversion of agricultural, forestry or other rural buildings to...or up to 5 residential units will be supported where the following criteria are met: the proposals would not adversely affect the character, appearance or visual amenities and the intrinsic character and beauty of the countryside of the wider area...; the proposed conversion is acceptable in its setting by virtue of its siting, form, scale and existing architectural merit, and it can be demonstrated it would lead to an enhancement of the immediate setting through the architecture, landscape design and materials; it can be demonstrated that every reasonable attempt has been made to secure a commercial use of the building in the first instance via active marketing for a minimum of 12 months...; the site is served by an existing metalled road or other suitable access to the local road network; the existing building is not so derelict as to require substantial reconstruction; the buildings have been in use for commercial purposes for at least 10 years and the current use can be proven to be no longer necessary, or would otherwise secure the future of an existing heritage asset; community uses will be considered favourably where it can be demonstrated that they will enhance or maintain the vitality of rural communities."*

While this policy remains in draft form, and has not yet been subject of formal examination, it gives a general direction of upcoming policy. However, it is nonetheless of limited weight in the consideration of the current application. Notwithstanding this, the policy includes a number of criteria of benefit in the assessment of the application, with this criteria considered to accord with the policy interpretation within the NPPF.

The thrust of planning policy is generally supportive of conversions of rural buildings, where this is subject to the proposed development meeting a number of criteria, including consideration of the sustainability of the site. The subject building is considered to be of some aesthetic merit and visual quality, representing an example of a Sussex barn. The retention of the building would therefore result in some public benefit, and this is of weight in the planning balance.

It is recognised that the application site is located approximately 0.9km from the built-up area of Barns Green, where the public highway is not served by a footpath. It is however recognised that a number of Public Rights of Way are located immediately to the north of the site, and these would provide safe pedestrian access to the village if desired. Therefore, while it is likely that occupiers of the dwelling would likely be reliant on private cars for most of their needs, it is acknowledged that the site is within reasonable distance of the village centre. Furthermore, although recognised that Policy 10 of the HDPF supports the conversion of barns to commercial in the first instance, given the spatial context of the site, it is considered that a residential use would be more reflective of the surrounding land uses, and therefore more appropriate in this regard.

For these reasons, and on the balance of all considerations, the proposed change of use to a 3-bed residential dwelling is considered acceptable in principle, subject to all other material considerations.

### **Design and Appearance:**

Policies 25, 32, and 33 of the HDPF promote development that protects, conserves and enhances the landscape character from inappropriate development. Proposal should take into account landscape 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.

Policy 12 of the Barns Green and Itchingfield Neighbourhood Plan states that development proposals shall be of a high quality design and layout, contribute positively to the private and public realm, respect the character and scale of the surrounding buildings and landscape, and protect the identity and character of Barns Green and Itchingfield.

Paragraph 130 of the NPPF states that planning decisions should ensure that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting; establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and create places that are safe, inclusive and accessible.

The proposal would involve the provision of windows and doors to all elevations, with the replacement of the cart door with a fully glazed doors and window feature. The fenestration would be randomly arranged within the elevations, with openings of various size. While these features would introduce a degree of domesticity, it is considered that the barn would retain its overall character and ambience, which is considered to be of The proposed alterations are thereby considered to relate sympathetically to the character and appearance of the building and would reinforce its local distinctiveness and aesthetic merit. The proposal is therefore considered to accord with Policies 32 and 33 of the Horsham District Planning Framework (2015).

### **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.

Policy 12 of the Barns Green and Itchingfield Neighbourhood Plan states that development proposals shall not cause unacceptable harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight, sunlight, and security.

Given the enclosed nature of the site and the distance from nearby residential properties, it is not considered that the proposed development would result in harm to the amenities and sensitivities of neighbouring properties or users of land through overlooking, loss of privacy, or overlooking. The proposal is therefore considered to accord with Policies 32 and 33 of the Horsham District Planning Framework (2015).

### **Highways Impacts:**

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

The proposal seeks to utilise the existing access to the south-east of the site, with a parking/turning area proposed to the south and east of the existing building. This would be laid to a permeable material with all boundary trees and planting retained.

