Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0070
Land at Gate Cottage, The Street, Thakeham, West Sussex,

DESCRIPTION:
Erection of two dwellings together with associated works.

RELEVANT PLANNING HISTORY:

DISC/23/0159	Approval of details reserved by conditions 3, 4, 5 and 6 to approved application DC/20/1788.	Refused on 16.09.2024.
DC/20/1788	Erection of 2No. double storey dwellings with associated works (Full Application).	Approved on 10.03.2021.

SITE AND SURROUNDS
The site is located within the built-up area boundary and within the Parish of Thakeham. The site forms a grassed piece of land which incorporates a steeply tree lined bank which lies to the south of Gate Cottage. Gate Cottage is a Grade II Listed building located on the south side of The Street. The site also lies within the Thakeham Conservation Area which runs along the Street to the north and includes a number of listed buildings.

Gate Cottage is a detached two storey dwelling which has associated land which extends to the southerly rear and south-eastern side. The existing dwelling, Gate Cottage is built into the hill, as is the case with the majority of the properties along The Street. The westerly rear garden serving the dwelling is raised in height up to the first floor level of the dwelling house. The Historic England description for Gate Cottages describes the building as:

> *"C17 or earlier timber-framed cottage with painted brick infilling. Tiled roof. Casement windows. Crow-stepped chimney breast at west end. Two storeys. Two windows."*

DETAILED DESCRIPTION
This application seeks full planning permission for the erection of two semi-detached dwelling houses to the south of Gate Cottage with associated parking and works. The two storey dwellings would be orientated to the east, with a combined width of 19.9 metres and a depth of 6 metres. The proposed dwellings would sit 1 metre higher than the access road and public right of way level to the east. The application reflects very closely that approved under DC/20/1788.

The proposal would involve some earthworks and changes to the existing topography of the site which currently incorporates a steep bank lined with trees. The proposed dwellings would be set into the bank, with the first floor rear level of the dwellings sitting approximately level with the elevated grassed fields adjacent to the site to the west. The rear gardens to the west of the dwellings would be to the west and would be approximately 3 metres above the ground floor level in which the proposed dwelling houses would be situated. The proposal would include a total of four parking spaces, which would comprise two parking spaces per dwelling arranged to the side of each property in a tandem parking arrangement.

Differences between the current application and the previous application include increasing the height of the site boundary treatment, the addition of railings, additional fenestration to the side elevations, the installation of solar panels to the rear, and the wall behind the driveway to each respective side of the dwellings being increased in height to approximately 5.2 metres. This retaining wall has resulted in a

second level of steps being required to the rear of the houses. The external staircase has been brought forward in position closer to the principal elevation.

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 15 - Strategic Policy: Housing Provision
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 38 - Flooding
Policy 41 - Parking

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 and has submitted a Local Plan for examination, however at this stage the submission 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.

Thakeham Neighbourhood Plan to 2031
Thakeham 1: A Spatial Plan for the Parish
Thakeham 6: Design
Thakeham 7: Heritage Assets
Thakeham 10: Green Infrastructure & Valued Landscapes

Submission Horsham District Local Plan 2023-2040 (HDLP)
Strategic Policy 3 – Settlement Expansion
Strategic Policy 11 – Environmental Protection
Strategic Policy 17 – Green Infrastructure and Biodiversity
Strategic Policy 19 – Development Quality
Strategic Policy 20 – Development Principles
Strategic Policy 24 – Sustainable Transport
Strategic Policy 25 – Parking

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure
Horsham District Strategic Flood Risk Assessment

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:

INTERNAL CONSULTEES

HDC Environmental Health: No Objection.

Environmental raise no objection to the proposal, subject to the inclusion of relevant conditions regarding hours of operation for the construction to protect the amenity of the neighbouring residents during the construction phase. A condition regarding a Construction and Environmental Management Plan (CEMP) is also requested.

HDC Landscape Architect: No Objection.

The Landscape Architect are satisfied that their initial comments seeking clarification on the height of the retaining walls and associated planting have been addressed and therefore have no landscape concerns. They recommends planning conditions on Hard and Soft landscaping, Landscape Management and Monitoring Plane, refuse/recycling provision and secure and covered cycle parking facilities.

HDC Drainage Officer: No Objection.

