Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1715
Pilgrims Rest, Cox Green, Rudgwick, West Sussex, RH12 3DE

DESCRIPTION:
Demolition of existing dwelling and erection of a self-build dwelling and garage.

RELEVANT PLANNING HISTORY:

RW/107/73	Site adj 'sailtops' - temp use of caravan for residential purposes (From old Planning History)	Application 21.08.1973	Permitted	on
RW/108/73	Erection of house & garage (From old Planning History)	Application 23.08.1973	Permitted	on
RW/82/71	2 storey house, double garage & vehicular access : outline Comment: Appeal allowed 18/4/72 (From old Planning History)	Application 18.04.1972	Permitted	on

DESCRIPTION OF THE SITE

Pilgrims Rest is a detached two-storey property with an attached double garage, located to the southeast of Church Street. The building has limited architectural significance, featuring a mid-twentieth-century design. The property includes an access and parking area directly from the highway, with a large garden that slopes gently eastward toward the rear.

The application site is part of a continuous run of properties, though the area lacks a consistent architectural style. Surrounding properties vary widely, including older vernacular buildings, contemporary new constructions, two-storey houses, bungalows, and properties with accommodation in the roof space.

Situated at the edge of Rudgwick's defined settlement boundary, the property is bordered to the north by a public right of way and open fields, with additional fields to the southeast. It is also located near the administrative boundary with Surrey County Council and Waverley Borough Council. Recent development approvals in the area have resulted in an increase in the number of nearby houses. The site is not within any designated landscape or historic protection area.

DESCRIPTION OF THE APPLICATION

This application seeks approval for the erection of a self-build dwelling and garage, following the demolition of the existing property. The site is currently occupied as a single-family dwelling, the proposed development will not change this, as the new self-build dwelling will remain a single-family home.

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 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 - Parking

Rudgwick Neighbourhood Plan:
The Rudgwick Neighbourhood Plan was formally made on 23 June 2021.
Policy RNP6 – Materials
Policy RNP7 – Architectural Style
Policy RNP8 – Development Height
Policy RNP9 – Street Scene

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 6: Climate Change
Strategic Policy 7: Appropriate Energy Use
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 10: Flooding
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 24: Sustainable Transport
Policy 25: Parking

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

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATIONS RESPONSES

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

Consultations:

HDC Arboricultural Officer: Holding Objection - The submitted Arboricultural Report, and Methods statement is a fair assessment of the condition and quality of the tree stock at the site, and the potential impact of the development proposal on retained trees. Although some amendments and additional protection measures are needed.

Re-consultation (received 12.02.2025): No Objection - I am satisfied that the RPA for the Hornbeam at the front of the site (T4) has been potted correctly and now considers the constraints on root

development posed by the road and ditch. In this instance, the 3.2% incursion into the RPA of T4 to allow for the garage to be built as proposed, and the compensatory tree planting at the front of the site are acceptable. Please insert the relevant drawing number and attached below Pre-commencement Condition to the permission.

WSCC Highway Authority: No Objection - The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 115), and that there are no transport grounds to resist the proposal.

WSCC Public Right od Way: No Objection - Public Footpath Rudgwick 449Sy runs in a generally north-west to south-east alignment, outside and immediately to the adjacent to (part of) the proposed development's eastern boundary.

It is understood that the application does not impact upon, or propose any alteration, to the Public Right of Way. Therefore, the Public Right of Way team offer no objection to the proposal. If the applicant does now, or in future, propose any alteration to the public rights of way then they must first consult directly with West Sussex County Council, Public Rights of Way team (prow@westsussex.gov.uk).

Nature Space: No Objection - Thank you for consulting me on the above planning application. It is considered that the proposed development would present a low risk to great crested newts and/or their habitats. However, as the development is within the red Impact Risk Zone, as modelled by district licence mapping, an informative has been recommended.

Place Services (received 07.01.2025): Holding Objection - We have reviewed the Bat Survey Report (AEWC, October 2024) and Reptile Survey Report (AEWC, September 2024), relating to the likely impacts of development on designated sites and protected and Priority species & habitats, and identification of appropriate mitigation measures. Please note that comments on Biodiversity Net Gain are provided by Horsham District Council in-house.

We are not satisfied that there is sufficient ecological information available for determination of this application and recommend that additional information on reptiles is provided prior to determination.