Following consultation with WSCC Highways, it is recognised that the site is served via an existing field style access point onto Two Mile Ash Road. Given the existing use of the site as an agricultural barn it would be difficult to substantiate that the proposed conversion to form a three-bedroom dwellinghouse

would result in a material intensification in use of the site in highways terms. It is however recognised that the access point appears to be unmade, and it is considered beneficial for the access point crossover to be upgraded to current WSCC specification. This could be secured by condition. The proposed development includes a large hardstanding parking and turning area that would meet the needs of a dwelling of this size in this location.

For these reasons, the proposed development is considered to benefit from safe and adequate access, suitable for all users, in accordance with Policies 40 and 41 of the Horsham District Planning Framework (2015).

### **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.

The Water Neutrality Statement starts on the assumption that the dwelling would have an average occupancy of 2.47, with the optional standard of 110l/p/d applied. As such, the initial calculation indicates a water demand on 271.1 litres per day. The Statement continues that water efficient measures, to include the following, would be installed in the proposed dwelling: dual flush toilets; aerated shower head; low capacity bath; aerated taps; and water efficient dishwasher and washing machine. The Statement outlines that rainwater harvesting would be installed on the new dwelling, providing capacity for a 35-day drought period. The calculator provided indicates that 25 litres per person per day would be collected, with an overall collection of 61.75 litres per day. Taking account of these mitigation measures, the water consumption per person would reduce to 66.2 litres per person per day, with a total water demand of 163.5 litres per day. In total, the total water usage of the development would therefore be 163.5 litres per day.

Off-setting measures are required to further reduce this consumption to zero (0). The Applicant owns the adjacent property of Melrose Farm, which includes a commercial swimming pool used as a swim school. The Water Neutrality Statement indicates that the Melrose Farm as a whole (including the dwelling and swimming pool) utilised an average of 2464.06 litres per day. Water bills have been provided to support this. The calculation splits this figure into dwelling consumption by utilising the average daily consumption rate of 135l/p/d and an occupancy of 4.95 (5-bed 3.09 + 2-bed 1.89) and the remaining figure as consumption from the pool. In doing this, it is calculated that the swimming pool consumes approximately 1791.7 litres per day. The Agent has confirmed that the swimming pool consumes water through daily backflushing of the sand filtration system, in addition the toilets and showers in the changing rooms used throughout the day. It is proposed to install rainwater harvesting to the swimming pool building, which would collect water and feed into the swimming pool. The rainwater calculator provided indicates that the 209m<sup>2</sup> roof area is sufficient to provide at least 170 litres per day, which would offset the demand arising from the proposed development.

An Appropriate Assessment has been undertaken, where it has been concluded that subject to the mitigation and offsetting measures proposed within the Statement, the development would result in no likely significant effect on the protected sites. Following consultation with Natural England, no objection to the strategy has been raised. Subject to conditions securing the mitigation measures and a completed s106 agreement relating to the offsetting measures as proposed, there is no clear or compelling evidence to suggest the nature and scale of the proposed development would result in a more intensive occupation of the dwelling necessitating an increased consumption of water that would result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. The grant of planning permission would not therefore adversely affect the integrity of these sites or otherwise conflict with policy 31 of the HDPF, NPPF paragraph 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

## **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.

Circular 06/2005 identifies that the presence of protected species is a material consideration when considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Therefore, it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed application, is established before planning permission is granted. Information on biodiversity impacts and opportunities should inform all stages of development, and an ecological survey is usually necessary where the type and location of development are such that the impact on biodiversity may be significant and existing information is lacking or inadequate.

The Applicant submitted a Bat Emergence and Re-entry Survey (Arbtech Consulting Ltd., June 2022) and Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech Consulting Ltd., December 2021) which discusses the likely impacts of development on protected and priority habitats and species, alongside the identification of proportionate mitigation.

Following consultation with the Council's Ecologist this information is considered sufficient, providing certainty regarding the likely impacts and appropriate mitigation. An Appropriate Assessment has been undertaken in respect of the Mens Special Area of Conservation (SAC) and it has been determined that there will be no likely significant effect on the SAC.

