

Report to	Planning Committee
Date	9 August 2018
By	Director of Planning
Local Authority	Horsham District Council
Application Number	SDNP/17/02771/FUL
Applicant	Mr George Macari
Application	Replacement of the large detached house from implemented planning application DC/11/2322 with 3 detached smaller dwelling houses (1 x 3 bed, 1 x 4 bed, 1 x 5 bed) together with part conversion of the stable block from DC/11/2322 into holiday let/overnight accommodation.
Address	Former Annington Mere Cottages, Annington Road, Bramber, West Sussex

Recommendation:

- 1) **That planning permission be granted for the reasons and subject to the conditions set out in Section 10 of this report and subject to the completion of a S106 agreement with obligations relating to:**
 - **A contribution of £9,920 towards off site affordable housing.**
 - **Submission of a management scheme for the tourism accommodation.**
 - **Restriction of tourism accommodation to ensure not to be used for general C3 residential dwellinghouse.**
 - **Securing of translocation receptor area as part of reptile mitigation strategy.**
- 2) **That authority be delegated to the Director of Planning to refuse the application, with appropriate reasons if the S106 agreement is not completed or sufficient progress has not been made within 3 months of the 9 August 2018 Planning Committee meeting.**

Executive Summary

Planning Permission was originally approved in 2011 for the replacement of two modest semi-detached dwellings with two larger detached dwellings and the provision of a stable block. The development was considered to be acceptable (despite the larger dwellings) on the basis that a significant number of unsightly modern agricultural buildings were to be removed. Technically the development has been commenced but the applicant has been unsuccessful in being able to attract interest with regard to the larger of the two properties approved. The applicant now seeks approval for one of the approved dwellings to be replaced with 3 smaller properties. The other dwelling approved under the original permission would be built in accordance with the original approval. In addition, the applicant seeks permission for a stable building to be partly for stabling of horses, but also as bunk house accommodation for potential visitors along the South Downs Way, which lies to the south of the site.

The principle of replacement dwellings was considered to be acceptable previously, but this proposal seeks the addition of 2 new dwellings. Ordinarily, such a scheme would be unlikely to receive a favourable recommendation, given that general policies of restraint apply in relation to housing in the countryside, outside of settlements. Officers, consider however that there are reasons why this scheme could be considered favourably.

Firstly, the approved replacement dwellings were large and, whilst replacing significant agricultural buildings, would have been somewhat dominant in the immediate landscape. The 3 proposed dwellings to replace the largest of the approved dwellings would be more in keeping with properties in this rural location. In addition, the scheme provides the opportunity for low cost holiday accommodation in close proximity to the South Downs Way, which would be in accord with the second purpose of the National Park. Whilst ordinarily only exception housing to meet affordable needs would be considered acceptable in this location, it is considered that the scheme offers benefits to outweigh the general policies of restraint and permission is recommended. Whilst the provision of an affordable unit on site is considered to be prohibitive, the applicant has expressed a willingness to provide a small off-site financial contribution to affordable housing and this is considered to be acceptable.

The application is placed before the Committee at the discretion of the Director of Planning for consideration given that the scheme raises a number of unique policy considerations.

1. Site Description

- 1.1 The application site is located to the South of Steyning on the Annington Road, located in a valley with the downs rising to the south west of the site. Opposite the site lies Annington Farm, comprising a number of agricultural buildings and silos.
- 1.2 To the immediate north west of the site lie Annington Mere Barns, comprising of 3 agricultural buildings. Further north-west are a number of stables and a residential property further to the north west. On the opposite side of the road to the north east is a building comprising stables. The road rises again to the south east towards the link with the South Downs Way.
- 1.3 The site itself is relatively flat. The former dwellings and assorted agricultural buildings have since been removed from the site and it is currently vacant. Herras fencing is located at the entrance to the site. A variety of hedging and fencing is located on the boundary with the road to the north west of the access. A variety of hedgerow and mature trees line the boundary to the south east of the access.