Re-Consultation (received 28.01.2025): No Objection - The ecologist's comments note that a Bat Licence will be required before any works begin, as emergence surveys confirmed the presence of a Common Pipistrelle bat roost at the site. The report supports the proposed mitigation measures, including the implementation of a sensitive lighting scheme to reduce light disturbance to foraging and commuting bats, particularly Barbastelle bats. A Wildlife Friendly Lighting Strategy is recommended, with specific measures to minimize light spill and prevent adverse effects on local bat populations. The ecologist believes that with these mitigation measures, the development will not adversely affect the integrity of nearby Special Areas of Conservation (SAC).

The site also supports a population of Slow Worm and Grass Snake, and the ecologist supports the proposed reptile mitigation strategy, including the translocation of reptiles to an onsite receptor site. The non-licensed Precautionary Method Statement for bats is also supported, with the requirement for compensation for the loss of roost resources and supervision by a qualified ecologist. The ecologist advises that biodiversity enhancements, such as those for protected and Priority species, should be included in a Biodiversity Enhancement Strategy, which should be secured by a condition of consent to ensure net gains for biodiversity.

While there are no objections on ecological grounds, the ecologist has deferred comments on the impact to Great Crested Newts to the NatureSpace Partnership. Overall, with appropriate conditions and mitigation measures, the proposal is considered acceptable in terms of biodiversity impact, and a project-level Habitat Regulations Assessment (HRA) should be prepared by the Local Planning Authority.

Southern Water: Comment - The development site is not located within Southern Water's statutory area for wastewater drainage services.

PUBLIC CONSULTATIONS:

Representations:
None Received

Rudgwick Parish Council: Holding Objection - In principle, the replacement of one sub-standard dwelling with one new dwelling, whilst maintaining the existing building line, is considered acceptable for this plot. The architectural style, layout and materials proposed for this replacement dwelling appear to have taken into account the relevant local policies, and seem broadly sympathetic to the character and street scene of Cox Green.

However, whilst commending the use of the various energy saving measures incorporated in the proposal, a Holding Objection is required until HDC are content that it is acceptable in 2025 to be building a new home that will burn fossil fuels rather than installing a heat pump, given the direction of travel of national and local policies and legislation (particularly the emerging HDLP Strategic Policy 7; Building Regulations; the Future Homes Standard). It is worth noting that currently 3 new homes are under construction directly opposite the Pilgrims Rest site, all incorporating air source heat pumps.

It appears that the development will require the removal of some trees. Should approval be granted, RNP Policy 17 (with regard to replacement of lost trees) must be specifically referenced in any landscaping conditions attached to the permission. It is disappointing that the planning consultant did not refer to this DPD in paragraphs 6.24 or 7.50 of the planning statement submitted.

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 principle of development is supported by Policy 3 of the Horsham District Planning Framework (HDPF), which permits development within defined built-up areas of towns and villages, provided it aligns with the settlement hierarchy and maintains the characteristics and function of the area. The application site is within the built-up area of Rudgwick, classified as a “Medium Village” under Policy 3 of the HDPF. This classification means that Rudgwick has moderate services, community networks, and some access to public transport, making it a sustainable location for development. Additionally, the Rudgwick Neighbourhood Plan (RNP) supports development within the settlement boundary while ensuring it complements the area’s character.

The proposed development involves the demolition of an existing dwelling and the erection of a self-build replacement home and garage at Pilgrims Rest, Church Street, Rudgwick. The site forms part of a continuous row of residential properties, contributing to the existing settlement pattern. The proposal does not involve expansion into the countryside or any protected area, reinforcing its compliance with

local development policies. Furthermore, the proposed self-build dwelling would replace a structurally poor-quality home with a modern, energy-efficient property, which aligns with Policy 32 and 33 of the HDPF, which encourage high-quality and sustainable development.

The proposal also considers infrastructure and sustainability factors. Since it is a replacement dwelling, there is no additional burden on local services, and the existing access and parking arrangements remain unchanged. Additionally, the site is outside the Sussex North Water Resource Zone, meaning it is not subject to water neutrality requirements. The design includes energy-efficient measures, such as solar panels, to meet the sustainability objectives of Policies 35 and 36 of the HDPF.

Overall, the proposed development meets the principle of development as set out in the HDPF and RNP. It is within a sustainable location, contributes to the housing strategy, and enhances the character of the area. Given that it aligns with both local and national planning policies, planning permission should be considered favourably.

