Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1300
Former Longfield House, East Street, Rusper, West Sussex, RH12 4RB

DESCRIPTION:
Erection of 2No. detached self-build dwellings with car parking. Relocation of an approved access and retention of existing access.

RELEVANT PLANNING HISTORY:

DC/19/2203	Erection of six 3-bed dwellings (including 1 retirement property), with associated garages, creation of new access drive, and landscaping.	Application Refused on 04.08.2020
DC/20/2454	Erection of six 3-bed dwellings (including 1 retirement property), with associated garages, creation of new access drive, and landscaping.	Application Refused on 02.02.2021
DC/21/2172	Erection of 6 No. 3-bed dwellings (including 1 No. retirement property), creation of an access drive and landscaping works (Resubmission of DC/20/2454)	Application Permitted on 10.07.2024
DC/21/2359	Variation of condition A to previously approved application DC/14/0413 (Erection of two detached dwellings and garages (to the rear of the site) and revisions to approved dwelling (permitted under DC/12/0353 dated 16/04/2012) together with a new access road)) to allow for a revised site area to accommodate a separate access to serve the previously permitted 2no. dwellings at the rear of the former Longfield House site and additional minor amendments to Plot 1.	Application Permitted on 11.03.2022
DC/23/0069	Variation of condition A to previously approved application DC/14/0413 (Erection of two detached dwellings and garages (to the rear of the site) and revisions to approved dwelling (permitted under DC/12/0353 dated 16/04/2012) together with a new access road)) to allow for amendments include changes to the internal layout of the dwellings, resulting in Plot 2 becoming a 5-bed (previously 4-bed) property, with associated fenestration changes and the increase in size of the permitted garages serving both Plots 2 and 3 to include first floor home office space.	Application Permitted on 24.03.2023
DISC/23/0120	Approval of details reserved by condition 2 to approved application DC/14/0413	Withdrawn Application on 22.09.2023
DC/23/1191	Variation of condition 2 of previously approved application DC/23/0069 (Variation of condition A to previously approved application DC/14/0413	Withdrawn Application on 22.09.2023

	(Erection of two detached dwellings and garages (to the rear of the site) and revisions to approved dwelling (permitted under DC/12/0353 dated 16/04/2012) together with a new access road)) to allow for amendments include changes to the internal layout of the dwellings, resulting in Plot 2 becoming a 5-bed (previously 4-bed) property, with associated fenestration changes and the increase in size of the permitted garages serving both Plots 2 and 3 to include first floor home office space.) Variation sought to finished floor levels for Plot 2 and Plot 3.	
DC/24/1144	Variation of Condition 'A' to DC/14/0413 and Condition 1 of previously approved applications DC/15/0834, DC/15/1712, DC/21/2359, DC/23/0069 Relating to the alignment and position of the access drive and refuse collection point. The access position remains unchanged.	Application Permitted on 19.09.2024

DESCRIPTION OF THE APPLICATION AND CONTEXT

The application site comprises an enclosed area used in recent times as parking in part to facilitate development to its south. The site was previously open grassland/paddock. The application site is located to the south of East Street. The site is located outside of the defined built up area of Rusper, and is therefore considered to be located in the countryside.

The site was at the time of the site visit, gated given the sensitive nature of work sites which should not be open to the public for safety reasons. It is understood from planning history and site pictures from recent years that the site was enclosed by a combination of extensive mature soft landscaping and post and rail and close boarded fencing. The site is set at a higher level than East street owing to the verge along the northern boundary sloping up from north to south.

The wider surroundings are characterised by relatively dense residential development to the west and sparse and sporadic development to the east.

The two dwellings would be detached, with detached garages in advance of the principle elevations, hardstanding, refuse bins and a new access. The trees and hedgerows along the boundary of the main road would be retained. The dwellings would be two storey in height with two flat roof dormers to the southern roof slope and the materials would consist of plain roof tiles, brick at the ground floor level and rendered panels with oak cladding.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 27 - Settlement Coalescence
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 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking

Rusper Neighbourhood plan 2018-2031

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 1 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.

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:

Naturespace: No Objection [Summary]
An informative should be added given the red zone

Natural England: No Comment received

Southern Water: Comment [Summary]
General comment and instruction for the applicant to restrictions on tree planting near to southern water sewers. No existing sewers within the vicinity of the proposed development, advise that Building Control should be consulted.