2. Relevant Planning History

- 2.1 DC/11/2322 Replacement of two semi-detached dwellings with two detached dwellings with replacement stable blocks and removal of vacant, disused agricultural buildings – granted 12 January 2012.
- 2.2 SDNP/16/02243/PRE - Pre-application Enquiry about the number of residential units being increased from 2-8 – Response provided 8 May 2017 (Given the peculiarities of the case general support for a development of no more than four dwellings which would include some tourist accommodation, subject to viability reports, landscape assessment etc.)

3. Proposal

- 3.1 This is a full application and consists of the replacement of one of the two detached dwellings previously approved at this site with 3 detached dwellings (1 x 3 bed, 2 x 4 bed and 1 x 5 bed). The other previously approved dwelling in the north western corner of the site would be built in accordance with the approved plans.
- 3.2 The previously approved development included the provision of a stable block in the western corner of the site. This remains as part of this proposal but seeks part conversion of the new building to bunk house accommodation for visitors to the South Downs National Park.
- 3.3 The 3 proposed dwellings would each be 2 storey in height and arranged with a small courtyard/parking area to the front of the dwellings. The plans and landscaping for the

cottage originally approved would remain the same. The dwellings would be of similar proportions to the approved dwelling to the west, but significantly smaller than the dwelling which had been approved in this location.

- 3.4 The three new dwellings (which would replace the larger approved dwelling) and the stable block have been designed to have flint as a facing material with oak at first floor and Sussex stone detailing. The roofs would be slate.
- 3.5 The bunkhouse accommodation would be tied to and managed by the property at the northern end of the development and, its continued use as holiday accommodation would be secured by a legal agreement.

4. Consultations

4.1 Bramber Parish Council: Comments.

- Approve of principle but would have preferred for all 3 houses to have been 3 bedroomed.
- Insufficient parking shown on plans. No room for on-street parking along this road.

4.2 Highways: Comments.

- Access – Satisfied that the development would not result in a material increase in trip generation over what the site could have generated with its mixed residential/agricultural use. Access works on the public highway for the holiday let accommodation must be implemented under license to a specification obtained from WSCC Highways.
- Parking – Satisfied that a suitable parking solution can be achieved. Each dwelling should provide secure and covered cycle parking provision.
- Parking for holiday let/stables – 3 vehicle stacking is not ideal but it is noted that the holiday let is one independent unit so the stacking of parked cars could be managed. Clarification in relation to parking for stables.

4.3 Environmental Health: Comments.

- If minded to approve, suggest conditions relating to contamination.

4.4 Southern Water: Comments.

- Suggest Informatives, should approval be given.

4.5 Tourism: Comments.

- The National Park and the South Downs Way are underserved with accommodation generally so new bed stock is welcomed as overnight visitors bring more to the economy than day visitors. New accommodation is especially welcome when it is smaller scale and relatively low impact on environment and landscape.

4.6 Ecology: Comments.

- No objection subject to conditions and securing of translocation receptor area as part of reptile mitigation strategy.

5. Representations

5.1 I letter from resident: No objection but general comments

- Will wish to use the grant of Planning Permission as precedent for development of own land.
- All parking must be provided on site.
- Stables of neighbouring property adjacent to dwelling. Do not wish there to be future complaints about the stables.

6. Planning Policy Context

- 6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The relevant statutory development plan comprises the saved policies of the **Horsham District Local Development Framework Core Strategy and Development Control Policies (2007)**. The relevant policies are set out in section 7 below.

National Park Purposes

- 6.2 The two statutory purposes of the SDNP designation are:
- To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas;
 - To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social wellbeing of the local community in pursuit of these purposes.

National Planning Policy Framework and Circular 2010

- 6.3 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The Updated National Planning Policy Framework (NPPF) which was issued and came into effect on 24 July 2018. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.
- 6.4 The following National Planning Policy Framework Sections have been considered in the assessment of this application:
- Achieving sustainable developments
 - Delivering a sufficient supply of homes
 - Building a strong competitive economy
 - Achieving well-designed places
 - Requiring good design
 - Conserving and enhancing the natural environment

The South Downs Partnership Management Plan (PMP) 2013

- 6.5 The PMP outlines a vision and long term outcomes for the National Park, as well as 5 year policies and a continually updated Delivery Framework. It is a material consideration in planning applications. The following policies are relevant: 1, 3, 28, 29, 37, 39, 41, 42, 43, 50 and 55.