Mitigation measures identified in the reports are considered appropriate and conditions are recommended to address these. A condition requiring the submission of a biodiversity enhancement strategy is also considered reasonable and necessary. Subject to such conditions, there are no ecology concerns.

## **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.

Should the proposed development be approved, the following measures to build resilience to climate change and reduce carbon emissions would be secured by condition:

- Water consumption limited to 110litres per person per day
- 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 suitably reduce the impact of the development on climate change in accordance with local and national policy.

## **Other Matters**

A s106 Agreement has been completed with reference to the Water Neutrality Statement as outlined above.

## **Conclusions:**

The application relates to the conversion of an existing building to a 3-bed residential dwelling. The building is considered to be of some visual and aesthetic merit, with the building worthy of retention for this reason. Given the nature of the surroundings, it is considered that a residential use of the site is appropriate. The principle of development is therefore considered acceptable. The proposal would retain the overall character, proportions and form of the subject building, with the existing landscape features retained. The proposal would result in no harm to the amenities of neighbouring properties, nor the safety and function of the public highway network. For these reasons, the proposed development is considered to accord with all local and national planning policies.

## 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 |
|-----------------|-------------------------|----------|----------|
|                 | 205.74                  | 205.74   | 0        |
|                 | <b>Total Gain</b>       |          |          |
|                 | <b>Total Demolition</b> |          |          |

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.

### **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 drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

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

- 4     **Pre-Commencement Condition:** No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

- (a)    A preliminary risk assessment which has identified:
- all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at the site.

The following aspects (b) - (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

- (b)    An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.

- (c) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (b) and an options appraisal.
- (d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

The scheme shall be implemented as approved. Any changes to these components require the consent of the local planning authority.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 5 **Pre-Commencement Condition:** No development shall commence until a Biodiversity Enhancement Strategy for Protected and Priority species has been submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

- a) purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner 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).

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

- 7 **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

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).

- 8 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until details of the parking, turning and access facilities for the dwelling, including upgrading the surfacing of the access point, has been submitted to and approved by the Local Planning Authority in writing. The dwelling shall not 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).

- 9 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until cycle parking facilities serving it have been provided within the side or rear garden for the 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).

- 10 **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 side or rear garden for the 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).

- 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 **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 Classes A, AA, B, C, D, E, F of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) 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 character of the subject building in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 13 **Regulatory Condition:** No external lighting or floodlighting shall be installed other than with the permission of the Local Planning Authority by way of formal application.

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

- 14 **Regulatory Condition:** The development hereby permitted shall be undertaken in strict accordance with the ecological mitigation and enhancement measures set out in Preliminary Ecological Appraisal and Preliminary Roost Assessment by arbtech received 07.01.2022 and Bat Emergence and Re-Entry Surveys by arbtech received 17.06.2022.

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).

#### NOTE TO APPLICANT

The Applicant is advised that in addition to obtaining planning permission, the improvement to the construction of the access point crossover to current WSCC standards would also require formal approval from the highway authority to carry out any site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted.

Additional information about the licence application process can be found at the following web page:

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>

Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-applicationform/>

#### NOTE TO APPLICANT

The Applicant is advised that a licence from Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead may be required. The Applicant should obtain this licence before any works begin on site.

#### 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.

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#### Plans list for: DC/21/2323

Schedule of plans/documents **approved:**

| Plan Type              | Description                                            | Drawing Number | Received Date |
|------------------------|--------------------------------------------------------|----------------|---------------|
| Elevation & Floor plan | Existing Floor Plans, Section and Elevations           | 1094/01        | 13.10.2021    |
| Elevation & Floor plan | Proposed Floor Plans and Elevations                    | 1094/02 REV B  | 13.10.2021    |
| Location plan          | Site Location Plan                                     | 1094/03        | 13.10.2021    |
| Site plan              | Block Plan                                             | 1094/04        | 13.10.2021    |
| Supporting Docs        | Water Neutrality Report by cgs civils dated 16.08.2022 | C1880          | 23.08.2022    |
| Supporting Docs        | Bat Emergence and Re-Entry Surveys by arbtech          | NONE           | 17.06.2022    |

