



**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Planning Committee

BY: Head of Development and Building Control

DATE: 4th November 2025

DEVELOPMENT: Outline application with all matters reserved except for access for up to 82 dwellings with vehicular and pedestrian accesses, public open space, noise mitigation measures, landscaping, foul and surface water drainage and associated works.

SITE: Land at Campsfield, Linfield Close, Southwater, West Sussex, RH13 9FR

WARD: Southwater South and Shipley

APPLICATION: DC/25/0102

APPLICANT: **Name:** Miller Homes Ltd **Address:** Unit 3 Faraday Office Park, Rankine Road, Basingstoke, Hampshire, RG24 8QB

REASON FOR INCLUSION ON THE AGENDA: Members deferred the application at the 2nd September meeting to seek clarity on three matters.

RECOMMENDATION: To approve outline planning permission subject to appropriate conditions and subject to the completion of the necessary section 106 agreement within four months of the decision of this Committee, or such longer period as is agreed by the Director of Place acting reasonably and properly, with authority delegated to the Head of Development and Building Control to remove and/or replace any the conditions which become unnecessary as a result of the potential incoming position change on Water Neutrality.

1. THE PURPOSE OF THIS REPORT

1.1 The application was first reported to the 2nd September 2025 Committee meeting, whereby Members decided to defer the decision to clarify three matters:

1. To seek further comments from WSCC highways on the cumulative highway impacts of recently permitted and allocated developments in Southwater, including, but not limited to Horsham G&F and Rascals Farm.
2. To evidence that construction access 'Option 2' is viable; and
3. To seek further information on water neutrality to ensure there are safeguards in place and to understand details of the aquifer and flow direction.

A copy of the original Committee Report is attached at Appendix A.

1) Cumulative Impact on Highways

- 1.2 In response to the deferral, the applicants have submitted a Transport Note addendum (Trip Generation and Modelling Rationale). This addendum reviews consented development in the locality comprising Rascals Farm (Shipley Road, 96 dwellings), and Horsham Golf and Fitness (Worthing Road, up to 800 dwellings and sports facilities).
- 1.3 In considering what other sites should be included in a transport assessment it is important to note that the PPG identifies that committed development is '*development that is consented or allocated where there is a reasonable degree of certainty will proceed within the next 3 years*' [Paragraph 014 'Travel Plans, Transport Assessments and Statements chapter].
- 1.4 The addendum clarifies that the Rascals Farm development was considered as a committed development within the original Transport Assessment however the Horsham Golf and Fitness development was not, as at that point in time it was a refused development with no planning permission. No other sites are referred to as committed development.
- 1.5 The addendum considers the impact of the now allowed Horsham Golf and Fitness development based on the transport data included within that application. At paragraph 3.7, the addendum refers to this data showing that the Horsham Golf and Fitness development would add only 5 additional trips in and out of Southwater at the Mill Straight roundabout on the A24.
- 1.6 The Local Highway Authority has reviewed this additional information and has commented as follows:
'Having assessed the latest information and taking into account the Golf and Fitness development, it's apparent that trips generated by the site quickly disperse across the nearby road network. The modelling and growth factor assessments demonstrates that local junctions including the site access, Mill Straight (north and south) and Centenary Road would work within theoretical capacity. As identified previously in our May 2025 comments, the capacity impact of this scheme has already been reviewed and accepted as part of the cumulative TA.'
- 1.7 Therefore, the Local Highways Authority has been able to reaffirm its assessment of the proposal and the calculated likely cumulative impact arising as a result on the wider highway network, confirming that a cumulative assessment has taken place which now includes reference to the Horsham Golf and Fitness development as allowed on Appeal in July 2025. The Local Highways Authority continue to raise no objection to the proposals.
- 1.8 Referring back to the submitted Transport Assessment, this calculated less than 50 movements in each of the peak hours, arising from the development at Campsfield of up to 82 dwellings. This equates to one additional movement approximately every minute. This, in itself, was not considered to lead to a requirement for junction mitigation, and was not deemed by the Local Highways Authority to result in an unacceptable cumulative impact on the highway network, as per the test set out under para 116 of the NPPF. The addition of 5 further movements in each of the peak hours connected to the Horsham Golf and Fitness development would clearly be very minimal and not change this outcome.
- 1.9 Therefore, officers consider that the highways impact has been robustly assessed, using a 2023 baseline against a 2029 baseline with all committed development, showing that the Mill Straight roundabout junction would continue to operate within capacity in all scenarios.