7. Planning Policy

- 7.1 The relevant saved policies in the **Horsham District Council Local Development Framework (2007)** are:
- DC1 Countryside Protection and enhancement
 - DC2 Landscape Character
 - DC4 Areas of Outstanding Natural Beauty
 - DC5 Biodiversity & Geology
 - DC8 Renewable Energy & Climate Change
 - DC9 Development Principles
 - DC25 Rural Economic Development and expansion of existing rural commercial sites/intensification of uses
 - DC30 Exception Housing Schemes
 - DC39 Tourism

- DC40 Transport and Access
- CPI Landscape and Townscape Character
- CP2 Environmental Quality
- CP3 Improving Quality of New Development
- CP4 Housing Provision
- CPI2 Meeting Housing Needs
- CPI5 Rural Strategy
- CPI8 Tourism and Cultural Facilities
- CPI9 Managing Travel Demand and widening choice of transport

7.2 The South Downs Local Plan: Submission

7.3 The Pre-Submission version of the South Downs Local Plan (2017) was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation from 26 September to 21 November 2017, and the responses considered by the Authority. The Plan was submitted to the Secretary of State for independent examination in April 2018. The Submission version of the Local Plan consists of the Pre-Submission Plan and the Schedule of Proposed Changes. It is a material consideration in the assessment of this planning application in accordance with the NPPF, which confirms that weight may be given to policies in emerging plans following publication. Based on the current stage of preparation, along with the fact that the policies are compliant with the NPPF, the policies within the Submission version of the Local Plan referenced below are currently afforded some weight.

7.4 The relevant policies of the Emerging Local Plan are:

- SD1 Sustainable Development
- SD2 Ecosystem Services
- SD4 Landscape Character
- SD5 Design
- SD7 Relative Tranquillity
- SD8 Dark Night Skies
- SD9 Biodiversity and Geodiversity
- SD19 Transport and Accessibility
- SD20 Walking, Cycling and Equestrian Routes
- SD22 Parking Provision
- SD23 Sustainable Tourism
- SD25 Development Strategy
- SD27 Mix of Homes
- SD28 Affordable Homes
- SD29 Rural Exception Sites
- SD30 Replacement Dwellings
- SD48 Climate change and Sustainable Use of Resources
- SD50 Sustainable Drainage Systems
- SD54 Pollution and Air Quality
- SD55 Contaminated Land

8. **Planning Assessment**

Principle of development

8.1 The application site is located outside of any defined built settlement in countryside and therefore the general principle of new residential dwellings is usually resisted except in particular circumstances (such as for agricultural workers or for rural exception sites). The proposal, in seeking replacement of one approved dwelling with three smaller dwellings would therefore be usually considered to be contrary to the policies contained in the Horsham District Council Local Development Framework (where residential development is

supported in the more built up and sustainable settlements). Even rural exception sites need to be in sustainable locations.