Design and Appearance:

Policies 25, 32, and 33 of the Horsham District Planning Framework (HDPF) emphasize the need for development to be high quality, well-designed, and complementary to the local character and heritage. These policies ensure that new development integrates with its surroundings, maintains the area's distinct sense of place, and is appropriate in terms of scale, massing, and appearance.

The proposal seeks the demolition of the existing dwelling and the construction of a new self-build two-storey dwelling with a detached garage. The existing dwelling is a mid-20th-century structure with limited architectural merit, and its replacement provides an opportunity to enhance the character of the area through a more thoughtfully designed and visually cohesive development.

The wider Church Street street-scene consists of a mix of architectural styles and varying building heights, including bungalows, two-storey houses, and properties with accommodation within the roof space. Given this diversity, the proposed dwelling has been carefully designed to be sympathetic to the surrounding built form, ensuring that it does not appear incongruous or out of place.

The proposed ridge height of 8.88m remains comparable to nearby properties, ensuring it does not dominate the street scene. The incorporation of gable projections and pitched roofs reflects the local vernacular, aligning with the architectural characteristics of Rudgwick. The garage structure, with its catslide roof and timber cladding, is also designed to appear subservient to the main dwelling, maintaining a harmonious relationship with the built environment.

The positioning of the dwelling slightly further back into the plot ensures that the built form does not create an overbearing presence within the street scene. This modest setback, combined with the retention of existing boundary treatments and green landscaping, helps soften the visual impact of the development while maintaining the openness and rhythm of the existing streetscape.

While the replacement dwelling will be larger than the existing, the increase in bulk and massing has been carefully managed through architectural detailing, variations in roof heights, and appropriate material selection. This ensures that the development avoids a monolithic appearance, instead incorporating articulated elevations that create visual interest and break up the perceived scale of the dwelling.

The street scene along Church Street is already varied, with no single uniform character. The proposal fits within this context by adopting a high-quality design that enhances, rather than disrupts, the character of the area. The use of traditional materials such as timber cladding, tiles, and render, alongside a vernacular roof pitch, ensures that the dwelling is consistent with local design principles and complements the character of Rudgwick.

Given the careful design considerations, the proposal would not result in an overly dominant or discordant feature within the street scene. Instead, it represents a sympathetic and high-quality addition, reinforcing the established character of the area while also offering a contemporary and sustainable new home.

The development is therefore considered to be a well-integrated and appropriate replacement dwelling, complying with Policies 25, 32, and 33 of the HDPF, ensuring a positive contribution to the character and appearance of the locality.

Residential Amenity:

Policy 33 of the Horsham District Planning Framework (HDPF) states that development should not cause unacceptable harm to the amenity of the occupiers or users of nearby properties and land. This includes considerations such as overlooking, loss of privacy, overshadowing, loss of light, overbearing impact, noise, and general disturbance.

The proposed replacement dwelling will maintain a similar footprint to the existing dwelling, ensuring that it does not significantly alter the relationship between neighbouring properties. The site shares a boundary with Trundle Mead to the west, while Sailtops is located to the east, separated by a public footpath and agricultural land. The proposed dwelling has been carefully designed to ensure that it does not result in any adverse impact on these neighbouring properties.

In relation to Trundle Mead, the proposed dwelling maintains a similar separation distance to the boundary as the existing property. While the new dwelling is slightly larger in depth, the modest increase ensures that there will be no significant impact in terms of loss of light, outlook, or an overbearing effect. Importantly, no side-facing windows are proposed at first-floor level on the western elevation, eliminating any concerns regarding overlooking. Any views from the front and rear windows will be limited to oblique angles, which is typical in residential areas and does not result in an unacceptable loss of privacy.

Similarly, the impact on Sailtops has been carefully considered. The property is set at a considerable distance from the proposed dwelling, with a public footpath and open space providing a natural buffer. Additionally, the first-floor window on the eastern elevation serves the stairwell, meaning it does not create any direct overlooking issues. The primary outdoor amenity space for Sailtops is located further towards the rear of the property, ensuring that privacy and enjoyment of outdoor space are unaffected.

Overall, the proposed development has been carefully designed to respect the amenity of neighbouring properties. Given the appropriate separation distances, the absence of directly overlooking windows, and the retention of existing residential use, the proposal will not cause any undue harm to neighbouring occupiers. Furthermore, no objections have been raised by neighbouring properties, reinforcing that the development is considered acceptable within the local context. The proposal is therefore fully compliant with Policy 33 of the HDPF, ensuring that the residential amenity of surrounding properties is maintained while delivering a high-quality and well-integrated form of development.

