PLANNING COMMITTEE REPORT

TO:	Planning Committee North
BY:	Head of Development and Building Control
DATE:	4th February 2025
DEVELOPMENT:	Erection of 2 no. 2 bed semi-detached dwellings with 3 parking spaces.
SITE:	River Terrace Ridgehurst Drive Horsham West Sussex RH12 1XF
WARD:	Denne
APPLICATION:	DC/24/1601
APPLICANT:	**Name:** C/o Fulcrum Design Ltd **Address:** Dominion House 69 Lion Lane Haslemere GU27 1JL

REASON FOR INCLUSION ON THE AGENDA: More than eight persons in different households have made written representations within the consultation period raising material planning considerations that are inconsistent with the recommendation of the Head of Development and Building Control.

At the request of Denne Neighbourhood Council.

RECOMMENDATION: To approve full planning permission subject to appropriate conditions and the completion of a Section 106 Legal Agreement. In the event that the legal agreement is not completed within three months of the decision of this Committee, the Director of Place be authorised to refuse permission on the grounds of failure to secure the obligations necessary to make the development acceptable in planning terms.

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 Planning permission is sought for the erection of a semi-detached pair of two-storey dwellings. The development would be sited in a backland location to the rear of the 5 dwellings approved under application ref: DC/20/1052.

1.3 The dwellings would be orientated perpendicular to the rear of the approved dwellings to the front of the site, set at a distance of approximately 10.6m. The dwellings would feature an asymmetrical hipped roof, with an eaves height of 5.3m to the northern elevation and 4.3m to the southern, hosting 2x flat roofed boxed dormers, with an overall ridge height of 7.4m. The dwellings include a small 3.3m wide by 1.1m deep porch to the front elevation.

The dwellings would benefit from a rear garden each, and access to three parking spaces to the front.

DESCRIPTION OF THE SITE

1.3 The application relates to land to the rear of 11 Ridgehurst Drive, within the rear garden curtilages of five dwellings approved under DC/20/1052. The site is raised above the finished ground floor level of the new dwellings and is accessed via an existing driveway to the bungalow to the rear, 9 Ridgehurst Drive. The application site is located to the north of Ridgehurst Drive, within the designated built-up area of Horsham. The site is located within an area defined by relatively dense suburban residential development, comprising predominantly terrace dwellings, with some examples of detached and semi-detached within the wider locality.

Permission was granted in 2020 for five dwellings to the front of the site (DC/20/1052), these have been built and the present application site would be located within the rear garden curtilages of these approved dwellings, and additional parking would be sited to the rear.

2. INTRODUCTION

STATUTORY BACKGROUND

2.1 The Town and Country Planning Act 1990.

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

2.2 **National Planning Policy Framework:**

2.3 **Horsham District Planning Framework (HDPF 2015):**
Policy 1 - Strategic Policy: Sustainable Development
Policy 3 - Strategic Policy: Development Hierarchy
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 40 - Sustainable Transport
Policy 41 - Parking

2.4 **Horsham Blueprint Business Neighbourhood Plan (2019-2036):**
Policy HB2: Meeting Local Housing Needs
Policy HB3: Character of Development
Policy HB4: Design of Development

2.5 **Horsham District Local Plan (2023-40) (Regulation 19):**
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 3: Settlement Expansion
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
Policy 18: Local Green Space
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Policy 26: Gatwick Airport Safeguarding
Strategic Policy 38: Meeting Local Housing Needs
Policy 39: Affordable Housing
Policy 40: Improving Housing Standards in the District

2.6 PLANNING HISTORY AND RELEVANT APPLICATIONS

Application Site

DC/21/2337	Erection of two No.2 bed semi-detached dwellings with 3 parking spaces.	Application Refused on 28.01.2022.

River Terrace, Ridgehurst Drive

DC/22/1569	Variation of condition 1 of previously approved application DC/20/1052 (Demolition of existing bungalow and associated outbuilding. Erection of 5 No. terraced 2 bed houses with 6 No. car parking spaces) to allow for amendments to landscaping.	Application Permitted on 14.12.2022.
DC/20/1052	Demolition of existing bungalow and associated outbuilding. Erection of 5 No. terraced 2 bed houses with 6 No. car parking spaces.	Application Permitted on 09.10.2020.