The Drainage Officer have reviewed the evidence provided by the applicant in support of the planning application. Whilst the applicant has addressed many of the previous shortfalls in information, provision of the information is still outstanding. Although there are items outstanding, they are satisfied that the proposed drainage design is achievable, subject to the further information requested and additional supporting design information which can be secured by planning condition.

HDC Conservation: No Objection.

The Conservation Officer raises no objection subject to condition and comments that there appears to be no material difference between this proposal and that permitted under DC/20/1788. They further state that they remain content the proposed development is acceptable in heritage terms and request detailed drawings be submitted to remove the need for detailed drawings by condition. This in relation to drawing nos. 1894 2500 & 1894 2501 and currently unacceptable roof details.

EXTERNAL AGENCIES

Southern Water: Comment.

Formal application needed to southern water for a connection to the public sewer to be made by the developer.

WSCC Highways: No Objection.

WSCC Highways raise no objection subject to the conditions regarding parking spaces and cycle parking. The LHA comments are in full below:

> *"Access points are proposed on to the bridleway and as such, the LPA are advised to consult WSCC Public Rights of Way for comment on this aspect. Access to the maintained highway is at the junction with The Street/Crays Lane. From inspection of WSCC mapping, there are no apparent visibility concerns with the existing point of access on to The Street. In addition, the LHA does not anticipate that the proposals would give rise to a significant material intensification of use of this access.*
>
> *Two car parking spaces are proposed to serve each dwelling, which is in accordance with WSCC Parking Standards for a development of this size and location. Cars can utilise the private access track to turn and exit on to The Street in a forward gear. No details of cycle parking provision have been provided. The LHA would request that secure cycle parking provision be provided in accordance with WSCC Parking Standards (at least one per dwelling), to promote the use of sustainable transport methods in the local area."*

Ecology Consultant: No Objection.
The Ecological consultant is satisfied that sufficient ecological information has been provided as part of this application and support the proposed biodiversity enhancements. They recommend securing the proposed mitigation and enhancements, and a lighting scheme by planning condition.

Natural England (Bats): No Objection
Natural England responded to raise no objection and concur with the conclusions of the Bats Appropriate Assessment that there will be no adverse effect on integrity.

Natural England (Water Neutrality): No Objection
Natural England responded to raise no objection to the proposed bespoke water neutrality solution subject to the appropriate mitigation being secured.

Thakeham Parish Council (TPC) Comments: Objection.
TPC raises an objection on this application and their comments in full are as follows

> *"TPC contest the applicants Design and Water Neutrality statements and the data provided as it uses modelling, we feel that is historic, out of date and not truly representative of actual persons that will be using the dwellings (2.4 people as an instance).*
>
> *Furthermore, solutions provided by the applicant do not fully address the mitigation/impact that new water requirements will need. For instance, the flow restriction taps are not permanent fixtures and our easily removed. How will enforcement monitor these temporary fixtures installed in the buildings?*
>
> *Additionally, the applicant has not made any space allowance for grey water capture etc given there the applicant has land behind the proposed development. TPC would like to see potential Grey Water Recycling explored.*
>
> *TPC would be happy to revisit a new application that addresses the issues above and would be minded to Support a new application if it did address these issues. Currently, unless the applicant can address these – the TPC is UNABLE TO SUPPORT this application."*

Representations:
None received.

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:

Policy 3 of the Horsham District Planning Framework (HDPF) states that development will be permitted within towns and villages which have defined built up areas. Any infilling will be required to demonstrate that it is of appropriate nature and scale to maintain characteristics and function of the settlement, in accordance with the settlement hierarchy.

Policy Thakeham 1 of the Thakeham Neighbourhood Plan steers new development within the build up area boundaries at Thakeham.

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.

The application site lies within the built up area of Thakeham, which is categorised as a 'smaller village' within policy 3 of the HDPF. These are villages with limited services, facilities, social networks but with good accessibility to larger settlements. Residents are reliant on larger settlements to access most of their requirements.

Given the location of the site within the built-up area, it is considered that the principal of infill development would be acceptable subject to other material considerations as outlined in the following sections of this report. The principle of the development was established during the previous application under DC/20/1788 for two semi-detached dwellings within the same application site.

In summary, there are no objections to the principle of development in accordance with policy 3 of the HDPF and Policy Thakeham 1 of the Thakeham Neighbourhood Plan.