Ecology:

The ecological assessment of the proposed development has been undertaken in line with Policy 31 (Green Infrastructure and Biodiversity) of the Horsham District Planning Framework (HDPF, 2015), which seeks to protect and enhance biodiversity networks. The proposal has been reviewed by an ecologist, who provided comments on the likely impacts on protected species and habitats, as well as the required mitigation measures to ensure no significant harm to the natural environment.

The Bat Survey Report (AEWC, October 2024) confirmed the presence of a Common Pipistrelle bat roost at the site, necessitating a Bat Licence prior to the commencement of works. The report supports the proposed mitigation measures, including the implementation of a sensitive lighting scheme to reduce light spill that could disturb foraging and commuting bats, particularly Barbastelle bats. A Wildlife Friendly Lighting Strategy is recommended, incorporating measures such as using warm white lights, ensuring minimal lighting levels, and utilizing motion sensors for external lighting. These measures aim to protect local bat populations and avoid adverse effects on the integrity of nearby Special Areas of Conservation (SAC).

Additionally, the site supports a population of Slow Worm and Grass Snake, and the proposed reptile mitigation strategy, which includes the translocation of reptiles to an onsite receptor site, is supported. The ecologist also endorses the non-licensed Precautionary Method Statement for bats, which includes compensation for the loss of roost resources and the requirement for supervision by a qualified ecologist during works. Furthermore, biodiversity enhancements, such as those for protected and Priority species, should be incorporated into a Biodiversity Enhancement Strategy, which should be secured by condition to ensure net biodiversity gains.

In relation to Great Crested Newts, NatureSpace (District Licencing Scheme) has reviewed the application and confirmed no objection. They consider that the proposed development presents a low risk to Great Crested Newts and their habitats. However, since the site lies within the red Impact Risk Zone, as indicated by district licence mapping, NatureSpace has recommended the inclusion of an informative note regarding potential impacts to Great Crested Newts. Overall, with the proposed mitigation measures and biodiversity enhancements, the development is considered acceptable in terms of ecological impact. The Local Planning Authority is advised to prepare a project-level Habitat Regulations Assessment (HRA) to further assess the potential impacts on protected species and habitats, in line with the Conservation of Habitats and Species Regulations 2017.

Tree Impact:

The initial assessment of the proposal by the HDC Arboricultural Officer raised a holding objection, noting that while the submitted Arboricultural Report and Method Statement provided a fair assessment of the site's tree stock and the potential impacts of the development, some amendments and additional protection measures were required. The primary concern related to the Root Protection Area (RPA) of the Hornbeam (T4) at the front of the site, particularly regarding its constraints from the adjacent road and ditch.

Following revisions and the resubmission of updated arboricultural details on 12 February 2025, the HDC Arboricultural Officer removed their objection, confirming that the RPA for the Hornbeam had been plotted correctly and that the revised plans adequately accounted for the constraints on root development. The officer deemed the 3.2% incursion into the RPA of T4 for the construction of the garage as acceptable, given the compensatory tree planting at the front of the site.

As a result, the proposed development is now fully compliant with the necessary arboricultural requirements, subject to adherence to the updated tree protection measures. A pre-commencement condition has been recommended to ensure that the agreed protective measures are implemented before any construction activity begins, safeguarding the retained trees throughout the development process.

Regarding the Parish's comments, it is acknowledged that the development may involve the removal of some trees. However, it is important to note that any tree loss will be mitigated through compensatory planting, as per the revised arboricultural details and the recommended conditions.

Highways Impacts:

Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users. The application site benefits from an existing access with minor alterations to the existing driveway indicated on the submitted plans. There is no evidence to suggest the existing lawful access is operating unsafety and the submitted plans indicate sufficient on-site parking and manoeuvring space. It is considered that the proposal would not result in a severe impact on the operation of the highway network and would accord with the above policies.

Water Neutrality

The application site lies outside of the Sussex North Water Supply Zone. The proposal does therefore raise any implications for the consumption of water, that could otherwise result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. The grant of planning permission would not therefore adversely affect the integrity of these

sites or otherwise conflict with policy 31 of the HDPF, NPPF paragraph 193 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Climate Change:

The Council acknowledges the concerns regarding the use of fossil fuels and the direction of national and local policies, including the Future Homes Standard and emerging policies such as HDLP Strategic Policy 7, which emphasize reducing carbon emissions. However, it is important to highlight that the proposed development, as currently submitted, adheres to the prevailing building regulations, which do not mandate the installation of an air source heat pump.