- 8.2 It is considered prudent however to give consideration as to whether there are particular circumstances, together with policies in the Emerging South Downs Local Plan (Submission), which now should be afforded some weight (especially given that it will be replacing an existing plan which was adopted in 2003) which would bring the Authority to a different conclusion to allow the development based on the particular issues with regard to this site. In policy terms, the continuing resistance to new dwellings in the countryside is echoed in Policy SD26 where residential development is supported in settlements with only rural exception sites and dwellings for specific cases such as agricultural workers being considered acceptable (subject to certain criteria).
- 8.3 Emerging Policy SD30 (which relates to replacement dwellings) does allow, in certain cases for the replacement of one dwelling with two or more separate residential dwellings. This is subject to a number of criteria, including that the replacement dwellings each have a gross internal area of 120 sq m or less (and that the gross internal area proposed does not exceed a net increase of more than 30% of the existing dwelling. The proposals fail to meet this new criteria on a number of points. The new dwellings would exceed 120 sq m in floor area, the 'existing' dwelling has not even been built (albeit that the permission remains extant for the dwelling), In addition the 'existing dwelling' should have existed in 2011. The dwelling which existed in 2011 was significantly smaller than those now proposed and, set against the original dwelling, the proposals clearly still do not comply with the criteria.
- 8.4 Notwithstanding that the proposal does not comply with the specific criteria of Policy SD30, it is worth exploring whether the scheme generally complies with the aspirations of the Policy. The explanatory text to the policy states that the purpose of the policy is to reduce the loss of small homes (para 7.85) and therefore, whilst the replacement of the large dwelling with 3 smaller dwellings, whilst not explicitly providing 'small dwellings' as defined in the policy, is still providing 3 dwellings which are considerably smaller than that which was originally approved.
- 8.5 The original permission for replacement dwellings of a much larger size were based on the benefits of the group of unsightly modern agricultural buildings being removed. Notwithstanding, the approved dwellings were sizeable and the applicant has had difficulty finding interest in building out the approved scheme, partially due to the size of the 2nd approved dwelling. The applicant therefore believes that the site would be easier to market with more reasonable sized dwellings being approved. In addition to this, the applicant has introduced the provision of bunkhouse accommodation to the rear of the group of dwellings. This element of the original approval was solely a stables building.
- 8.6 There is therefore some merit in considering whether the introduction of 3 smaller dwellings with the provision of tourist accommodation begins to provide some benefits which would weigh in favour of granting permission.
- 8.7 The originally approved dwelling to the south of the site was large and, whilst of an interesting and considered design (intended to be barn like in its massing and form), on reflection could have benefitted from being smaller, or at least broken up in to smaller elements. Indeed, it is the size of the approved dwelling which appears to be causing difficulties for the owner to market. A letter from a local estate agent adds weight to this.
- 8.8 The applicant has therefore put forward a scheme which removes the larger of the approved dwellings and replacement with three smaller dwellings. The design of the 3 new dwellings are considered to be well designed and thought out. The materials are sensitive to this location and the smaller form of the three dwellings and their grouping together is considered to result in a more acceptable impact on both the street scene and also the landscape character of the surrounding area. The redesign of the stable building to provide bunkhouse accommodation is considered to sit well alongside the residential development and agricultural buildings to the north.

- 8.9 Given that there are considered to be improvements in the design and layout of the scheme that would benefit the character of the site and surrounding area, one must also consider whether there are other benefits which would accrue from this scheme.
- 8.10 It is clear that there is a need for different types of tourist accommodation within the National Park, in appropriate locations and especially so where it can serve walkers and cyclists along the South Downs Way. In this respect, the location is easily sited to serve this need. The proposed accommodation would have minimal impact on the landscape being located around residential properties together with agricultural buildings to the north. Naturally, the accommodation is an integral and pivotal part in the consideration of the application and it is therefore important that its continued provision is secured by an appropriate legal agreement. This forms part of the recommendation.
- 8.11 Even having regard to the benefits outlined above, it is acknowledged that this site is located where, ordinarily, only housing for rural workers or exception housing would be considered. It is unlikely that an exception housing scheme would be acceptable in this location which is somewhat remote from local services in the village to the north. Notwithstanding this, given that the applicant has put forward the scheme in order to address issues of marketing and viability of the site, there is merit in seeking a contribution towards off-site affordable housing. There is no particular formula or policy to which a contribution can be easily calculated, given the unique circumstances of this case and the applicant has therefore put forward a justification for a contribution of £9,920. It is considered, on balance, that this is an acceptable contribution, given the other benefits which would accrue.
- 8.12 In landscape terms, the proposal breaks up the mass of building on the earlier approved scheme by introducing three dwellings of more traditional size and form. This moves away from the previous architectural solution which sought to echo the size of the former agricultural buildings on the site. It is considered that the scheme as now proposed is a sensitive response to the surrounding landscape in this valley location, set among existing residential properties and agricultural buildings.
- 8.13 The scheme is clearly one which requires consideration against existing and emerging policy, the history of the site and the extant permission and the material considerations and benefits accruing. On the face of it this would be considered contrary to housing and countryside policies. It is acknowledged however that the proposal could be argued to sit comfortably with the Purposes of the National Park. The scheme seeks to improve the character of the area from that which was originally approved thus meeting the first purpose of the park in conserving and enhancing the natural beauty of the area. The introduction (and ongoing provision) of tourist accommodation promotes opportunities for the understanding and enjoyment of the special qualities of the National Park by the public which accords with Policy SD23. Whilst the provision of new housing in the countryside does not sit comfortably with the existing or emerging policies it is worth noting that the three proposed smaller dwellings replace one significantly larger dwelling (which whilst not entirely in line with the criteria within the policy, appears to echo the aspirations). The added securing of a small financial contribution towards off-site affordable housing could also be argued to meet the duty to seek to foster the economic and social well-being of local communities.