3. OUTCOME OF CONSULTATIONS

3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk.

OUTSIDE AGENCIES

3.2 **Natural England:** No Objection – subject to appropriate mitigation being secured.

3.3 **Southern Water:** Comment. The applicant has not provided details of the proposed means of disposal of foul/surface water drainage from the site. Southern Water is unable to comment fully on this Planning Consultation until such time as the relevant information is provided.

3.4 **WSCC Highways:** Comment: -

3.5 The applicant proposes to utilise the existing access on Ridgehurst Drive. There are no apparent visibility issues with the existing point of access on to the maintained highway. There is no evidence to suggest the existing access operates unsafely.

3.6 Three additional car parking spaces are proposed for this development. The WSCC Car Parking Demand Calculator indicates that two dwellings would create a parking demand for three parking spaces. The proposed parking provision is sufficient. Cycle parking provision has not been demonstrated.

3.7 The site is situated in a sustainable location within walking distance to shops and schools and other amenities. The LHA does not consider that this proposed would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network.

PUBLIC CONSULTATIONS

3.8 Representations:

16 representations have been received (from 10 individual addresses), objecting to the application on the following grounds:

- Destroy view and blocking sunlight to 3 rooms on the ground floor.
- New houses higher than the bungalow, lose privacy.
- Developer has not finished all the existing 6 parking spaces.
- Overcrowded and unsightly
- Back garden view obstructed and cramped.
- Windows facing houses cause privacy issues.
- Extra parking spaces and manoeuvring space is inadequate.
- Overdevelopment
- Accessing the site for building works to be carried out.
- Extra traffic, fumes, and noise unacceptable
- Parking is a contentious issue.
- Insufficient space for further development
- Out of character with the rest of development within Ridgehurst Drive
- Water Neutrality
- Dwellings are poorly planned.

3.9 1 representation was received, supporting the application on the following grounds:

- Happy to have houses as fed up with seeing unsightly area left.

3.10 Parish Comments:

Denne Neighbourhood Council: Object: -

- DC/24/1601 is almost identical to DC/21/2337, except the addition of a porch.
- Parking and Access – current 6 spaces for 5 terrace houses are inadequate with difficult manoeuvres.
- Construction work cause access problems for no.9 and no.7.
- Contravenes HDPF Policy 33
- Condition of driveway is deteriorating.
- New houses will overlook other properties in all directions.
- No space for bicycle and bin storage indicated on plans.
- Application does not comply with Policies 32 and 33 of the existing HDPF.
- Water Neutrality not achievable, option of offsetting in Crawley is not satisfactory.
- No attempt to address Biodiversity Net Gain

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

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

4.2 The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community,

in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

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

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

6. PLANNING ASSESSMENTS

Background

6.1 Planning permission was refused on the site under ref: DC/21/2337 for the 'erection of two No.2 bed semi-detached dwellings with 3 parking spaces'. The reasons for refusal were: -

1. *The proposed dwellings, by virtue of their siting behind existing dwellings, and variation in land levels, would result in a cramped, inappropriate form of development which would not adhere to the prevailing pattern of development on Ridgehurst Drive or the wider surrounding area, resulting in a cumulative overdevelopment of the site. The proposal is therefore contrary to Policies 32 and 33 of the Horsham District Planning Framework (2015).*

2. *The application has not satisfactorily demonstrated with a sufficient degree of certainty that the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), thus the Local Planning Authority is unable 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).*

6.2 A subsequent appeal against this refusal was dismissed but only in respect of the second reason for refusal relating to water neutrality. In respect of the first reason for refusal the Inspector stated: -

- "*The proposed semi-detached pair would be sited adjacent to this backland development and utilise the same access. Whilst set behind the 5 new dwellings fronting Ridgehurst Drive, the proposed dwellings would be surrounded by other properties and as such they would not appear isolated. The properties would be of a size and have a garden area comparable to the neighbouring properties and they would not appear overly cramped. In this context, the proposal for residential development in this location would be neither incongruous nor inappropriate. Whilst sited at a slightly higher level than the dwellings facing Ridgehurst Drive, the new dwellings would follow the slope of the land from the north direction and would be consequently sited on a lower level relative to No 9. As such, again the dwellings would not appear incongruous or out of keeping with the surrounding areas in this respect*", and

- "*…..therefore conclude that the proposal would not cause material harm to the character or appearance of the area. It would therefore comply with Policies 32 and 33 of the Horsham District Planning Framework (2015) (PF), which requires development to complement locally distinctive character and relate sympathetically with the built surroundings*".

