Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0104
Dendrons, Kithurst Lane, Storrington, West Sussex, RH20 4LP

DESCRIPTION:
Outline Application for the erection of 1No. chalet dwelling with all matters reserved except access

RELEVANT PLANNING HISTORY:

DC/22/1479	Erection of a detached car barn/garage.	Application 17.10.2022	Permitted	on
SR/88/60	Semi-bungalow and garage (From old Planning History)	Application 04.01.1961	Permitted	on

DESCRIPTION OF THE SITE

The application site is located to the south west of Storrington, within the Built Up Area boundary of Storrington and Sullington. The site is a piece of land situated to the rear of 'Conifers' and in front of 'Dendrons', in the ownership of Dendrons and forms part of the wider residential curtilage to Dendrons. The site is accessed via a private driveway leading to Dendrons. The wider area is predominantly residential in nature with a mix of size and style of dwelling.

DESCRIPTION OF THE APPLICATION

The outline application seeks permission for the erection on one two-bedroom chalet style dwelling with all matters reserved apart from access. The access proposed is already in place and currently serves Dendrons only.

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 7 - Strategic Policy: Economic Growth
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport

Policy 41 – Parking

Storrington, Sullington & Washington Neighbourhood Plan (2018-31):
Policy 1: A Spatial Plan for the Parishes
Policy 14: Design

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old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d).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

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 2.9 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

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

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 6: Climate Change
Strategic Policy 7: Appropriate Energy Use
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 25: Parking
Strategic Policy 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs
Policy 39: Affordable Housing
Policy 40: Improving Housing Standards in the District

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

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

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:

HDC Arboricultural officer: Advice/ No Objection

No objection in principle subject to conditions to control potential impact on trees from implementation and reserved matters.

HDC Environmental Health: Comment
Conditions recommended- Demolition and construction hours/ CEMP/

Nature Space: Comments
Thank you for consulting me on the above planning application. It is considered that the proposed development would present a low risk to great crested newts and/or their habitats. However, as the development is within the red Impact Risk Zone, as modelled by district licence mapping, I recommend that the following informative should be attached to planning consent:

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

Ecology Consultant: No Objection
We have reviewed the Ecological Impact Assessment Revision 01 (Lizard Landscape Design and Ecology, December 2023), supplied by the applicant, relating to the likely impacts of development on protected & Priority species and habitats, and identification of proportionate mitigation.

We note from Section 4.3.6 of the Ecological Impact Assessment Revision 01 (Lizard Landscape Design and Ecology, December 2023) that no works are proposed to Buildings B01 and B02 and the carport (Building B03) has negligible bat roost potential. We therefore agree that no further surveys for bats are needed in buildings.

We also note from Section 4.3.7 of the Ecological Impact Assessment Revision 01 (Lizard Landscape Design and Ecology, December 2023) that the all of the trees on site have negligible bat roost potential. We therefore agree that no further surveys for bats are needed for trees.

The site comprises a residential plot with ornamental and native hedgerows, scattered trees and modified grassland (Ecological Impact Assessment Revision 01 (Lizard Landscape Design and Ecology, December 2023)). Two ornamental hedgerows will be removed, together with the trimming of a group of holly (TG16) and the partial removal of an Oak tree (TG17) (Arboricultral Impact Assessment and Method Statement (Lizard Landscape Design and Ecology, December 2023)). Ten scattered trees will be retained, together with two groups of trees and four ornamental hedgerows (Arboricultral Impact Assessment and Method Statement (Lizard Landscape Design and Ecology, December 2023)). In addition, a planting plan with native hedgerow and shrub species will be implemented (Section 5.2.2 Ecological Impact Assessment Revision 01 (Lizard Landscape Design and Ecology, December 2023)).
As Barbastelle bats may use this habitat, and if external lighting is required, we support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Ecological Impact Assessment Revision 01 (Lizard Landscape Design and Ecology, December 2023)) to avoid impacts from light disturbance. This should be secured by a condition of any consent and implemented in full.

We therefore consider that with mitigation, there will be no Adverse Effect on Integrity of the The Men's SAC, either alone or in combination with other plans and projects.