WSCC Highways: No Objection [Summary]
A permitted vehicular access point is proposed to be relocated 3 metres east on east street. Visibility splays are acceptable

Fire service: Comment [Summary]

If an alternative supply of water for firefighting is to be considered it will need to conform with the details identified in Approved Document–B (AD-B) Volume 1: B5 section 14 and agreed with West Sussex Fire & Rescue Service.

Evidence also required at Building control stage that there is conformity to BS9251 or BS8458 standard.

PUBLIC CONSULTATIONS:

Representations:
None received.

Parish Comments:
Objection – RPC feels that the already permitted six flats is of greater value to the village as it provides a better balance against the other larger houses currently being built. The Neighbourhood Plan seeks to encourage such a balance to provide more options for younger couples and options for elderly residents looking to downsize. The suggested change to two larger self-build houses fails to help to achieve those objectives.

Member Comments:
None received

HUMAN RIGHTS AND EQUALITY:

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

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

Principle of Development:

The proposal would not meet any of the criteria within policy 26 of the HDPF, with the application site largely being outside the BUAB. The principle of one dwellinghouse (plot1) has been established within the application site under DC/21/2359 and its previous permissions. Two of the dwellings under that application have already been constructed with the current application site representing a building site that facilitates the development around it. The current application seeks to replace this Plot 1 under DC/21/2359 and its parent permissions with two 5 bedroom dwellinghouses. The proposal is therefore not considered a like for like replacement which would be considered acceptable under Policy 28 of the HDPF. Instead the application would result in a net increase in the number of dwellings within the application site such that it would be considered more relevant to be assessed under policy 26 of the HDPF.

Policy 2 of the Horsham District Planning Framework (HDPF) sets out the main growth strategy, focusing development in the main district settlements. Policy 3 of the HDPF directs development within existing settlements which have defined built-up area boundaries (BUAB). Policy 4 states that development will be permitted outside BUAB via the expansion of settlements where, amongst other criteria, a site has been allocated in a local plan or neighbourhood plan.

Strategic Policy 2 of the HDLP promotes a similar development hierarchy and permission of development within the defined BUAB as in Policy 3 of the HDPF and states that any infilling and redevelopment would be required to demonstrate that it is of an appropriate nature and scale to maintain the characteristics and function of the settlement in accordance with the settlement hierarchy.

Policy 26 protects the countryside against inappropriate development unless it is considered essential and appropriate in scale; whilst also meeting one of four criteria. The four criteria are: (1) supporting the needs of agriculture or forestry; (2) enabling the extraction of minerals or the disposal of waste; (3) providing for quiet informal recreational use; or (4) enabling the sustainable development of rural areas. The erection of a dwelling is not considered to be essential to its countryside location, nor does it meet any of the other criteria set out in Policy 26, therefore this proposal does not accord with Policy 26.

The emerging Horsham District Local Plan (HDLP) is currently being prepared and sets out emerging planning policies and proposals to guide development in the District (excluding the South Downs National Park) up to 2040, with the Regulation 19 HDLP having recently undergone public consultation. At the time of writing this report, the Regulation 19 HDLP carries limited weight in decision making, with the weight to be applied to the HDLP policies increasing as the Plan proceeds through to examination.

The Council cannot currently demonstrate a 5-year housing land supply (the Council's latest Authority Monitoring Report shows a 1 year supply). In recognition of these HDPF housing policies being out-of-date, the Council has published interim guidance on how housing proposals are to be considered in its Facilitating Appropriate Development (FAD) document. The FAD recognises that the Council is likely to receive applications outside of defined BUAB and on unallocated sites (such as this proposal) given its housing land supply position. The FAD confirms that applications which meet all the following criteria will be positively considered:

- The site adjoins the existing settlement edge as defined by the BUAB;
- The level of expansion is appropriate to the scale and function of the settlement the proposal relates to;
- The proposal demonstrates that it meets local housing needs or will assist the retention and enhancement of community facilities and services;
- The impact of the development individually or cumulatively does not prejudice comprehensive long-term development; and
- The development is contained within an existing defensible boundary and the landscape character features are maintained and enhanced.

Whilst one of the two dwellings would be acceptable in principle, with the principle of development being established under DC/21/2359 and previous permissions, the development would go above and beyond this, with the cumulative increase of one dwelling not according with policy 26 of the HDPF. Nevertheless, the application site would meet the requirements of the FAD such that it is considered that the principle of development would in this instance be considered to concord with the overarching aims of the FAD as interim guidance given the housing land supply position and the Horsham District Local Plan being out of date.

Design and Appearance:

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.