Design and Appearance:

Policies 32 and 33 of the Horsham District Planning Framework (HDPF) promotes development that is of a high quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. Policy 34 of the HDPF states that development should reinforce the special character of the historic environment through appropriate siting, scale, form and design; and should make a positive contribution to the character and distinctiveness of the area. Proposals should preserve and ensure clear legibility of locally distinctive vernacular building forms and their settings, features, fabric and materials.

Policy Thakeham 6 of the Thakeham Neighbourhood Plan (TNP) states that the scale, density, massing, height, landscape design, layout and materials of all development proposals. Policy Thakeham 7 of the Neighbourhood Plan states that development proposals within the designated Thakeham conservation area will be supported provided that any harm to the historic significance of the conservation area and its setting will be less than substantial; and that any such harm is outweighed by the provision of a clear and sustained community benefit. This policy also requires that they preserve the special contribution of the rural character of heritage assets to their special interest including the green setting of the conservation area.

Strategic Policies 19 and 20 of the submission HDLP require high-quality, beautiful and inclusive design which conserves and enhances the natural and built environment, and reflects the local, physical, social, economic, environmental and policy context. In particular, Strategic Policies 19 and 20 support development which, inter alia, is: attractive, functional, safe and adaptable; compliments and respond to locally distinctive characters; contributes to a sense of place; makes efficient use of land; provides a good standard of amenity for existing and future occupants; is of a sympathetic scale, massing and appearance; uses high standards of building materials and landscaping; allows sufficient space for general waste and recycling provision; and makes a clear distinction between public and private spaces.

Part of the unique character of Thakeham's historic core comprises its constrained topography, formed of steep banks either side of the ancient route way. The Street likely predates the hamlet and individual buildings appeared over time beside the lane as people began to settle in marginal agricultural areas in the sixteenth century. The building types and materials reflect the availability of local timber and sandstone at this time. Like many settlements of this size there is little perceptible additional development until the mid-twentieth century and despite this the hamlet retains its historic character. Any new development within the hamlet should respect that character and reinforce it where possible.

The proposed pair of semi-detached dwellings would be located within the built up area yet outside a perceived envelope of development in a part of the hamlet not previously developed. The proposed development would comprise two modest 2 bedroom dwellings metres and a total ridge height of approximately 8 metres. The dwellings would be orientated to the east, with a combined width of 19.9 metres. A set of steps would provide pedestrian access to the front of each property. The stairs would start closer to the principal elevation and therefore result in a more prominent appearance from the streetscene than that previously approved. A brick wall and railing has been included which is taller than those previously approved. The alterations in design since the previous application would not represent improvements, introducing additional built form and a more closed-off appearance than the previous application. Two sets of tandem parking spaces would be provided to the north and south of the development, as per the previous application.

The proposed development would be particularly visible within the conservation area when viewed from the southern end of The Street where this turns into a private access track and public right of way. The new built form is in an area which currently comprises a grassed tree lined bank and would alter the appearance of this southern end of the conservation area. The Council's Conservation Officer is satisfied that the development is no material difference to that previously permitted under ref: DC/20/1788, under which they previously confirmed that the proposed houses would not result in any harm to the conservation area or the setting of the listed building to the north, Gate Cottage. The Council's Conservation Officer recommend the inclusion of a planning condition regarding the detail for roofing, although it is noted that some roofing detail has been included as part of the current application.

Overall, the proposal very closely reflects the design of that which has already been approved and is not considered so much worse than that which has already been approved that it would warrant a refusal on these terms. There are therefore no objections in respect of policies 32, 33 and 34 of the HDPF or policy Thakeham 6 of the TNP.

Trees and Landscaping:

Policy 25 of the HDPF states that the natural environment and landscape character of the District, including the landscape, landform and development pattern, together with protected landscapes and habitats will be protected against inappropriate development. The Council will support development proposals which protects, conserves and enhances the landscape and townscape character, taking into account areas identified as being of landscape importance, the individual settlement characteristics, and maintains settlement separation.

Policy Thakeham 6 of the TNP states that development should retain established healthy trees. Policy Thakeham 10 states that development proposals will be supported, provided they protect and retain and, wherever possible, enhance the following green infrastructure and valued landscape features of the Parish which comprise a list including sunken lanes, prominent ridges, public rights of way and their settings, and land designated for nature conservation.