The proposal incorporates a range of energy-saving features, such as energy-efficient design elements and solar panels, all contributing to a reduction in the development's overall environmental impact. While an air source heat pump is not included, the design meets the energy efficiency standards set by existing regulations, ensuring the home remains energy-efficient and sustainable.

It is also acknowledged the reference made by the Parish Council to nearby developments incorporating air source heat pumps. However, these are separate projects with their own specific planning conditions. The current application fully complies with the existing legislative framework, and therefore, we do not believe it is necessary or appropriate to impose a condition requiring the installation of an air source heat pump.

In alignment with Policies 35, 36, and 37 of the Horsham District Planning Framework (HDPF), the proposal also includes several additional measures to address climate change and build resilience. These measures include:

- Full fibre broadband site connectivity
- Dedicated refuse and recycling storage capacity
- Cycle parking facilities
- 110lpd Part G compliance

These features, alongside the energy-efficient design and solar panels, contribute to reducing carbon emissions and the overall environmental impact of the development, in accordance with the climate change objectives outlined in Chapter 14 of the National Planning Policy Framework (NPPF).

In conclusion, the development is designed to meet current energy efficiency standards and reflects the principles of sustainable development, making it fully compliant with both local and national policies. As such, a holding objection based on the inclusion of an air source heat pump is not considered necessary.

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 Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

- The development qualifies as 'self-build or custom housing' under Regulation 8 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024

Conclusions:

The proposed development is considered to be in line with both local and national planning policies, and would make a positive contribution to the character, sustainability, and ecology of the area.

In terms of the principle of development, the site is located within the built-up area of Rudgwick, which is classified as a "Medium Village" under Policy 3 of the Horsham District Planning Framework (HDPF). This provides a sustainable location for development, supported by the Rudgwick Neighbourhood Plan (RNP). The proposed self-build dwelling replaces a structurally poor-quality home with a modern, energy-efficient property, in line with the housing priorities set out in both the HDPF and the Self-Build and Custom Housebuilding Act 2015. This addresses the identified need for self-build plots within the district, while maintaining the established settlement pattern and not extending into the countryside.

The design of the new dwelling ensures it integrates well with the existing character of Church Street. The careful consideration of scale, massing, and materials results in a development that enhances the street scene while respecting the surrounding built environment. The proposal has been designed to ensure minimal impact on residential amenity, with appropriate separation distances and the careful placement of windows, which maintains privacy and limits overlooking.

Ecologically, the proposed development adheres to Policy 31 of the HDPF, with appropriate mitigation measures for protected species such as bats and reptiles. The proposed sensitive lighting strategy and reptile translocation plan will safeguard local wildlife. Additionally, the site is not expected to have a significant impact on Great Crested Newts, with NatureSpace confirming the low risk to their habitats. With the inclusion of a Biodiversity Enhancement Strategy, the development will deliver net biodiversity gains.

The proposal also meets highways and water neutrality requirements, with sufficient parking space and no adverse impacts on the highway network. Being located outside the Sussex North Water Supply Zone, the development does not raise water neutrality concerns that would affect the integrity of designated sites such as the Arun Valley SAC, SPA, and Ramsar sites. Furthermore, the development incorporates sustainability measures, such as energy-efficient design and cycle parking, contributing to mitigating climate change impacts in accordance with policies 35, 36, and 37 of the HDPF.

In conclusion, the proposed development aligns with relevant planning policies and would contribute positively to the local community by providing a high-quality self-build home, enhancing the area's character, and delivering ecological and sustainability benefits. Given its compliance with the Horsham District Planning Framework, the Rudgwick Neighbourhood Plan, and national planning policies, it is recommended that planning permission is granted.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

It is considered that this development constitutes CIL liable development.

Use Description	Proposed	Existing	Net Gain
District Wide (Zone 1)	112m2	240m2	128m2
		Total Gain	**128m2**
		Total Demolition	**112m2**

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

Recommendation: Application Permitted

Conditions:

2 **Standard Time Condition**: The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3 **Pre-commencement Condition**: No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until the following preliminaries have been completed in the sequence set out below:

i. All trees on the site shown for retention on approved drawing number Tree Protection Plan RCG-PR-24-234 v.4, as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).

ii. Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site. Before any work begins on site, the person(s) responsible for supervising the works must meet the Arboricultural Officer of the Local Planning Authority, on site, so the Arboriculturist Officer can supervise that the tree protection measures have been installed in accordance with the approved drawing number Tree Protection Plan RCG-PR-24-234 v.4.

iii. Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone. Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

iv. Before any work begins on site, the person(s) responsible for supervising the works must meet the Arboricultural Officer of the Local Planning Authority, on site, so the Arboriculturist Officer can supervise that the tree protection measures have been installed in accordance with the approved drawing number Tree Protection Plan RCG-PR-24-234 v.4. All works shall be carried out in strict accordance with the approved details.