2) Construction Access / Option 2

- 1.10 It is to be noted that this proposal is made in outline, and whilst matters of access (to the eventual development) are included for consideration as part of the Outline application, details of the construction access are usually secured by way of a planning condition, which is then provided for consideration by the Council and any relevant parties, such as the Highways Authority and the Environmental Health team.
- 1.11 Provided as part of the application at this stage, have been several alternatives to using Centenary Road for construction access to the site (Framework Construction Environmental Management Plan, dated April 2025), which include basic tracking diagrams. As reported previously, the Local Highways Authority accept these alternative construction access options are achievable insofar as being able to accommodate vehicles, but that option 2 (via the retained emergency access and field access to the north-east corner would be the most direct alternative of the options presented.
- 1.12 The applicants have confirmed that they maintain ownership for construction access along all of the routes available to the site, including the field access along the eastern side proposed under Option 2. Therefore, there would be no access issues preventing this option being utilized during construction works.
- 1.13 The Local Highways Authority have already provided comments in relation to the proposed alternative construction access routes to the site, finding that alternative options to reach the site are possible. The use of Option 2 would avoid Centenary Road in its entirety.
- 1.14 Officers therefore conclude that details of the construction access would be secured as part of a 'CEMP' condition.

3) Certainty over Water Neutrality / Boreholes

- 1.15 Further information has been provided by the applicant and their hydrogeologist in response to the concerns raised by members during the previous committee on 2nd September, and in particular, the potential impact of the boreholes proposed for the development at Horsham Golf and Fitness on the availability of water within the aquifer to be used by the proposed development at Campsfield.
- 1.16 This additional information shows a cross section of the below-ground geology and furthermore draws on information in the locality from borehole explorations. This indicates that a geological fault exists between the two development sites, which displaces the layers, and therefore provides each development with its own water-bearing layers from which the borehole would draw water.
- 1.17 From this data, the Horsham Golf and Fitness development would tap into an aquifer within the Tunbridge Wells Sand, which lies at a much deeper level below the application site. The functional aquifer to serve the application site would therefore lie above this Tunbridge Wells Sand level which the Horsham Golf and Fitness site would rely on, and would thus be functionally separate. As a consequence, officers are satisfied that there would be sufficient water available to serve both developments.

Potential withdrawal of Natural England's Position Statement

- 1.18 On the 8th October 2025, the Government issued a press release setting out that 'a landmark agreement' has been reached between government, regulators and the water industry to resolve the water supply issues in the Arun Valley, enabling building work to 'begin from 1

November'. In essence this press release foresees that water neutrality will no longer be a material planning consideration from 1 November as a strategic-level solution has been agreed to ensure adverse impacts on the Arun Valley habitat sites, as identified in the Natural England Position Statement of September 2021, will be avoided.

- 1.19 The press release states that 'Under the agreement by Defra, Natural England, the Environment Agency and Southern Water, the water company will change its water abstraction permits to limit the amount of water taken from local rivers and wetlands, as well as provide funding to restore habitats.' The press release goes on to state that 'New homes will also be built to higher water efficiency standards in line with the building regulation guidance for water scarce areas, reducing daily water use and easing pressure on local watercourses.'
- 1.20 At the time of writing this report, however, the Natural England Position Statement of September 2021 still officially remains in place and until such time that it is formally withdrawn, and the Council agrees that the evidence supports its withdrawal, all developments will continue to need to demonstrate water neutrality.
- 1.21 It is though recognised that the Position Statement is likely to be withdrawn by the end of October, and this may mean that water neutrality is no longer a constraint on development. The withdrawal of the Position Statement, and the potential removal of water neutrality as a constraint, will not impact on the balance of material considerations for this development at Campsfield, as set out in the September committee report appended to this report, however it will impact on the list of recommended conditions.
- 1.22 Therefore, to ensure this situation is appropriately addressed, the Officer recommendation for this application is amended as follows:

To approve outline planning permission subject to appropriate conditions and subject to the completion of the necessary section 106 agreement within four months of the decision of this Committee, or such longer period as is agreed by the Director of Place acting reasonably and properly, with authority delegated to the Head of Development and Building Control to remove and/or replace any the conditions which become unnecessary as a result of the potential incoming position change on Water Neutrality.