Strategic Policy 17 of the submission HDLP resists any loss of green infrastructure unless it can be demonstrated that new opportunities will be provided that appropriately mitigates and/or compensates for the respective harm and ensures that the ecosystem services or the area are retained and enhanced. Strategic Policy 17 also expects existing priority habitats and trees to be retained, with habitat enhancement including additional hedgerow and tree planting. Where the felling of a tree is necessary, for example due to disease, Strategic Policy 17 would require replacement planting with a suitable tree species, age, and location to retain and enhance the link with the wider network of habitats and Green Infrastructure, will be required.

No trees are proposed to be removed as part of this proposal and a Tree protection plan has been included alongside a Tree Layout plan. This information was previously considered acceptable as per the previous application and this remains the case such that this it is not considered that the proposal will result in an adverse impact to trees in accordance with policies Thakeham 6 and 10 of the TNP, subject to suitably worded conditions.

The Landscape Architect is satisfied with the proposal subject to planning conditions. They initially raised concerns with the changes to the height of the retaining walls from that previously submitted under approved planning application DC/20/1788. To address, the applicant submitted amended plans to reduce the retaining wall heights. The Landscape Architect has confirmed that these changes address their concerns.

In view of the above, the siting of the built form and the condition of the trees on site remains the same as per the previous application approved and in accordance with policy 25 of the HDPF and policy Thakeham 10 of the TNP.

Amenity Impacts:

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.

Strategic Policy 11 of the submission HDLP requires development proposals to minimise lighting impacts on neighbouring sites. Strategic Policy 20 of the submission HDLP requires development to be designed to avoid unacceptable harm to the amenity of existing and future occupiers or users of nearby property and land, for example due to overlooking, over dominance or overshadowing, light pollution, traffic generation, and general activity, noise, odour and/or vibration.

As per the previous application, given the existing relationship between the proposed development and the nearest neighbouring properties, it is not considered that the development would result in an unacceptable impact on privacy, loss of light or visual impact to the neighbouring occupiers of the development. Therefore, there are no objections therefore in respect of policy 33 of the HDPF.

Highways Impacts:

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

Strategic Policy 24 of the submission HDLP supports residential development which minimises the need for travel and priorities the ability of residents to safely and conveniently walk and cycle to meet their day-to-day neds. Strategic Policy 25 of the submission HDLP requires adequate, safe and secure, off-street vehicle and parking provisions.

The proposal would comprise four parking spaces in total, two spaces for each two bedroom dwelling. This would meet the anticipated parking demand for dwellings of this size in this location in accordance with WSCC Parking Standards. It is noted that there is limited provision for any on-street parking within the surrounding area. It is however not anticipated that the proposed development would result in any overspill on-street parking given the parking provision proposed for each dwelling. WSCC Highways has reviewed the application and rases no objection in regard to the proposed site access or parking provision. They recommend conditions to secure cycle parking provision and the proposed car parking. The proposed development is therefore considered to accord with policy 41 of the HDPF in this regard.

Ecology:

Policy 31 of the Horsham District Planning Framework states that development proposals will be required to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate.

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

This application was submitted prior to biodiversity net gain being mandatory for small site applications and therefore this proposal does not need to provide 10% BNG as per the Environment Act 2021. Notwithstanding this, the applicant has submitted a Biodiversity Enhancement Strategy for the site, which details the proposed inclusion of bird boxes, flowering borders with climbing plants, hedgerow, insect hotels, lawn species mix, and log piles, and the aftercare and long-term maintenance of these features.

The Ecology Officer initially raised concerns with the proposal on the basis that the survey information submitted for this application is older than would be acceptable to get an accurate insight into the species on site, or potential for species. To address this, the applicant submitted a Technical Response which included evidence that additional surveys were not required as the managed nature of the site had not changed to condition or habitats that would be supported. The Ecology Officer has confirmed that their concerns have been sufficient addressed and raises no objection subject to planning conditions.

On this basis, it is considered that proposed development would not be regarded to present harm to potential protected species on site subject to the inclusion of relevant conditions, in accordance with the requirements of policy 31 of the HDPF and Circular 06/2005.