We are satisfied that there is sufficient ecological information available for determination. We have no objections on ecological matters excluding Great Crested Newt

The mitigation measures identified in the Ecological Impact Assessment Revision 01 (Lizard Landscape Design and Ecology, December 2023)) should be secured by a condition of any consent and implemented in full

We also support the proposed reasonable biodiversity enhancements, which have been recommended to secure net gains for biodiversity,

Natural England: No Objection
Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. 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.

The applicant has undertaken a water neutrality assessment which demonstrates that the proposal will be water neutral and will therefore not result in an adverse effect on the integrity of the Arun Valley designated sites. The submitted documents state that the existing water use is 0 litres per day and the proposed water use will be 106.15 litres per day following the implementation of rainwater harvesting. The remaining water demand will be offset through the purchase of credits from a private offsetting scheme.

While we concur with the conclusions of the water neutrality assessment that the proposal achieves neutrality, we have the following comments to make on certain aspects of the assessment.
Private Water Credit Scheme

We note that the applicant is intending on paying into a private offsetting scheme, run by Nicholls Water Credits, to achieve neutrality at the proposed development. The applicant has evidenced their contribution to the scheme as well as the water savings being made, and we are therefore satisfied that this is a suitable mitigation measure. As competent authority you should be sure that any offsetting can be sufficiently secured in perpetuity. In addition, your authority should ensure that these 'water credits' generated by the offsetting cannot be utilised by any other developments within the Sussex North Water Resource Zone (i.e. double counting).

<u>In respect of Grampian conditions</u>: No objection
[Summary] With regard to the HRA and the intention to apply Grampian style conditions to qualifying development proposals, Natural England supports the decision of the affected local authorities to rely upon Grampian style conditions that secure either:

- the necessary credits to achieve water neutrality being secured via the SNOWS scheme; or,
- the implementation of a site-specific mitigation scheme, should they feel it is appropriate to do so.

It is however, beyond Natural England's area of expertise to comment on the specific wording of the proposed condition (or any subsequent amendments to it), and we would therefore advise that you should be satisfied that any proposed condition is appropriately worded and enforceable, thus ensuring that the required mitigation can be both secured and delivered. Subject to an appropriately worded condition being applied, Natural England is satisfied that an adverse effect on the integrity of the Arun Valley designated sites could be ruled out.

WSCC Highways: No Objection
The LHA does not consider that the proposal would have a 'severe' impact on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (para 115), and there are no known transport grounds to resist the proposal.

The applicant is advised to contact the proprietor of Kithurst Road to obtain formal approval/comments on the proposal.

The proposal seeks outline consent to create a new chalet dwelling with all matters reserved except access. The proposed unit will be accessed from Kithurst Road, which is a private road. Consequently, these comments are for your advice only.

Access
The proposal will utilise the existing access to the property from Kithurst Lane. Kithurst Lane adjoins the publicly maintained highway at Amberley Road to the West. Visibility at the point of access is considered sufficient. Furthermore, The Local Highway Authority (LHA) has reviewed data supplied to WSCC by Sussex Police over a period of the last five years. There have been no recorded injury accidents at the junction with the public highway, onto Amberley Road. There is no evidence to suggest that the junction is operating unsafely, or that the proposed additional dwelling would exacerbate an existing safety concern.

Other matters
Alongside any FUL application or reserved matters application, the Local Highways Authority advise that the applicant should demonstrate parking provisions in line with WSCC Parking Demand calculator, parking spaces should be 2.4 x 4.8m to accommodate an average sized vehicle and any garage spaces are to be 3m x 6m to accommodate a single vehicle. Details of secure and covered cycle parking should also be demonstrated at this time.

PUBLIC CONSULTATIONS:

Representations:
Four letter of Support have been received from four addresses, supporting the application on the following grounds:

- Well positioned plot
- Good use of surplus garden
- Welcome no windows overlooking 'Conifers'

Parish Comments:
Storrington and Sullinton Parish Council: Objection
No reason given -Members await a full planning application

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

Outline planning permission is sought for the erection of 1no residential dwelling to the east of the residential dwelling 'Dendrons', with all matters reserved except access. The application is accompanied by an indicative block, site and floor plans. Detailed matters relating to appearance, layout, scale, and landscaping would therefore be addressed at the subsequent reserved matters stage.