Principle of Development:

6.3 Policy 3 of the HDPF states that development within the built-up area boundaries is acceptable in principle, and that appropriate development, including infilling, within the built-up areas will be prioritised.

6.4 The application site is located within the built-up area of Horsham and would be of an appropriate scale to the size of the wider settlement. The preceding appeal decision on the site also stated that the, '*the proposal would result in 2 additional units of accommodation which would make efficient use of the site and contribute to addressing the Government's broader objective of significantly boosting the supply of homes, in a location with good access to services and facilities.'* The principle of development is therefore considered acceptable.

Design and Appearance:

6.5 Policy 32 of the HDPF states that good design is a key element in sustainable development and seeks to ensure that development promotes a high standard of urban design, architecture, and landscape. Policy 33 of the HDPF states that development proposals should make efficient use of land, integrate effectively with the character of the surrounding area, use high quality and appropriate materials, retain landscaping where feasible (and mitigate loss if necessary) and ensure no conflict with the character of the surrounding town or landscape.

6.6 The proposed dwellings would be sited within what was originally proposed to be the rear curtilages of 5 new-build dwellings fronting Ridgehurst Drive, as approved under application ref: DC/20/1052. The new dwellings would be orientated perpendicular to the rear elevations of the approved scheme, on raised ground and would be accessed via Ridgehurst Drive.

6.7 The proposed siting and scale of the proposed development reflects that proposed as part of the preceding application on the site. As part of the ensuing appeal decision the Inspector concluded that residential development on the site would be neither incongruous nor inappropriate. Further, the dwellings would follow the slope of the land and would not be out of keeping with the surrounding area in this respect. There are no new material considerations which would allow a different assessment to made in respect of the siting and scale of the proposed development, and therefore no reasons to take a different view as part of this current planning application.

6.8 The preceding scheme on the site (as considered at appeal) entailed a semi-detached pair of properties with a gabled roof. The current proposal features a hipped asymmetrical roof form with a lowered eaves height to the south with two side facing dormers, and a central front porch with a hipped roof form. The proposal would introduce a lesser sense of bulk at roof level than the preceding scheme, and taking into account the pattern and appearance of surrounding development the proposed design is considered appropriate to the site and wider locality.

6.9 It is considered, taking into account the findings of the previous Planning Inspector, that the proposal would not result in any adverse visual impact on the character or appearance of the site and surrounding area, in accordance with the above policies.

Residential Amenity:

6.10 Policy 33 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 land.

6.11 The preceding application on the site was not refused for reasons relating to the impact on neighbouring amenity and no related concerns were raised as part of the appeal process. It is though acknowledged that a number of representations have been received raising concerns in respect of the impact of the proposal on neighbouring amenity.

6.12 The proposed dwellings would be sited at a right angle to the main aspect of 9 Ridgehurst Drive and the terraced housing to the south. A distance of approximately 25m would be retained between the front elevation of the dwellings and 7 Ridgehurst Drive, approximately 9.2m to the northern side elevation of 9 Ridgehurst Drive, approximately 28.5m from the rear elevation to 29 Ridgehurst Drive, and 20m from the southern side elevation to 15 Ridgehurst Drive. To the west there would be a minimum of approximately 27m between the proposed dwelling and 77 / 79 Hillside. These separation distances are considered acceptable given the context of the site. It is also noted that the massing of the proposed roof form is reduced in comparison to the preceding appeal scheme, and that this is of some benefit in further reducing the impact on neighbouring amenity.

6.13 The proposal would introduce ground and first floor window openings in a location where none are currently present. No intrusive views would be created by ground floor openings, which would be screened by boundary screening, with the first-floor openings to the front and rear primarily overlooking the application site. While some oblique views would be possible the resulting arrangement and relationship with neighbouring properties and land would not be unusual or unexpected in an established residential location such as this, and no unacceptable loss of privacy would result. A condition is recommended to require the first-floor windows to the side elevations be obscurely glazed.