Water Neutrality:

The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

The existing site is a section of Gate Cottage's curtilage, comprising of some trees and grassed area. This area does not have any existing water usage. Therefore, the baseline water usage of the development is 0 and any future mains water use will represent an increase in mains water demand.

The application proposes the erection of two new dwellings. The applicant has submitted a Water Neutrality Statement that include Building Regulations Part G calculations which confirm that the proposed development can achieve a water consumption of 82.3 litres per person per day, including a 5 litre per person per day allowance for external water usage. On the basis of an expected occupancy level of 3.76, the additional water demand from the proposed development would be 309.45 litres per day (112,948.52 litres per annum).

To achieve water neutrality, the development is proposed to be offset by incorporating water efficiency measures into three cottages owned by the applicant and within the red line boundary for the proposed development. Existing flow rates have been measured by a qualified plumber for each site and the results of this are included in Appendix B. This is because it is not possible to produce individual water bills for each cottage. Based on the current occupancy levels of the three cottages, the current water usage is 978.43 litres per day.

Flow limiters are proposed to be fitted to the kitchen taps, hand basins and showers to reduce water flow, details of these are provided at Appendix E. This results in a water saving of 459.39 litres per day (a new total usage of 519.04 litres per day across the three cottages).

Therefore, the total 309.45 litres per day from the proposed development will be offset by the reducing the mains supply water usage of the three cottages by 459.39 litres per day, with 149.94 litres per day

as headroom. The proposed development will accordingly connect to the mains supply and operate at the proposed 309.45 litres per day.

This development would therefore not be in conflict with the conservation objectives for the Arun Valley SPA, SAC and Ramsar site which include 'maintaining or restoring the population of Qualifying Features'. Natural England have been consulted on the Appropriate Assessment undertaken for this proposal and have raised no objection. Officers are satisfied that the proposal accords with policy 31 of the HDPF, NPPF paragraph 193 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Drainage:

Policy 35 of the HDPF requires new building development to adapt to climate change by providing appropriate flood storage capacity Policy 38 of the HDPF states that development should undertake detailed assessment to consider the most appropriate SuDS methods and utilise drainage techniques that mimic natural drainage patterns and manage surface eater as close to its source as possible. Policy 38 is also clear that proposals must comply with the tests and recommendations set out in the Horsham District Strategic Flood Risk Assessment.

The application site lies within Flood Zones 1, which is land defined by the Planning Practice Guidance for the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change as having a low probability of flooding. The applicant has submitted a Drainage Strategy based on the previous application condition requirements.

The Drainage Officer initially reviewed the Drainage Strategy and requested additional information in particular but limited to climate change and future flood risk. To address this, additional drainage results and network calculations were submitted. The Drainage Officer has confirmed that the additional information largely addresses their concerns, and the outstanding matters can be resolved through planning condition.

Sufficient information has been submitted to evidence that proposed development would not result in an increase in flood risk on or around the site as a result of climate change and future flood risk. Therefore, the proposal accords with Policies 35 and 38 of the Horsham District Planning Framework (2015).

Climate change:

HDPF Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. The proposed development includes the following measures to build resilience to climate change and reduce carbon emissions:

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

- Requirement to provide full fibre broadband site connectivity
- Improved U-values and airtightness and low energy lighting
- Water consumption below 110 litres/person/day target through efficiency measures
- Cycle parking facilities
- Electric vehicle charging points

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

Conclusions:

The Council most recent Authority Monitoring Report (AMR, 2022/23) confirmed that the Council currently benefits from a deliverable supply of housing sites of 2.9 years. Therefore, the presumption in favour of sustainable development at paragraph 11(d) of the NPPF is engaged in this instance.

NPPF paragraph 11(d)(ii) states that where there are no relevant development plan policies in place, the policies that are considered most important for the determination of applications (in this case, Policies 1, 2, 4 and 26 of the HDPF, owing to the lack of a five-year housing land supply) permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

The principle of development was established through the previous application, with the site being located within the built up area, close to existing residential development and within a sustainable location capable of accommodating a level of residential infill development. The site occupies a sensitive location, within the setting of Grade II listed buildings, the Thakeham Conservation Area. Nevertheless, the development would be acceptable in terms of design and impact on the setting of the relevant designated heritage assets subject to the inclusion of additional information being submitted with regards to materials.