Principle of Development:

Policy 3 of the Horsham District Planning Framework (2015) states that development will be permitted within towns and villages that have defined built-up areas, with any infilling and redevelopment required to be of an appropriate nature and scale to maintain characteristics and function of the settlement.

Policy 1 of the Storrington, Sullington & Washington Neighbourhood Planning Document (NDP) states that The Neighbourhood Plan defines the Built-Up Area Boundaries of Storrington, Sullington and Washington, as shown on the Policies Map. Development proposals located inside the boundaries will be supported provided they accord with other provisions of the Development Plan.

The application site is located within the built-up area boundary of Storrington and Sullington, which is categorised as a "Small Town and Larger Village" within Policy 3 of the HDPF. These are settlements with a good range of services and facilities, together with strong community networks and local employment provision and reasonable access to public transport.

The proposal would represent infill housing, within the built-up area. The site is considered to be of an appropriate size and sufficient to accommodate the proposed development, with the indicative size and scale of the dwelling considered to maintain the characteristics and function of the settlement. The plot size would be similar to the neighbouring dwellings on Kithurst Park and Kithurst Lane and the indicative plan indicates that the dwelling would sit well within the currently vacant/ unused land.

The indicative nature of the plans is acknowledged, and the principle of the proposal is therefore considered acceptable, subject to all other material considerations discussed below.

Highways / Access

Policy 40 of the Horsham District Planning Framework states that transport access and ease of movement is a key factor in the performance of the local economy. The need for sustainable transport and safe access is vital to improve development across the district. Policy 41 of the Horsham District Planning Framework states that development that involved the loss of existing parking spaces will only be allowed if suitable alternative provision has been secured elsewhere. Adequate parking facilities must be provided within the developments to meet the needs of the anticipated users.

Matters relating to access are submitted for determination under this outline consent. It is outlined that an existing access from Kithurst Lane would be utilised for the proposed dwelling, with the site plan indicating that an area of hardstanding would be provided to the eastern side of the dwelling as well as a car port. The indicative site layout shows two off-street car parking spaces (including the car port), which is considered suitable for a two-bedroom dwelling. WSCC Highways did not consider that the proposal would have an unacceptable impact on highway safety or result in 'severe; cumulative impacts on the operation of the highway network. Accordingly, the means of access into the site are considered satisfactory.

Other Matters:

<u>Design and Appearance:</u>

Policies 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.

The application is accompanied by indicative sketch drawings that show a chalet style dwelling with dormer windows at first floor to accommodate the two bedrooms in the roofspace. The proposed dwelling will be separated from the existing dwelling at Dendrons and will have its own private garden and boundary treatments.

The proposed dwelling would be situated approximately 22.45m from Dendrons, which although indicative does show that the proposed dwelling can be accommodated comfortably within the site.

In terms of architectural styling, the proposal will maintain a traditional exterior appearance, similar to the existing dwelling at Dendrons.

The matters of scale, appearance, and layout have been reserved for later consideration, and as such do not form part of the current application. it is however, considered that the proposed site would be of adequate size to accommodate an additional dwelling, with the size of the site resulting in limited harm to the visual amenities of the street scene. However, the Local Planning Authority are satisfied that the site is capable of accommodating a single dwelling of the indicative proportions.

Trees and Landscaping:

The existing site is occupied by established dense vegetation and trees on almost every boundary. As such, this application is accompanied by an Arboricultural Impact and Method Assessment, Tree Retention Protection Plan, Tree Constraints Plan and an Existing Tree Schedule which have been prepared by Lizard Landscape Design and Ecology.

Few trees of merit remain within the site however several mature trees are present either side of the driveway and make a positive contribution to the landscape character.

The trees to the North within the property “Conifers” consist a variety of species including oaks, pines, sycamore and Douglas fir in close proximity to the boundary, subject of Tree Preservation Order no. TPO/0214.

In order to reduce the impact on the key rooting areas of the mature trees, the application for access is accompanied by an arboricultural impact assessment that proposes the use of a specified form of “no-dig” engineering entirely above the existing ground levels. The current levels would enable this approach subject to potentially some camber or increase over the existing driveway level in places to marry levels.