- 1.23 For the avoidance of doubt, this means:

- Removal of Conditions 11, 15, 23, 28, 29 and 33; and
- Revision to Conditions 7, 8, 9, 12, 13, 14 to remove reference to the borehole; and
- The addition of the following condition:

Regulatory Condition: The dwelling(s) 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).

Conclusion

- 1.24 The three matters raised by Members at the previous meeting of 2nd September 2025 are considered to have been suitably addressed by way of subsequent information, which supports the recommendation for approval.

3. RECOMMENDATIONS

- 3.1 In this instance, given the referenced water neutrality amendments anticipated, the Officer recommendation is amended as follows:

To approve outline planning permission subject to appropriate conditions and subject to the completion of the necessary section 106 agreement within four months of the decision of this Committee, or such longer period as is agreed by the Director of Place acting reasonably and properly, with authority delegated to the Head of Development and Building Control to remove and/or replace any the conditions which become unnecessary as a result of the potential incoming position change on Water Neutrality.

Conditions:

1 List of the Approved Plans

2 Outline Permission:

(a) Approval of the details of the layout of the development, the scale of each building, the appearance of each building, and the landscaping of the development (hereinafter called “the reserved matters”) shall be obtained from the Local Planning Authority in writing before any development is commenced.

(b) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

(c) The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.

3 Submission of Reserved Matters:

(a) The submission of reserved matters applications pursuant to this outline approval shall demonstrate substantial compliance with the following Parameter Plans submitted as part of the Outline approval to fix the development principles:

- Parameter Plan (reference: 02.40 (01) 10)

Reason: To ensure that satisfactory provision for outdoor play and recreation is made within the development, in the interests of the amenity of future occupiers of the development, in accordance with Policies 32, 33, 39 and 43 of the Horsham District Planning Framework (2015).

4 **Regulatory Condition:** The Reserved Matters submissions for Open Space and landscape shall include full details (including, but not limited to, type of play equipment, surfacing, planting, fencing, seating and signage for the local area of play). The details shall accord with the guidance set out in the Open Space, Sports and Recreation Review (June 2021).

5 **Pre-Commencement Condition:** Prior to or in conjunction with the submission of each Reserved Matters application for the development hereby permitted, details of a scheme for the disposing of surface water by a means of sustainable drainage system shall be submitted to and approved in writing by the Local Planning Authority in accordance with the approved drainage strategy and discharge rates as contained within the approved Flood Risk

Assessment/Drainage Strategy dated 07/04/2025 and additional appendices dated 01/07/2025. The scheme shall be implemented in full in accordance with the approved details and the National Standards for Sustainable Drainage Systems (June 2025) prior to first occupation of the development. The submitted details shall:

- Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharge from the site via a proposed Sustainable drainage system and the measures taken to prevent pollution of the receiving surface water.
- Demonstrates that the proposed surface water drainage system does not surcharge in the 1 in 1 critical storm duration, flood in the 1 in 30 plus climate change critical storm duration or the 1 in 100 critical storm duration,
- Demonstrates that any flooding that occurs when taking into account climate change for the 1 in 100 critical storm event in accordance with NPPF does not leave the site uncontrolled via overland flow routes

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policy 38 in Horsham District Planning Framework (2015).

- 6 Pre-Commencement Condition:** Not later than the submission of the first Reserved Matters submission, no works which impact the breeding / resting place of Hazel Dormouse shall commence in in any circumstance, 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) 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 and Priority species in accordance with Policy 31 of the Horsham District Planning Framework (2015), and allow the LPA 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.

- 7 Pre-Commencement Condition:** No development, other than the drilling of the borehole, shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

- (a) An intrusive site investigation scheme to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.
- (b) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (a) and a verification plan providing details of what data will be collected in order to demonstrate that the remedial works are complete.

