



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0221

Chanctonbury Nurseries, Rectory Lane, Ashington, Pulborough, West Sussex, RH20 3AS

DESCRIPTION:

Variation of Condition 1 of previously approved application DC/24/1081 (Variation of condition 1 of previously approved application reference DC/22/0372 (Demolition of existing buildings and erection of 74 dwellings with associated parking and landscaping) amendment to the affordable housing plans and to the approved site layout to include a sub-station) to amend the plans relating to affordable housing.

RELEVANT PLANNING HISTORY:

DC/24/0977	Variation to condition 1 to approved application DC/22/0372 (Demolition of existing buildings and erection of 74 dwellings with associated parking and landscaping) To enable a substation to be provided.	Application Permitted on 13.09.2024
DC/24/1920	Non Material Amendment to previously approved application DC/24/0977 (Variation to condition 1 to approved application DC/22/0372 (Demolition of existing buildings and erection of 74 dwellings with associated parking and landscaping) to enable a substation to be provided) to amend house types.	Application Permitted on 03.02.2025
DC/22/0372	Demolition of existing buildings and erection of 74 dwellings with associated parking and landscaping.	Application Permitted on 05.09.2023
DC/24/1081	Variation of condition 1 of previously approved application reference DC/22/0372 (Demolition of existing buildings and erection of 74 dwellings with associated parking and landscaping) amendment to the affordable housing plans and to the approved site layout to include a sub-station.	Application Permitted on 04.10.2024

DESCRIPTION OF THE SITE

Development across this site to replace an existing storage use and horticultural glasshouses was permitted in full under application reference DC/22/0372. The approved development was for the provision of 74 dwellings, 26 of which would be affordable homes.

Condition 1 secures the approved plans for the development. These were amended under a S73 application, DC/24/1081 approved on 04.10.2024, to amend the plot sizes of the 18 affordable rented units and 8 shared ownership units (still totalling 26 units).

The accompanying s106 legal agreement was amended to reflect the revised unit sizes.

DESCRIPTION OF THE APPLICATION

This application seeks to amend the affordable housing offering at the site again, by further amending the approved plans condition 1, under Section 73 of the Town and Country Planning Act.

This S73 application seeks to remove specific affordable tenure of 'Affordable Rent' and 'Shared Ownership Homes' from the approved drawings and replace solely with the definition of 'Affordable Housing'. A further Deed of Variation will be sought to amend the tenure in the S106 to reflect the

proposed 26 x Intermediate housing units. The number of affordable units, unit type, overall mix and size of units will remain unchanged.

The Proposed Site Layout Plan submitted with this application shows the affordable housing located in the same location within the site as approved under DC/24/1081.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 15 - Strategic Policy: Housing Provision

Policy 16 - Strategic Policy: Meeting Local Housing Needs

Ashington Neighbourhood Plan (June 2021)

Policy ASH1: Overall Spatial Strategy for Ashington

Policy ASH10: Chanctonbury Nursery

Horsham District Local Plan (2023-40) (Regulation 19):

Strategic Policy 1: Sustainable Development

Strategic Policy 2: Development Hierarchy

Strategic Policy 20: Development Principles

Strategic Policy 37: Housing Provision

Strategic Policy 38: Meeting Local Housing Needs

Policy 39: Affordable Housing

Policy 40: Improving Housing Standards in the District

Policy 41: Rural Exception Homes

Supplementary Planning Guidance:

Planning Obligations and Affordable Housing SPD (2017)

Community Infrastructure Levy (CIL) Charging Schedule (2017)

Planning Advice Notes:

Facilitating Appropriate Development

Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATIONS RESPONSES

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

Consultations:

INTERNAL CONSULTATIONS

HDC Housing: Support

[Summary]

Ideally, we would wish to see rented homes on the site, but there is evidently no appetite, and this has been going on for a very long time. HDH is not in a position to take the homes, and it is also not a target area for delivering social rent.

It does need to be pointed out that these homes will meet identified need. There are households in the district whose income is too high for them to join the Housing Register and qualify for affordable rented housing and yet cannot afford to buy a home on the open market. With the PRS market shrinking, intermediate tenure does provide an essential component in the overall affordable housing offer for the district. A particular benefit that Landspeed provide is offering the homes firstly to local people.

Therefore, we support the variation in the S106 and the delivery of the homes as outlined above.

OUTSIDE AGENCIES

PUBLIC CONSULTATIONS:

Representations:

None Received

Parish Comments:

Ashington Parish Council: Comment

The application was discussed at the parish council meeting on 12th March 2026. Cllrs proposed that the matter be deferred to HDC for comment.