The trees and hedging to the front of the site facing the highway would be maintained, although there would be an interruption to this given the new access point would be added. Whilst the detached garages would be in advance of the dwellings, closer to the main road, the design would be modest and the placement within the plot set back such that they would not be excessively prominent within the road, particularly given the topography of the site which is steeper within the plot than the road. The dwellings themselves would be large, detached dwellings with a steep roof pitch, but would reflect

some of the larger dwellings within the locality such that they would not appear at odds with the prevailing character. Furthermore, given the plot sizes which are generous, the dwellings would be easily accommodated within the curtilage of the site.. The materials would be acceptable, with plain roof tiles, brick at ground floor and rendered oak cladding at first floor. Subject to a condition regarding landscaping, it is not considered that the proposed development would detract from the established rural character of the area.

Overall, there are no objection to the development in light of policies 32 and 33 of the HDPF.

Residential Amenity:

Policy 33 of the HDPF states that development should consider the scale, massing, and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties and ensuring unacceptable harm to amenity of neighbouring properties, such as overlooking or noise, is avoided.

The spacing between the two proposed dwellings would be sufficient to prevent overlooking, and placement within good sized plots away from the neighbouring properties such that the overall relationship between the development and the existing dwellings would not be unacceptable in light of privacy, outlook obtrusive appearance. The amenity of the future occupiers would be acceptable both in terms of NDSS space standards and garden space.

No objections in light of policy 33 of the HDPF.

Highways Impacts:

Policy 40 of the HDPF 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 HDPF 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.

Both of the proposed dwellings would have a detached garage in advance of the principle elevation and sufficient turning space to accommodate a parking use for three vehicles which is the minimum provision for dwellings of this size. A new access would be created and the existing retained such that both dwellings would have their own access. Highways have been consulted during the application process and have no objections to the proposal given that there would be no anticipated unacceptable impacts on the users of the highway. It is noted that no cycle parking provision has been provided, however this could be secured by way of condition. Overall, no objections in light of policies 40 and 41 of the HDPF.

Ecology:

Policy 31 of the HDPF states that development proposals will be required to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate and that particular consideration will be given to the hierarchy of site and habitats in the district. Furthermore

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.

A preliminary ecological appraisal was submitted, with the only buildings on site being temporary buildings related to construction. These were valued as having negligible potential for roosting bats, and the site overall had little opportunity for foraging bats. No evidence of badgers, their holes, or great Crested Newts were on site. Furthermore, the site having been disturbed by construction would have little opportunity for dormice and retiles, the few trees on site had some potential for nesting birds,

however these are to be retained during the development. Given the above unambiguous findings of the Preliminary Ecological appraisal, it would not be necessary in this instance to consult an Ecology officer. A condition would be included to implement the recommendations of the Preliminary Ecological appraisal which provides opportunity for Biodiversity enhancements. Overall, there are no objections to the development in light of policy 31 of the HDPF.

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.

Amendments of the Water Neutrality statement were required as part of the application process to clarify that Water Neutrality was demonstrated. The baseline has been established as part of a previous application to be 314.6 litres per day, with the proposed use representing 652.12 litres per day for the development based on an average occupancy of 3.09 people. The water consumption within the application site would be reduced through rainwater harvesting for non potable consumption to 79.54 litres per day per person per day. The Water Neutrality statement outlines that as part of building out the proposed development one of the previous extant permissions will be 'surrendered' such that it can no longer be built. This would reduce the amount of water to be offset to 79.29 litres. As such, further mitigation is required.

The remaining water would be offset through a water credit provider called West Point water credits, which currently has a maximum of 166 credits which is sufficient to offset the remaining water. A legal agreement would be used to secure both the 'surrender' of the extant permission and the use of the credit scheme provider.

Subject to the S106 legal agreement securing the offsite mitigation and a condition to ensure the rainwater harvesting system, the proposal would be water neutral.

Biodiversity Net Gain (BNG):

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG (unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024) and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

The application was submitted prior to the introduction of Biodiversity Net gain being made mandatory such that the application is exempt from these requirements.

Conclusions:

The proposed development is located adjacent to the BUAB, where the development of housing would result in conflict with the strategic spatial strategy of the development plan as outlined within HDPF Policies 2 and 4 and the provisions of HDPF Policy 26 in seeking to prevent development unessential to a countryside location.