The siting of the built form and the condition of the trees on site remains the same as per the previous application approved and in accordance with policy 25 of the HDPF and policy Thakeham 10 of the TNP. Furthermore, as per the previous application, given the existing relationship between the proposed development and the nearest neighbouring properties, it is not considered that the development would result in an unacceptable impact on privacy, loss of light or visual impact to the neighbouring occupiers of the development in accordance with policy 33 of the HDPF.

WSCC Highways are satisfied that the proposed development would not unacceptably impact upon highway safety, vehicle parking and site access would be sufficient, and cycle parking can be secured through planning condition, in accordance with HDPF Policy 41. The proposed development would also not be regarded to present harm to potential protected species on site subject to the inclusion of relevant conditions, in accordance with the requirements of policy 31 of the HDPF and Circular 06/2005.

Natural England and Officers are satisfied that the proposed efficiency measures of three properties within the applicants ownership and the red line boundary for this application and submitted Water Neutrality Strategy demonstrate that the proposed development would not result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects and therefore granting this application would not adversely affect the integrity of these sites and accords with policy 31 of the HDPF, NPPF paragraph 193 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Sufficient information has been submitted to evidence that proposed development would not result in an increase in flood risk on or around the site as a result of climate change and future flood risk in accordance with HDPF Policies 35 and 38. Furthermore, the proposed energy efficiency measures accord with the requirements of policies 35, 36 and 37 of the HDPF.

Under NPPF 11(d)i and Footnote 7, where a development impacts on a habitats site and constitutes a clear reason to refuse planning permission, the presumption in favour of sustainable development (tilted balance) does not apply. As detailed above, Natural England and Officers are satisfied that the proposed development would not result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites. The 'tilted balance' under paragraph 11(d) of the NPPF is therefore 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 and the moderate weight assigned to the established principle of development from the previous application, application and that proposed development would be acceptable in terms of design and impact on the setting of the relevant designated heritage, and the limited benefit of these two dwellings contribution to

housing land supply, and the absence of any other material harm, it is considered that a departure from the provisions of the development plan is justified.

It is, therefore, recommended that planning permission be granted, subject to the conditions specified below.

Recommendation: Application Approved

1. **Approved Plans**

2. **Regulatory (Time) Condition:** The development hereby permitted shall be begun 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 Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include details of the following relevant measures:
   (a) A named person for residents to contact during site working hours;
   (b) Detailed Site logistics arrangements;
   (c) Details regarding dust and noise mitigation measures to be deployed;
   (d) Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network.

   The construction shall thereafter be carried out in accordance with the details and measures approved in the CEMP.

   Reason: As this matter is fundamental in the interests of road safety and visual amenity in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

4. **Pre-Commencement Condition**: Development shall not begin until a surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved detailed before the development is completed. The scheme shall also include:
   (a) Assessment of greenfield runoff rates. The greenfield runoff rates must be calculated for the total greenfield site area then adjusted pro-rata for the proposed impermeable area.
   (b) Control orifices 100mm or less must be guarded to reduce the risk of blockages.
   (c) All flow control chambers must be provided with an overflow weir for orifices of any diameter.
   (d) Provision of a detailed network design suitable for Full Application. Provision of standard detailed drawings and proprietary device details.
   (e) Provision of full maintenance details.
   (f) Provision of the referenced Structural Engineer's Drawings for Drainage and Weep Hole Details.
   (g) The proposed outfall is outside of the provided redline boundary. Confirmation of either; the applicants land ownership, or third-party easement agreements for the drainage network outfall to be constructed and maintained must be provided.

   Reason: As this matter is fundamental to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015).

5. **Pre-Commencement Condition**: No development shall commence until a Biodiversity Enhancement Strategy for Protected and Priority species has been submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:
   (a) Purpose and conservation objectives for the proposed enhancement measures;
   (b) Detailed designs to achieve stated objectives;
   (c) Locations of proposed enhancement measures by appropriate maps and plans;

(d) Persons responsible for implementing the enhancement measures;
(e) Details of initial aftercare and long-term maintenance (where relevant).