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

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 8 Pre-Commencement Condition:** No development (including any ground clearance or site levelling), other than the drilling of the borehole, shall commence until the following

demolition and construction details have been submitted to and approved in writing by the Local Planning Authority. The details shall be limited to the following measures:

- (a) Details of site management contact details and responsibilities;
- (b) A plan detailing the site logistics arrangements on a phase-by-phase basis (as applicable), including:
 - i. location of site compound,
 - ii. location for the loading, unloading and storage of plant and materials (including any stripped topsoil),
 - iii. site offices (including location, height, size and appearance),
 - iv. location of site access points for construction vehicles,
 - v. location of on-site parking,
 - vi. locations and details for the provision of wheel washing facilities and dust suppression facilities
- (c) The arrangements for public consultation and liaison prior to and during the demolition and construction works – newsletters, fliers etc., to include site management contact details for residents;
- (d) Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination

All demolition and construction activities shall thereafter be carried out in accordance with the details and measures approved.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers and highway safety during construction and in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

- 9 Pre-Commencement Condition:** No development (including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site), other than the drilling of the borehole, shall commence until the following preliminaries have been completed in the sequence set out below:

- a) A plan shall be submitted to show all trees on the relevant part of the site to be retained as well as those off-site whose root protection areas ingress into the relevant part of the site, such trees shall be fully protected 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).
- b) 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.
- c) 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.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 10 Pre-Commencement Condition:** No site levelling works shall take place until full details of the existing and final land levels and finished floor levels (in relation to nearby datum points) have been submitted to and approved by the Local Planning Authority in writing, including a phasing plan if relevant. The details shall include the proposed grading of land areas including the levels and contours to be formed, showing the relationship of proposed land

levels to existing vegetation and surrounding landform. The site levelling works shall be completed in accordance with the approved details prior to the commencement of relevant development.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 11 Pre-commencement Condition:** No development, other than the drilling of the borehole, shall commence until evidence that water from the borehole has been sampled by a person who has undertaken the DWI certification of persons scheme for sampling private water supplies and analysed by a laboratory that is accredited to the ISO 17025 Drinking Water Testing Specification and the findings submitted to the Local Planning Authority. In the event the samples show that any of the parameters are above the prescribed concentrations or values, as detailed in Schedule 1 of the Private Water Supplies (England) Regulations 2016, no development shall commence until a mitigation scheme has been submitted to and been approved in writing by the Local Planning Authority that demonstrates how the water will be treated to meet the requirements of Schedule 1 of the Private Water Supplies (England) Regulations 2016 (or subsequent superseding equivalent). The mitigation scheme shall then be implemented in full prior to first occupation of any dwelling and shall be retained and maintained at all times thereafter.

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

- 12 Pre-Commencement Condition:** No development, other than the drilling of the borehole, shall commence until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
- (a) Risk assessment of potentially damaging construction activities.
 - (b) Identification of "biodiversity protection zones".
 - (c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - (d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - (e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - (f) Responsible persons and lines of communication.
 - (g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - (h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP (Biodiversity) shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To conserve protected and Priority species in accordance with Policy 31 of the Horsham District Planning Framework (2015), and allow the LPA 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).

- 13 Pre-Commencement Condition:** No development, other than the drilling of the borehole, shall commence until a scheme for sound attenuation against external noise has been submitted to and approved by the Local Planning Authority, and shall include an overheating assessment. The approved sound attenuation works shall be completed before the dwellings are occupied and be retained thereafter.

Reason: As this matter is fundamental in the interests of residential amenities by ensuring an acceptable noise level for the occupants of the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 14 Pre-commencement Condition:** No development, other than the drilling of the borehole, shall commence unless and until details of the proposed means of foul water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter all development shall be undertaken in accordance with the approved details and no occupation of any dwelling shall take place until the approved works required to facilitate that dwelling have been completed. The foul drainage system shall be retained as approved thereafter.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

- 15 Pre-commencement (slab level) Condition:** No development above slab level of any part of the development hereby permitted shall take place until a management and maintenance plan for the borehole, pump and treatment plant has been submitted to the Local Planning Authority for its approval in writing. The management and maintenance plan shall include, but necessary be limited to, the following details:

- The sampling regime and parameters etc, recognising that the sampling will need to be undertaken a DWI certified sampler and analysed by a UKAS accredited lab.
- Detail on how any failure of any samples will be investigated and managed.
- Details, including a plan or schematic, showing the supply - storage tanks, treatment etc, and means to record the total water consumption of each unit
- Detail on what type of treatment that will be installed on the supply with information clearly indicating that it is appropriate for the amount of water being used.
- Detail on how the treatment system, pipework, tanks etc will be cleaned and maintained and who will maintain them for the lifetime of the development. This should include any re-activation of the system after it has been out of use due to lack of rainfall/use.
- The completion and sharing of the Regulation 6 risk assessment by a suitably competent person (as required by the Private Water Supply (England) Regulations 2016) prior to the water supply being put into use.
- Detail on the continuity of supply during dry periods extending beyond 35 days.
- Arrangements for keeping written records of all sampling, results of analysis, inspection, cleaning, and maintenance.
- Details of contingency plans to ensure any failure's or reported concerns with the supply are investigated and rectified as soon as possible, including timeframes. This should include notification of the investigation and corrective actions to the Local Planning Authority

The management plan shall be implemented as approved and maintained for the lifetime of the development. The management plan shall be reviewed annually and any revisions shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework

(2024), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

- 16 Pre-commencement (slab level) Condition:** No development above slab level of any part of the development hereby permitted shall take place until areas of structural and mitigation vegetation suitable for advance planting are identified, submitted to and approved in writing by the Local Planning Authority, along with a timetable for their implementation. These are likely to include enhancement planting along existing boundaries and along existing landscape features within the site. Confirmation of the delivery of these landscape works shall be submitted to the Local Planning Authority in writing.

Reason: To ensure identified adverse visual effects are satisfactorily mitigated, including during construction, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 17 Pre-commencement (slab level) Condition:** No development shall commence until full details of underground services, including locations, dimensions and depths of all service facilities and required ground excavations, have been submitted to and approved by the Local Planning Authority in writing. The submitted details shall be coordinated with the landscaping proposals and Arboricultural Method Statement. The development shall thereafter be carried out in 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).

- 18 Pre-commencement (slab level) Condition:** Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Ecological Impact Assessment (Ecosupport Ltd., April 2025), 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 conserve protected and Priority species in accordance with Policy 31 of the Horsham District Planning Framework (2015), and allow the LPA 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)

- 19 Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority for that phase. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained and removed.
- Planting and seeding plans, including a schedule specifying plant numbers, sizes, densities and species in Latin names

- Coordination of planting plans with ecological mitigation, compensation and enhancement measures set out in Section 7 of the Ecological Impact Assessment by Ecosupport, dated April 2025.
- Hard and soft written specifications (NBS compliant) including ground preparation, cultivation and other operations associated with plant and grass establishment
- Supplier information for plant stock in proximity to Ancient Woodland – only locally-sourced planting stock should be used and only certain tree nurseries are suppliers of accredited UK Sourced and Grown stock
- Tree pit and staking/underground guying details, including details for sloping ground and position of root barriers if required
- Details of all hard surfacing materials and finishes, including layout, colour, size, texture, coursing and levels
- Details of all boundary treatments - such as walls, fencing and railings - including location, type, heights and materials
- Details of minor artefacts and structures – such as bin stores, cycle stores, street furniture, play equipment and signage – including location, size, colour and specification
- Details of existing and proposed levels for all external earthworks associated with the landscape proposals – such as SuDS, play areas, retaining walls, mounding etc - including cross sections where necessary
- Details of all external lighting
- Details of rain gardens
- Implementation timetable

The approved soft 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. The approved hard landscaping shall be fully implemented as approved following first occupation 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 character of the surroundings and in the interests of visual amenity in accordance with Policies 30, 31, and 33 of the Horsham District Planning Framework (2015)

20 Pre-Occupation Condition: No part of the development hereby permitted shall be occupied until a Landscape Management and Maintenance Plan (LMMP) has been submitted to and approved in writing by the Local Planning Authority. The details should apply to all communal hard and soft landscape areas and shall include:

- Long term design objectives
- Management responsibilities
- A description of landscape components
- Management prescriptions
- Maintenance schedules
- Accompanying plan delineating areas of responsibility

The landscape areas shall thereafter be managed and maintained in accordance with the approved details unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 21 Pre-Occupation Condition:** The development hereby approved shall not be first occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:
- i. a timetable for its implementation,
 - ii. details of SuDS features and connecting drainage structures and maintenance requirement for each aspect,
 - iii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policy 38 in Horsham District Planning Framework (2015).

- 22 Pre-Occupation Condition:** The development hereby approved shall not be first occupied until a detailed verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme), has been submitted to and approved (in writing) by the Local Planning Authority. The verification report shall include photographs of excavations and soil profiles/horizons, any installation of any surface water structure and Control mechanism. In the event of a phased implementation, a verification report shall be required prior to occupation / completion of each relevant phase.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policy 38 in Horsham District Planning Framework.