Ecology

- 8.14 The initial submitted scoping survey for the site identified the presence of suitable reptile habitat. In addition suitable terrestrial habitat for Great Crested Newts was present within the site. The applicant therefore undertook further surveys in relation to these two matters in May 2018.
- 8.15 The Badger Survey report confirmed that a badger sett was located approximately 60m west of the site entrance. It was considered that badgers might utilise on site habitat for foraging, commuting and sett building, with the overall site considered to provide moderate potential for sett building and high potential for foraging and commuting badgers. The recommendations of the ecologist were that the development area be located 30m away from the badger setts, appropriate fencing be installed between the working area and the

badger sett and the landscaping plan be designed in a sympathetic way.

- 8.16 The Great Crested Newt Survey confirmed that, whilst there are no on-site ponds, unmanaged semi-improved grassland, ruderal vegetation, scrub and spoil piles collectively provides suitable terrestrial habitat for Great Crested Newts. The results concluded that Great Crested Newts are not considered to pose a constraint to the proposed development works and the potential for them to use on-site terrestrial habitat for commuting and hibernating is considered to be low, based on the number of ponds within 500m of the site. The recommendations of the survey include planting that should include a high proportion of native species and a mix of shrubs, trees and grassland wherever possible. In addition it was recommended that log piles could be installed within suitable retained habitat as they are ideal environments used for hibernation and as a refuge from predators.
- 8.17 The Ecologist considered the surveys and is happy with the conclusions and recommendations albeit expressing a concern in relation to the findings in relation to reptiles (most notably lizards and slow worm). The report confirmed that there was minimal scope for retaining these populations within the developed site and a capture and translocation was therefore recommended. The applicant has put forward a suggested location for a reptile receptor area which is considered to be acceptable by the Ecologist. The land however falls outside the ownership of the applicant and the securing of this receptor area would need to be addressed within a legal agreement. The applicant's agent has agreed with the principle of securing the receptor area by way of a legal agreement.

Other Issues

- 8.18 The proposal is considered to be acceptable in highway terms, both with regard to car and cycle parking and also in relation to access onto Annington Road.
- 8.19 Imposition of suitable worded conditions will ensure the matter of contamination is dealt with sensitively.
- 8.20 A comment has been made with regard to the location of the stables in relation to the residential properties. This is considered to be an appropriate development with sufficient distance between the stables and surrounding houses. No objection with regard to noise pollution or from odours has been raised by Environmental Health.
- 8.21 The comment by a resident about wishing to use any permission as precedent for development on their land is noted. Each application has however to be considered on its own merits and there are specific circumstances outlined here which in part given the history is why the recommendation is as it is.