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

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

6. **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a lighting design strategy for biodiversity in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) has been submitted to and approved in writing by the local planning authority. The strategy shall:

   (a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
   (b) show how and where external lighting will be installed (through provision of appropriate lighting plans and technical specifications) so that it can be clearly demonstrated hat areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

   Reason: To allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

7. **Pre-Occupation Condition:** No part of the development hereby permitted shall be first occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:
   (a) Details of all existing trees and planting to be removed and retained
   (b) Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
   (c) Details of all hard surfacing materials and finishes
   (d) Details including sections of the retaining walls
   (e) Details of all boundary treatments

   The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed or retained planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

   Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

8. **Pre-Occupation Condition:** The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (Water Neutrality Report November 2024). Neither of the new dwellings 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 and the water efficiency measures set out within the water neutrality strategy at:

- 1 New Cottages, The Street, Thakeham, RH20 3EP;
- 2 New Cottages, The Street, Thakeham, RH20 3EP; and
- Thakeham Place Cottage, The Street, Thakeham, RH20 3EP

as shown on drawing ref: 1894 2301 Rev A Existing Location Plan have been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter within each dwelling.

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), 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 the car parking spaces (including garages where applicable) necessary to serve it have been constructed and made available for use in accordance with approved drawing number 1894 2310 Rev A Proposed Site Plans. The car parking spaces permitted shall thereafter be retained as such for their designated use.

   Reason: To provide car-parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

10. **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until 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 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).

11. **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until details for the provision for the storage of refuse and recycling facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided prior to occupation (or use) of the development hereby permitted and thereafter be retained for use at all times.

    Reason: To ensure the adequate provision of recycling facilities 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 the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of a minimum 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).

13. **Regulatory Condition:** The new roof junctions at ridge, valleys, eaves and verges shall be built to reflect traditional detailing including exposed rafter feet, cut verges, bonnet hip and valley tiles and hogs back or half round ridge tiles.

    Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special

architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

14. **Regulatory Condition:** The development hereby permitted shall be undertaken in strict accordance with the works, mitigation and enhancement measures set out in Technical Response (The Ecology Partnership, December 2024), Technical Response (The Ecology Partnership, July 2024) and Further Surveys (The Ecology Partnership, July 2022. This includes the non-licensed Precautionary Method Statement for bats in Section 4.17 of Appendix 1 PEA of the Technical Response (The Ecology Partnership, December 2024), which avoids impacts on European Protected Species. This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

    Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

15. **Regulatory Condition:** All works shall be executed in full accordance with the submitted Arboricultural Impact Assessment and Outline Method Statement (NJCL 772) and the Tree Protection Plan (NJCL_772_02_140920).

    Reason: To ensure the successful and satisfactory protection of important trees, shrubs and hedges on the site in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).

16. **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).

17. **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or reenacting that Order no development falling within Classes A, D and E of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

    Reason: To safeguard the amenities of nearby residents in accordance with policy 33 of the Horsham District Planning Framework (2015).

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/24/0070

(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date

Location plan		1894 2301 A	19.04.2024
Site plan	Existing	1894 2302	12.01.2024
Section plan	Existing, Sheet 1	1894 2303	12.01.2024
Section plan	Existing, Sheet 2	1894 2304	12.01.2024
Site plan	Proposed	1894 2310 A	29.11.2024
Floor plan	Proposed and Roof Plan	1894 2311 A	29.11.2024
Elevation plan	Proposed front and rear	1894 2320 A	29.11.2024
Elevation plan	Proposed side	1894 2321 A	29.11.2024
Section plan	Proposed	1894 2322 A	29.11.2024
Details plan	Porch Detail 01	1894 2502	12.01.2024
Details plan	Porch roof Detail 02	1894 2503	12.01.2024
Details plan	Porch roof detail 03 and 04	1894 2503	12.01.2024
Details plan	Typical Balustrade and External Step Details	1894 2505	12.01.2024
Details plan	Typical Balustrade and External Step Details	1894 2506	12.01.2024
Details plan	Typical Balustrade and External Step Details	1894 2507	12.01.2024
Layout plan	Drainage	2000.0027 REV P2	30.09.2024
Tree plan		NJCL 772 01 140920	12.01.2024
Tree plan	Protection	NJCL 772 02 140920	12.01.2024

DELEGATED

Case Officer sign/initial Stephanie Bryant Date: 28.01.2025

Authorising Officer sign/initial ..... Date: .....