The Local Planning Authority is presently unable to demonstrate a 5-year supply of deliverable housing sites, with the latest published Authority Monitoring Report confirming a 1-year supply against the objectively assessed target. Paragraph 11(d) to the NPPF establishes that where development plan policies are absent or the most important policies to determination are out-of-date, including where an Authority cannot demonstrate a 5-year supply of deliverable housing sites, then planning permission should be granted unless there is a clear reason to refuse planning permission, through the exercise of policies in the Framework which protect areas/assets of particular importance, or the adverse impacts of doing so would significantly and demonstrably outweigh the benefits where assessed against the provisions of the Framework as a whole.

As detailed earlier in this report, the Council has published interim guidance on how housing proposals are to be considered in its Facilitating Appropriate Development (FAD) document, which recognises that the Council is likely to receive applications outside of defined BUAB and on unallocated sites (such as this proposal) given its housing land supply position, and Officers consider that the proposed residential development meets the above FAD criteria. The proposals compliance with FAD is afforded significant weight and in this instance the proposal would be acceptable in principle.

The proposed development is an appropriate design, including in terms of scale, finishing materials, massing, orientation, and layout within the site. Officers are satisfied that the proposed development is sympathetic to the character of its respective setting and would not result in adverse impacts of nearby occupiers/users of land. Officers therefore consider that the proposed development would not result in adverse design, appearance, or neighbouring amenity harm in accordance with the requirements of Policies 32 and 33 of the HDP

The 'tilted balance' under paragraph 11(d) of the NPPF is engaged in the consideration of this application. In the context of paragraph 11(d) being engaged and the corresponding reduced degree of weight to be assigned to conflict with Policies 2, 4 and 26 of the Horsham Development Plan Framework, the significant weight assigned to the proposals compliance with the Facilitating Appropriate Development, the moderate weight applied to the extant permission on the site and the benefit of new housing, and the absence of any other material harm, the application is recommended for approval.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017. The application form indicates that the development would be self-build such that the development would be exempt from CIL. The applicant is reminded that it is the responsibility of the applicant to demonstrate this exemption post permission and the development will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

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 (Slab Level) Condition**: No development above ground floor slab level shall commence until full details of the water efficiency measures and rainwater harvesting system required by the approved water neutrality strategy (prepared by watt Energy & Consulting Engineers, received 19.08.2025) have been submitted to and approved in writing by the Local Planning Authority. The rainwater harvesting system shall include suitable storage tanks to provide a minimum 35 days storage capacity (at least 4,000l), including details of their location and whether they would be surface mounted or set within the ground, in addition to evidence that their initial fill will be supplied with water from outside of the Water Supply Zone.

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 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).

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 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).

6 **Pre-Occupation Condition:** The development hereby permitted shall not be occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- 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).

7 **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).

8 **Pre-Occupation Condition**: No dwelling hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that dwelling has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, details of the rainwater harvesting system installed including a minimum 35 days storage capacity, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter, or to a similar improved water performance.

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 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).

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

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

10 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of a minimum of 30 megabits per second through full fibre broadband connection has been provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

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

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

12 **Pre-Occupation Condition:** No part of the development shall be first occupied until visibility splays of 2.4m x 53.6m to the East and 2.4m x 54.3m to the West have been provided at the proposed site vehicular access onto East Street in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

13 **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).

14 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order no development falling within Class A, B or E of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage of the development hereby

permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and due to the enlargement of the dwelling above the existing, in accordance with Policies 28 and 33 of the Horsham District Planning Framework (2015).

Note to Applicant – Great Crested Newts
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.

Note to Applicant – Vehicle Crossover: Minor Highway Works
The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted because the highway license process considers wider factors than are considered by the Highway Authority at planning stage.

Additional information about the licence application process can be found at the following web page: http://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-vehicle-crossovers-for-driveways-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/24/1300
Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Roof plan	Section	2304/12 REV A	27.08.2024
Floor plan		2304/20 REV A	27.08.2024
Elevation plan		2304/21	27.08.2024
Roof plan	Section	2304/22	27.08.2024
Location plan		2304/50/RPC	27.08.2024
Supporting Statement	Preliminary Ecological Appraisal	NONE	27.08.2024
Supporting Statement	Planning	NONE	27.08.2024
Supporting Statement	Technical Note	NONE	27.08.2024
Supporting Statement	Arboricultural Impact Assessment	NONE	27.08.2024
Elevation plan		2304/11	27.08.2024

Block plan		2304/1	27.08.2024
Floor plan		2304/10 REV A	27.08.2024
Elevation plan		2304/2A	16.10.2024
Supporting Statement		Water Neutrality statement Rev E	19.08.2025

DELEGATED

Case Officer sign/initial Hannah Darley Date: 19th August 2025

Authorising Officer sign/initial RHERMITAGE Date: 27.08.2025