9. Conclusion

- 9.1 The scheme does not fall comfortably within the housing and countryside policies within the Adopted Local Plan nor the Emerging South Downs Local Plan and there do need to be good reasons why such a scheme could be approved which essentially results in two new open market dwellings in the countryside. It is considered, on balance, that the scheme, as presented does however provide the opportunity to introduce much needed tourist accommodation in a highly accessible location close to the South Downs Way, whilst bringing forward a more sensitive and proportionate built form than originally approved. In addition, whilst not significant, the proposal also brings forward a financial contribution towards off-site affordable housing. Taking these elements into consideration in what is a finely balanced case, it is considered that the scheme would meet the purposes of the National Park and permission is recommended.

10. Reason for Recommendation

- 10.1 It is recommended that planning permission be granted subject to the completion of a Section 106 Agreement with obligations relating to:
- An off-site contribution of £9,920 towards affordable housing.
 - Submission of a Management Scheme for the Tourism Accommodation.
 - Restriction of tourism accommodation to ensure not to be used for general C3 residential dwellinghouse.

- Securing of Translocation receptor area as part of reptile mitigation strategy.

And that the authority be delegated to the Director of Planning to refuse the application, with appropriate reasons if the S106 Agreement is not completed or sufficient progress has not been made within 3 months of the 9 August 2018 Planning Committee.

And subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development shall commence unless and until a schedule of materials and samples of such materials and finishes and colours to be used for external walls, doors, windows, rainwater goods and roofs of the proposed building(s), have been submitted to and approved in writing by the Local Planning Authority. All materials used shall conform to those approved.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the character and appearance of the area and the quality of the development, in accordance with Policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007), the emerging policies of the South Downs Local Plan Pre-submission (2017) and the NPPF.

4. No development shall commence until a Construction Method Statement has been submitted to and approved by in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The plan shall provide for:

- i) The provision of long term facilities for contractor parking;
- ii) The arrangements for deliveries associated with all construction work;
- iii) Access and egress for plant and machinery;
- iv) Location of temporary site buildings, compounds, construction materials and plant storage areas;
- v) Details of hours of operation;
- vi) Details of wheel washing facilities.

Reason: To ensure the development is undertaken in a manner which reduces any potential impact upon nearby residential amenities in compliance with the NPPF.

5. No development shall commence until full details of means of surface water drainage and foul sewage disposal to serve the development have been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented strictly in accordance with such agreement unless subsequent amendments have been agreed with the Local Planning Authority.

Reason: To ensure adequate provision for drainage.

6. No external lighting shall be installed without the prior written approval of the Local Planning Authority.

Reason: In the interests of the amenities of the locality.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no development falling within the following Classes of Part 1 Schedule 2 of the Order shall be carried out without the prior written approval of the South Downs National Park Authority: Classes A, B, C & E.

Reason: To ensure the appearance of the development is satisfactory and complies with

the Horsham District Local Development Framework: Development Control Policies (2007) and the National Planning Policy Framework.

8. The stables hereby permitted shall be used for purposes ancillary to the residential use of the dwellings on the site and shall not be used for commercial purposes or in connection with any form of riding establishment.

Reason: to enable the Local Planning Authority to control the use of the site in accordance with the NPPF.

9. Notwithstanding the submitted details, no development shall commence until a detailed Scheme of Soft and Hard Landscape Works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:
- i) Written specifications (including cultivation and other operations associated with plant and grass establishment);
 - ii) Planting methods, tree pits and guying methods (including particular sizes for each grade of tree to be used within the hard and soft landscape areas;
 - iii) Schedules of plants and trees, noting species, planting sizes and proposed numbers/densities where appropriate;
 - iv) Details of location of services throughout the site;
 - v) Retained areas of grassland cover, scrub, hedgerow, trees and woodland;
 - vi) Details of the proposed community pond, including levels, plants, enclosure etc;
 - vii) A schedule of landscape maintenance for a minimum period of 5 years include details of the arrangements for its implementation;
 - viii) Details of all hard-surfacing materials, layout, colour, size, texture, coursing and levels such as paths, kerbs, edges, drainage channels and falls, access ways;
 - ix) Means of all boundary treatments to enclose individual property curtilages including walls, fences, gates, entrances railings and planting;
 - x) A timetable for implementation of the soft and hard landscaping works.