6.14 The proposed development would provide adequate indoor and outdoor living space for future occupants, including occupants of the neighbouring River Terrace. The level of accommodation to be provided would be commensurate with neighbouring properties in this area.

Highways Impacts:

6.15 Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users, and that adequate parking facilities must be provided within the developments to meet the needs of the anticipated users.

6.16 The development would make use of an existing access off Ridgehurst Drive which would lead to 3 on-site parking spaces. A number of representations have been received raising concerns in respect of parking, with these concerns also referencing the 5 neighbouring dwellings approved under ref: DC/20/1052. The preceding application on the site was not though refused for parking / highway related issues, and no such concerns were raised as part of the related appeal.

6.17 The Local Highway Authority has been consulted on the application, confirming that there is no evidence to suggest the proposal would exacerbate an existing safety concern by utilising the existing access. The WSCC Parking Demand Calculator indicates that for two dwellings in this location a minimum of 2.2 parking spaces would be required. The applicant proposes 3 off-road parking spaces, which would be sufficient to meet the required demand. There are considered to be no reasons to take a different view, particularly given the preceding decisions on the site, and no harmful demand for parking would be anticipated as a consequence of the proposal.

6.18 It is noted that there would be six car parking spaces remaining for the five terraced dwellings on Ridgehurst Drive, this is the same number as was considered acceptable by the Planning Inspector under ref: DC/21/2337. As well as the same number of parking spaces approved under ref: DC/20/1052. While the parking layout is different to what was approved under the original application for the terraced dwellings (DC/20/1052), the

number of spaces would remain the same and it is considered that this would be an acceptable amount of parking provision for the five dwellings on Ridgehurst Drive.

6.19 The proposal would not therefore have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, in accordance with the above policy.

Water Neutrality:

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

6.21 The previous application (ref: DC/21/2337) on the site and subsequent appeal were refused / dismissed due to their being insufficient information to demonstrate that water neutrality could be achieved. This current application is accompanied by a water statement, which indicates that through efficient fixtures and fittings water consumption resulting from the development would be 84.45l/p/d, or 317 l/d for the development in its entirety. There is no existing consumption on the application site and this consumption must therefore be offset in full.

6.22 The strategy therefore proposes an offsite water saving plan based on offset through retrofitting water-saving measures at 3 Houses of Multiple Occupation (HMOs) in Crawley (20 Buckswood Drive, 37 Five Acres and 124 Brighton Road). In total, 334 credits are required from Sussex Water Neutrality Offsetting Scheme in order to secure sufficient mitigation. It has been confirmed that these credits (from Sussex Water Neutrality) have been made available, assigned to the development at River Terrace and cannot be used on other schemes. Therefore, subject to conditions and S106 legal agreement for the off-site mitigation, the development would be water neutral.

6.23 Natural England were consulted on the water strategy following the carrying out of an Appropriate Assessment by officers and raised no objection. The information available and the mitigation measures proposed are considered to provide the necessary certainty to demonstrate that the proposed development would be water neutral. Appropriate mitigation measures have been demonstrated and are considered sufficient to avoid adverse effects on the integrity of the interest features of the Arun Valley SPA, SAC, and Ramsar site from the development either alone or in combination with other plans and projects, in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2023), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats and species).

6.24 An alternative option available to the applicants, as supported by recent appeal decisions, could be to utilise the emerging Sussex North Offsetting Water Scheme (SNOWS). Under this scheme, it is proposed to allow development supported in a made plan or a post submission plan the option of offsetting its water demand through the purchasing of water credits via the Council. As the application site is located within the defined built-up area boundary of Steyning the principle of housing on the site is supported by a made development plan (in this case Policy 3 of the HDPF). A condition is therefore recommended which gives the applicant the option of addressing water neutrality through

either SNOWs or through their own bespoke solution discussed above. 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.

Foul / Surface Water Drainage:

6.25 The site is located within Flood Zone 1 as designated by the Environment Agency, where there is a low probability of flooding and where residential development is considered acceptable by the NPPF. Given the nature of the proposal, a suitable pre-commencement condition requiring the submission of a drainage strategy and the proposed means of foul and surface water drainage is recommended.