Outstanding issues for reserved matters consideration would be how new services would be installed using trenchless techniques and the acceptability of tree-dwelling relationship between the taller Douglas fir trees immediately East of the plot.

Residential Amenity:

Policy 33(2) of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties (and the proposed development) and land. Development should consider the scale, massing, and orientation between buildings.

It should be noted that whilst this application seeks Outline consent with all matters to be reserved apart from access, the proposed dwelling has been indicatively positioned approximately 17.5m away from the closest neighbouring property ‘Sandcroft’ and approximately 22.44m from ‘Dendrons’ (the existing dwelling). These distances are considered to be appropriate and reflect those within the surrounding area.

The proposed position and angle of the chalet bungalow has been designed to prevent undue overlooking and inter-looking between surrounding dwellings including No. 14 Kithurst Park, Sandcroft and Dendrons. Due to the dense vegetation on the land, overlooking is considered to be minimal.

It is noted that an additional dwelling in this location will intensify the use of the driveway which currently serves Dendrons and runs to the south of Conifers. The addition of 1no. new dwelling is not considered to result in an unacceptable impact to Conifers due to the separation distance and exiting vegetation

separating the driveway and dwelling. Furthermore, the resultant vehicle movements from 1no. new dwelling is not considered to be significant.

It is noted that no objections have been received from neighbouring properties. The detailed design will be submitted at reserved matters stage and neighbour consultation this would be subject of further consideration and public consultation when the final designs are considered at the reserved matters stage.

Ecology:

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

The provided bat survey report concluded that bats are considered likely to be absent from building B1 at the site and as such the development is reasonably unlikely to result in harm to individual bats or adversely impact bat roosts. Recommendations were made to ensure that if bats were found on site during construction, that works would stop and an ecologist would be consulted. The Ecologist had no objection on ecological matters and welcomed the reasonable biodiversity enhancements on site to secure net gains for protected species.

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.

With respect to a potential solution to achieve water neutrality, one option available to the applicant could be to utilise the emerging Sussex North Offsetting Water Scheme (SNOWS). Under this scheme, it is proposed to allow development supported in a made plan or a post-submission plan the option of offsetting its water demand through the purchasing of water credits via the Council. As the application site is in compliance with eth Development Plan, the applicant would therefore have the option of either implementing their approved scheme (which would require a legal agreement to secure the off-site credits) or to use the forthcoming SNOWS scheme to offset the water demand from this development.

The use of the SNOWS scheme as a potential option for developers is supported by recent appeal decisions including a Secretary of State appeal decision. Under appeal decisions for DC/22/1052 & DC/21/2086, the Inspector allowed the appeals subject to a Grampian-style condition preventing the commencement of development unless and until a requisite number of water credits had been purchased pursuant to SNOWS or, alternatively, until bespoke measures to offset residual demand had been approved the Council and subsequently implemented. More recently is the decision of the Secretary of State to allow the appeal at Kilnwood Vale (DC/23/0856) for reserved matters for 280 dwellings. Again, the Secretary of State reached the conclusion under this appeal that a condition would be appropriate giving the applicant the option of utilising the SNOWS scheme to offset the development in terms of water neutrality or for a private scheme for water neutrality, to be agreed by the Council.

Having regard to the appeal decisions and the decision of the Secretary of State, it is considered reasonable to allow development supported in a made plan or a post-submission plan the option of addressing water neutrality through either credits via the SNOWs scheme or for a bespoke solution for water neutrality put forward by the applicant. A condition is therefore recommended which gives the

applicant the option of addressing water neutrality through either SNOWs or through their own bespoke solution. This condition would ensure the site is water neutral and would enable the Council to conclude as to the absence of potential adverse effects upon the integrity of the Arun Valley SAC, SPA and Ramsar designations. Natural England have been consulted and have raised no objection to this approach.

Biodiversity Net Gain (BNG):

Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This requires that development must achieve at least 10% BNG on all habitats within the development site.

This application for planning permission was made before 12th February 2024 (in respect of major development), or before 2nd April 2024 (in respect of non-major development) under Regulation 3 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024

Drainage

A Condition is recommended to secure detailed foul and surface water drainage strategies for the site.