Member Comments:

None received

HUMAN RIGHTS AND EQUALITY:

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

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

PLANNING ASSESSMENT

As set out above, consent is sought under s73 of the Town and Country Planning Act to amend the approved plans under condition 1, with the effect of amending the tenure of the approved housing provision within the site only.

Landspeed Homes Ltd has submitted an offer for all 26 affordable dwellings on the condition all units are Intermediate Housing tenure. This offer is subject to a S73 approval to amend the specific tenure listed on the approved drawings, and a Deed of Variation to amend the Affordable Housing tenure as set out in the S106. The number of affordable units, unit type, overall mix and size of units will remain unchanged. This site is currently under construction, and the affordable housing delivery is imperative to the site's overall viability and delivery.

To unlock uncontracted and unsold S106 units, and ensure they are made available to families who need them, the government published Policy Guidance on the 28th January 2026 which sets out the expectation that LPAs should apply flexibility where developers can demonstrate they have made all reasonable endeavours to find an RP buyer on the basis of the affordable housing requirement set out in the original S106 agreement, but have been unsuccessful. In such circumstances, they expect all LPAs to take advantage of existing planning flexibilities to renegotiate S106 agreements and allow the tenure of homes to be varied in order to secure a buyer.

Section 73(2) of the Town and Country Planning Act 1990 (TCPA) states:

(2) On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and—

(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and

(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application

Whilst a consent under s73 creates a new planning permission for the site, government guidance set out in the PPG is clear that only the matters being amended are to be considered. It is not the purpose or function of a s73 consent to revisit the principle of development on the site.

Fundamental to s73 applications is that this cannot be used to extend the time limit within which the permission can be implemented. Furthermore, it is clear that a s73 application can only relate to the conditions and cannot be used to change the operative part of the permission.

In this instance, the s73, the proposed amendment to the approved plans and affordable housing tenure, would not alter the description of development in the original permission, or the operative part of the development.

Affordable Housing and Housing Mix:

The developer has provided a covering note that sets out the reasons for the requested amendments. They have shown that they have gone out to Registered Providers on at least two occasions with no tangible interest. Initial contenders have fallen away, and direct discussion with Saxon Weald, and the offer of grant funding to deliver social rent, was not accepted.

Landspeed Homes Ltd are willing to take on all of the Affordable Housing units, subject to a variation to the existing planning consent to secure the delivery of the units as intermediate homes for sale for shared ownership/shared equity.

In liaison with the Council's Housing Department, it is considered that the variation required would be within the definition of Affordable Dwellings.

Landspeed would dispose of the affordable units using shared ownership/equity mechanism where purchasers secure up to 75% of the value of the property with no rent payable on the balance of equity. This scheme has already been successfully delivered within other Landspeed developments in Ashington, Barns Green, Slinfold and West Chiltington.

For Ashington, the 1 bedroom apartments would be sold at values up to £150,000 for the 75% interest, with the 2 bedroom apartments at no greater than £187,500.

The houses will range between £295,000 (for 2 bedroom 4 person units) and £375,000 (for the single 4 bedroom 6 person house).

These are very much maximum figures, and Landspeed are flexible in terms of ultimate disposal values, based upon the individual circumstances of every applicant.

Horsham DC Housing Department have confirmed that, ideally, HDC would wish to see rented homes on the site, but as there is evidently no appetite, and this has been going on for a very long time, they support the variation.

Horsham DC Housing DC have stated that these homes will meet an identified need. Ashington is not a target area for delivering social rent. There are households in the district whose income is too high for them to join the Housing Register and qualify for affordable rented housing and yet cannot afford to buy a home on the open market. With the PRS market shrinking, intermediate tenure does provide an essential component in the overall affordable housing offer for the district. A particular benefit that Landspeed provide is offering the homes firstly to local people, which means they continue to provide for people in the area who cannot access full market housing.

Conclusions:

In this instance, officers note that the proposed s73 would lead to a change in tenure split agreed at the application stage, which would not be strictly policy compliant. However the applicants have shown that in this case, this is the best available option and will continue to meet an identified housing need within the District. It is therefore recommended that the amendments is granted subject to revised plans and all previous conditions.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

It is considered that this development constitutes CIL liable development.

Use Description	Proposed	Existing	Net Gain
			Total Gain
			Total Demolition

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

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

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

Recommendation: Application Permitted

Conditions:

1 Plans list

2 **Standard Time Condition:** The development hereby permitted shall begin before 4th September 2026.