Climate Change:

6.26 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 Planning statement details several measures which seek to build resilience to climate change and reduce carbon emissions, including:

- Requirement to provide full fibre broadband site connectivity.
- Dedicated refuse and recycling storage capacity
- Cycle parking facilities
- Improved pedestrian and cycle links
- Electric vehicle charging points.

6.27 Subject to the implementation of these measures, which can be secured through condition, the application will suitably reduce the impact of the development on climate change in accordance with current local and national policy.

Biodiversity Net Gain (BNG):

6.28 Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG), unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

6.29 The Applicant has demonstrated that the development is exempt from the requirement to achieve a minimum 10% BNG as it qualifies as ‘de minimis’ under Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024

Conclusions and Planning Balance:

6.30 The site is located within the built-up area boundary of Horsham and the principle of development is therefore acceptable. It was established as part of preceding decisions on the site that the siting, scale and design of the development was acceptable, taking into account the relationship with adjoining properties and the resulting context. The applicant has submitted sufficient information to demonstrate the development can achieve water neutrality, overcoming the previous reason for refusal and dismissed appeal. The development is therefore considered acceptable, subject to the competition of a Section 106 Legal Agreement to secure the offsite offsetting for Water Neutrality.

7. RECOMMENDATIONS

7.1 It is recommended that planning permission is granted subject to appropriate conditions and s106 legal agreement as detailed below.

1 **Approved Plans**

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 either:

i) Details have been submitted to and been approved in writing by the Local Planning Authority confirming that the necessary credits to achieve water neutrality have been secured via the Sussex North Offsetting Water Scheme; or
ii) Confirmation has been submitted to and been approved in writing by the Local Planning Authority that the water demand from the proposed development has been offset in accordance with the terms of the s106 legal agreement completed to accompany the grant of this planning permission.

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

5 **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, roofs and doors of the approved building 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).

6 **Pre-Commencement (Slab Level) Condition:** Prior to the commencement of the development above slab level, a Biodiversity Enhancement Strategy for Protected and Priority species shall be 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 development shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

Reason: 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).

7 **Pre-commencement (Slab Level) Condition**: No development above ground floor slab level shall commence until full details of the water efficiency measures required by the approved water neutrality strategy (Motion received 02.10.2024) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

8 **Pre-commencement (Slab Level) Condition**: No development above ground floor slab level shall commence until full details of the water efficiency measures within the dwellings hereby permitted, as set out in the water neutrality strategy (prepared by ‘Moton’ and dated 02.10.2024) have been submitted to and approved in writing by the Local Planning Authority.

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

9 **Pre-Occupation Condition**: Prior to the first occupation of each dwelling, 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 shall be provided.

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).

10 **Pre-Occupation Condition:** No part of the development hereby permitted shall occupied until the first-floor window to the east and western (side) elevations, as shown on the approved plans, have been fitted with obscured glazing. No part of those windows that are less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing and non-openable parts of those windows shall be retained permanently thereafter.

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

11 **Pre-Occupation Condition**: Notwithstanding previously submitted information, prior to the first occupation of any part of the development hereby permitted, 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 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/residential curtilage 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 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).

12 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until a plan showing the layout of the proposed development and the allocated provision of car parking spaces for vehicles has been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the parking spaces associated with it have been provided in accordance with the approved details. The areas of land so provided shall thereafter be retained for the parking of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of all highways in accordance with Policy 40 of the Horsham District Planning Framework (2015)

13 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until details of secure and covered cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted

shall be occupied or use hereby permitted commenced until the approved cycle parking facilities associated with that dwelling or use have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

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

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

15 **Regulatory Condition**: No works for the implementation of the development hereby approved shall take place outside of 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays nor at any time on Sundays, Bank or public Holidays.

Reason: To safeguard the amenities of neighbouring properties along Ridgehurst Drive in accordance with Policy 33 of the Horsham District Planning Framework (2015).

16 **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, E, or F of Part 1, or Class A of Part 2 within Schedule 2 of the order shall be erected, constructed or placed within the curtilage of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

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

Background Papers: DC/24/1601
DC/21/2337 (incl. attached appeal decision)