The scheme of Soft and Hard Landscaping Works shall be implemented in accordance with the approved timetable. Any plant which dies, becomes diseased or is removed within the first five years of planting, shall be replaced with another of similar type and size, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve an appropriate landscaping scheme to integrate the development into the landscape and mitigate any impact upon the amenities of neighbouring properties, in accordance with the Horsham District Local Plan Framework (2007), the Emerging South Downs Local Plan Pre-submission (2017) and the NPPF.

10. The approved planting scheme shall be implemented prior to the occupation of any part of the development for its permitted use. Any plants which within a period of 5 years die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development in the interests of amenity in accordance with National Park Purposes and the NPPF.

11. Prior to the commencement of development, the following components of a scheme to deal with the risks associated with contamination of the site, including the identification and removal of asbestos containing materials, shall each be submitted to and approved in writing by the local planning authority.
- i) A preliminary risk assessment which has identified:
 - All previous uses
 - Potential contaminants associated with those uses
 - A conceptual model of the site indicating sources, pathways and receptors
 - Potentially unacceptable risks arising from contamination of the site.
 - ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

- iii) The site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components shall require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the NPPF

- 12. No burning of waste materials shall take place whilst the site is being cleared or during construction of the development.

Reason: To prevent pollution in accordance with the NPPF.

- 13. No topsoil and/or other fill materials shall be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development. A suitable methodology for testing this material should be submitted to the Local Planning Authority prior to the soils being imported onto the site. The methodology should include the sampling frequency, testing schedules and the criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and evidence to validate the measures shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the NPPF.

- 14. Notwithstanding Condition 12, there is the possibility that during development unforeseen circumstances may be encountered. This may be due to the presence of underground structures, burial of waste in the past, soils impacted by oil contamination where tanks have leaked etc. Any such occurrences must be investigated by an appropriately trained person and if necessary dealt with to minimise risks to human health, the water environment and other ecosystems. In the event that remediation measures are necessary, a method statement shall be submitted, approved, implemented and validated by the Local Planning Authority

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the NPPF.

- 15. No dwelling shall be first occupied until the car parking serving the respective dwelling 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 sufficient car-parking space for the residential development

- 16. No part of the development shall be first occupied until the road(s), footways, and casual parking areas, (including those lay-by parking spaces on South Grove,) serving the development have been constructed, surfaced and drained in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To secure satisfactory standards of access for the proposed development.

17. No development shall commence until a Detailed Ecological Mitigation Strategy is submitted for approval by the Local Planning Authority. Development shall be carried out strictly in accordance with the approved details.

Reason: To ensure the ecological and biodiversity interests of the site are secured for the proposed development.

Informatives

A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 03330 303 0119) or www.southernwater.co.uk

11. Crime and Disorder Implication

- 11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

- 12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

- 13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

- 14.1 In reaching this decision the Local Planning Authority has worked with the applicant in a positive and proactive way, in line with the NPPF. This has included discussions about how the long term retention of the holiday accommodation could be secured and the provision of a contribution towards affordable housing together with the opportunity to provide additional information to address any design/layout issues.