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 proposal currently before the Authority does not seek to specifically address the requirements of HDPF Policies 35, 36 and 37, though, it is accepted that these measures would be detailed through the reserved matters submission and could be secured by way of appropriately worded conditions, such as the use of sustainable drainage infrastructure, cycle parking/electric vehicle charging apparatus, and opportunities for biodiversity enhancement. These measures, collectively, would be considered sufficient to establish compliance with the requirements of HDPF Policies 35, 36 and 37.

Conclusions:

The proposed development is considered acceptable in principle, subject to all other material considerations. As the application is made in outline, details of the layout, scale and appearance are reserved for later consideration.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

In the case of outline applications the CIL charge will be calculated at the relevant reserved matters stage.

Recommendation: Application Permitted

Conditions:

2 **Standard (Reserved Matters) Time Condition**:

(a) Approval of the details of the layout of the development, the scale of each building, the appearance of each building and the landscaping of the development (hereinafter called

"the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

(b) Plans and particulars of the reserved matters referred to in condition (a) above, relating to the layout of the development, the scale of each building, the appearance of each building, and the landscaping of the development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

(c) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

(d) The development hereby permitted shall begin either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.

3 **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until the following construction site set-up details have been submitted to, and approved in writing by, the Local Planning Authority.

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

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

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

4 **Pre-Commencement Condition:** No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

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

5 **Pre-Commencement Condition:** No development shall commence until full details of underground services, including locations, dimensions and depths of all service facilities and required ground excavations, have been submitted to and approved by the Local Planning Authority in writing. The submitted details shall show accordance with the landscaping proposals and Arboricultural Method Statement. The development shall thereafter be carried out in accordance with the approved details.

Reason: As this matter is fundamental to the acceptable delivery of this permission, to ensure the underground services do not conflict with satisfactory landscaping in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

6 **Pre-Commencement Condition:** No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until an Arboricultural Method Statement detailing all trees/hedgerows on site and adjacent to the site to be retained during construction works, and measures to provide for their protection throughout all construction works, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and thereafter carried out at all times strictly in accordance with the agreed details.

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

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

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

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

b) A site-specific water neutrality mitigation scheme has been submitted to and been approved in writing by the Local Planning Authority. The site-specific water neutrality mitigation scheme shall include full details of the means of any and all onsite and offsite mitigation and any necessary agreements pursuant to S106 of the Town and Country Planning Act 1990 to deliver and secure the approved mitigation; and

i) The development shall not be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority confirming that the approved site-specific water neutrality mitigation scheme has been fully implemented. The approved mitigation shall thereafter be retained, maintained and operated to the same or better water performance standard.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2024), and to enable the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

8 **Pre-Commencement Condition**: No development shall commence until a Biodiversity Enhancement Layout providing the finalised details and locations of the enhancement measures contained within the Ecological Impact Assessment Revision 01 (Lizard Landscape Design and Ecology, December 2023)), shall be submitted to and approved in writing by the local planning authority.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: 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 Local Planning Authority to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

9 **Regulatory Condition:** The development hereby permitted shall be undertaken in strict accordance with the ecological mitigation and enhancement measures set out in Ecological Impact Assessment Revision 01 (Lizard Landscape Design and Ecology, December 2023.

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 Local Planning Authority to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

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

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

NOTE TO APPLICANT

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

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/24/0104

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan		LOC01 REV D	30.01.2024
Block plan		BLOC01 REV F	30.01.2024
Site plan	Floor and Section, as proposed	01 REV B	30.01.2024
Supporting Statement	Water Neutrality Statement (Motion) 22 November 2024	NONE	22.11.2024
Supporting Statement	Planning	NONE	18.01.2024
Supporting Statement	Arboricultural Impact Assessment and Method	NONE	18.01.2024
Supporting Statement	Ecological Impact Assessment	NONE	18.01.2024
Supporting Docs	Tree schedule, as existing	ARB-SCH-001 REV 1	18.01.2024
Supporting Docs	Tree Constraints	NONE	18.01.2024
Supporting Docs	Tree Retention and Protection	NONE	18.01.2024

DELEGATED

Case Officer sign/initial Kate Turner Date: 19/3/25

Authorising Officer sign/initial RHERMITAGE Date: 21.03.2025