- 23 Pre-occupation Condition:** The development hereby approved shall not be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that water taken from the tap within the dwellings has been:
- a) sampled by a person who has undertaken the DWI certification of persons scheme for sampling private water supplies,
 - b) has been analysed by a laboratory that is accredited to the ISO 17025 Drinking Water Testing Specification and
 - c) meets the requirements of Schedule 1 'Prescribed concentrations or values' of the Private Water Supplies (England) Regulations 2016 (or subsequent superseding equivalent).

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

- 24 Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until an air quality mitigation plan has been submitted to and approved in writing by the Local Planning Authority. The air quality mitigation plan should contain measures equal in value to the calculated environmental damage cost as calculated against the price-base of the appraisal's date, and account for emissions over a five-year period starting from the assumed opening year, avoiding the duplication of measures that would normally be required through other regimes and include (but not be limited to) the measures detailed in paragraph 7.2.2 of the Air Quality Assessment Rev V2 (Dec 2024).

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

- 25 Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a fire hydrant(s) to BS 750 standards or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) has been installed, connected to a water supply with appropriate pressure and volume for firefighting, and made ready for use in consultation with the WSCC Fire and Rescue Service. The hydrant(s) or stored water supply shall thereafter be retained as such.

Reason: In accordance with fire and safety regulations in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 26 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).

- 27 Pre-Occupation Condition:** No part of the development hereby permitted shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled 'VISIBILITY SPLAY AND CAR TRACKING AT ACCESS' and numbered 091.0018-0002 rev P3.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 28 Pre-occupation Condition:** No internally and/or externally located plant, machinery equipment or building services plant (in relation to the borehole and water treatment system) shall be operated until an assessment of the acoustic impact arising from the operation of all such equipment has been undertaken and has been submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken in accordance with BS 4142:2014 and shall include a scheme of attenuation measures to mitigate any adverse impacts identified in the acoustic assessment and ensure the rating level of noise emitted from the proposed building services plant is no greater than background levels. The scheme as approved by the Local Planning Authority shall be fully installed prior to first operation of the plant and shall be retained as such thereafter.

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

- 29 Regulatory Condition:** No unit hereby permitted shall be connected to or draw supply from the mains water supply except for emergency purposes in the event of a temporary failure of the borehole. Where a temporary failure has occurred, the occupiers shall immediately undertake the contingency measures set out in the management and maintenance plan agreed under condition 12 until such time as the system is fully operational. The occupiers of each unit shall keep an ongoing record of all water taken from the mains supply and hold written evidence to explain why it was necessary as an exceptional measure to take water from the mains supply.

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

- 30 Regulatory Condition:** All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (Ecosupport Ltd., April 2025), Ecological Impact Assessment (Ecosupport Ltd., December 2024) and Lighting Strategy Revision 5 (SLR Consulting Ltd., December 2024), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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 LPA 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

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policy 38 in Horsham District Planning Framework.

- 31 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).

- 32 Regulatory Condition:** If the outline application hereby approved does not commence within one year from the date of the planning consent, the approved ecological mitigation measures secured through condition shall be reviewed and, where necessary, amended and updated.

The review shall be informed by further ecological surveys commissioned to:

- i. establish if there have been any changes in the presence and/or abundance of protected species, and
- ii. identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority

prior to the commencement of the erection of up to up to 82 dwellings with vehicular and pedestrian accesses, public open space, noise mitigation measures, landscaping, foul and surface water drainage and associated works.

Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To allow the LPA 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).

- 33 Regulatory Condition:** Prior to first use of the borehole system, details of the Source Protection Zone for the borehole shall be provided to the Local Planning Authority and Environment Agency, alongside evidence that all landowners within the Source Protection Zone have been notified of the borehole and their responsibilities to avoid contamination of the borehole supply.

Reason: To ensure the quality of water is maintained and 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 (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

Biodiversity Net Gain Condition

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission is Horsham District Council.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link:

Submit a biodiversity gain plan - GOV.UK (www.gov.uk).

Statutory exemptions and transitional arrangements

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at <https://www.gov.uk/guidance/biodiversity-net-gain>.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.