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

4 **Pre-commencement Condition**: No development shall take place until a Reptile Mitigation Strategy addressing the mitigation measures for Slow Worm and Grass Snake has been submitted to and approved in writing by the local planning authority.

The Reptile Mitigation Strategy shall include the following.

a) Purpose and conservation objectives for the proposed works.
b) Review of site potential and constraints.
c) Detailed design(s) and/or working method(s) to achieve stated objectives.
d) Extent and location/area of proposed works on appropriate scale maps and plans.

e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
g) Persons responsible for implementing the works.
h) Details of initial aftercare and long-term maintenance of the Receptor area(s).
i) Details for monitoring and remedial measures.
j) Details for disposal of any wastes arising from works.

The Reptile Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To conserve protected species and 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 s17 Crime & Disorder Act 1998.

5 **Pre-commencement (Slab Level) Condition**: Notwithstanding the submitted details, 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-commencement (Slab Level) Condition**: Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected and Priority or threatened species, prepared by a suitably qualified ecologist, shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

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

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

Reason: To enhance protected and Priority species & habitats and allow the Local Planning Authority to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended).

7 **Pre-occupation Condition**: Prior to the first occupation of any part of the development hereby permitted, full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
- Details of all hard surfacing materials and finishes
- Details of all boundary treatments
- Details of all external lighting

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the

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

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

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

Reason: To provide car-parking space for the use in accordance with Policy 40 and 41 of the Horsham District Planning Framework (2015).

9 **Pre-occupation Condition**: No building hereby permitted shall be first occupied (or use hereby permitted commenced) unless and until provision for the storage of refuse and recycling has been submitted to the Local Planning Authority for approval. These facilities shall 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).

10 **Pre-occupation Condition**: Prior to the first occupation of the development, the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabits per second through full fibre broadband connection shall be provided to each premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policies 10 and 37 of the Horsham District Planning Framework (2015).

11 **Pre-occupation Condition**: No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the cycle parking facilities serving it have been constructed and made available for use. The cycle parking facilities shall thereafter be retained as such for their designated use.

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

12 **Regulatory Condition:** The dwelling hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to no more than 110 litres per person per day. The subsequently installed water limiting measures shall thereafter be retained.

Reason: To limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015).

13 **Regulatory Condition**: Any works which will impact the breeding / resting place of bats, shall not in in any circumstances commence unless the local planning authority has been provided with either:

a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
b) evidence of site registration supplied by an individual registered to use a Bat Mitigation Class Licence; or

c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To conserve protected species and 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 s17 Crime & Disorder Act 1998.

14 **Regulatory Condition**: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Protected Species - reptiles - Response (The Ecology Co-op, January 2025), Bat Survey Report (AEWC, October 2024) and Reptile Survey Report (AEWC, September 2024), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the non-licensed Precautionary Method Statement for bats in Section 7 of the Bat Survey Report (AEWC, October 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: To conserve and enhance protected and Priority species and 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) and Policy 31 of the Horsham Development Framework.

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.

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/24/1715

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location & Site plan	Proposed	2072 2101 REV C	04.11.2024
Floor plan	Proposed and Roof	2072 2110 REV B	04.11.2024
Elevation plan	Proposed	2072 2120 REV B	04.11.2024
Floor plan	Existing and Roof	2067 1010	04.11.2024
Elevation plan	Existing	2067 1020	04.11.2024
Supporting Docs	Bat Survey Report	NONE	04.11.2024

Supporting Docs	Reptile Survey Report	NONE	17.01.2025
Supporting Docs	Planning Statement	NONE	04.11.2024
Supporting Docs	Arboricultural Report	RCG-PR-24-234 v.4	11.02.2025
Supporting Docs	Energy Statement	NONE	04.11.2024

DELEGATED

Case Officer sign/initial Shazia Penne Date: 13.02.2025

Authorising Officer sign/initial RHERMITAGE Date: 14.02.2025