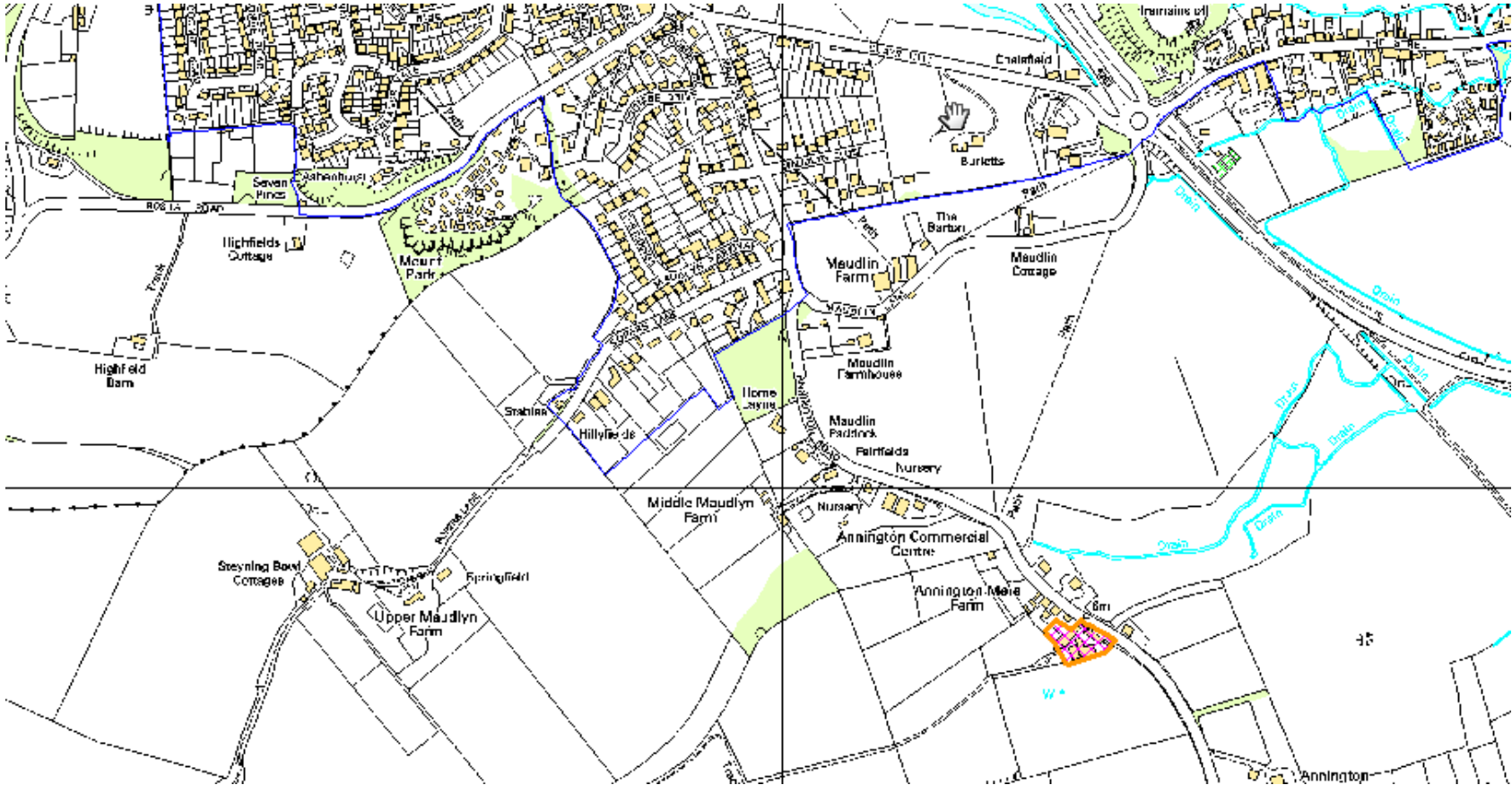
TIM SLANEY

Director of Planning

South Downs National Park Authority

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Appendices	1. Site Location Map
SDNPA Consultees	Legal Services, Director of Planning.
Background Documents	All planning application plans, supporting documents, consultations and third party responses http://planningpublicaccess.southdowns.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OQR4QDTUJCN00 Planning Application, documents and plans in relation to original application in 2011 to Horsham District Council (DC/11/2322) https://public-access.horsham.gov.uk/public-access/applicationDetails.do?keyVal=LUFCC51J09U00&activeTab=summary National Planning Policy Framework (2012) https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf South Downs National Park Partnership Management Plan 2013 https://www.southdowns.gov.uk/national-park-authority/our-work/key-documents/partnership-management-plan/ Horsham District Planning Framework: Core Strategy and Development Control Policies (2007) https://www.horsham.gov.uk/planningpolicy/planning-policy/core-strategy South Downs Local Plan Pre-submission (2017) https://www.southdowns.gov.uk/planning/national-park-local-plan/

Site Location Map



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