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

3 **Pre-Commencement Condition:** The development hereby approved shall be carried out strictly in accordance with the Phase II Site Investigation Report and Remediation Method Statement, and associated plans and documents as approved under DISC/24/0298 on 07.04.2025.

(d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

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) and policy ASH10(xi) of the Ashington Neighbourhood Plan.

4 **Pre-Commencement Condition:** The development hereby approved shall be carried out in accordance with the details and measures approved in the CEMP under DISC/24/0135 (as approved on 29.08.2024). The approved CEMP shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the local planning authority.

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).

- 5 **Pre-Commencement Condition:** The development hereby approved shall be carried out strictly in accordance with the approved CEMP: Biodiversity, under DISC/24/0121 (as approved on 22.07.2024). The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the local planning authority

Reason: To conserve 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 (Priority habitats & species).

- 6 **Pre-Commencement Condition:** The development shall be completed in accordance with the approved finished floor levels under DISC/24/0135 (as approved on 29.08.2024), unless otherwise agreed in writing by the local planning authority.

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)

- 7 **Pre-Commencement Condition:** The development hereby approved shall be carried out strictly in accordance with the approved Arboriculture method Statement and Tree Protection Drawing under DISC/24/0309 (as approved on 25.04.2025). Development shall be carried out in accordance with the approved details and no trees or hedges shown to be retained 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.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015) and policy ASH5(B) of the Ashington Neighbourhood Plan.

- 8 **Pre-Commencement Condition:** The development hereby approved shall be carried out strictly in accordance with the approved Drainage Strategy under DISC/24/0309 (as approved on 25.04.2025). The drainage scheme shall subsequently be implemented prior to first occupation in accordance with the approved details and thereafter retained as such.

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)

- 9 **Pre-Commencement Condition:** : The development hereby approved shall be carried out strictly in accordance with the approved Services Layout Plan under DISC/24/0304 (approved on 19.03.2025). These details shall coordinate with the landscape scheme pursuant to condition 14, and with existing trees on the site. All such underground services shall be installed in accordance with the approved details.

Reason: As the matter is fundamental to protect roots of important existing trees and hedgerows on the site and future trees identified in the approved landscaping strategy in accordance with Policies 25, 32, 33 & 34 of the Horsham District Planning Framework (2015) and policy ASH5(B) of the Ashington Neighbourhood Plan.

- 10 **Pre-Commencement Condition:** The development hereby approved shall be carried out strictly in accordance with the Hazel Dormouse licence issued by Natural England on 7th October 2024 (valid until 31st Dec 2027), as approved under DISC/24/0259, as well as the work schedule.

Reason: To conserve protected 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 s17 Crime & Disorder Act 1998, and in accordance with Policy 31 of the Horsham District Planning Framework (2015).

- 11 **Pre-Commencement (Slab Level) Condition:** The development hereby approved shall be carried out strictly in accordance with the approved Biodiversity Enhancement Strategy for Protected and Priority species, under DISC/24/0121 (as approved on 22.07.2024). The approved Biodiversity Enhancement Strategy for Protected and Priority species shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the local planning authority.

Reason: To conserve protected 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 s17 Crime & Disorder Act 1998, and in accordance with Policy 31 of the Horsham District Planning Framework (2015).

- 12 **Pre-Commencement (Slab Level) Condition :** The development hereby approved shall be carried out strictly in accordance with the approved Materials Schedule and Key Plan approved under DISC/25/0195 on 10.09.2025. All materials and details used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015) and policy ASH10(iv) of the Ashington Neighbourhood Plan.

- 13 **Pre-Commencement (Slab Level) Condition:** The development hereby approved shall be carried out strictly in accordance with the approved details under DISC/25/0136 approved on 23.05.2025. The specified units shall be provided and retained permanently thereafter.

Reason: As this matter is fundamental to in order to improve the sustainability of the development and to ensure homes are fit for all ages in accordance with Policy 37 of the Horsham District Planning Framework (2015) and Policy ASH10(ii) of the Ashington Neighbourhood Plan.

- 14 **Pre-Occupation Condition:** Notwithstanding the submitted plans, no part of the development hereby permitted shall be first occupied until full revised details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:
- o Details of all existing trees and planting to be retained as required under Condition 7
 - o Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
 - o Details of all hard surfacing materials and finishes
 - o Details of cycle storage provisions and refuse / recycling bin locations
 - o Details of all boundary treatments
 - o Ecological enhancement measures set out in (The Ecology Co-Op, December 2021)
 - o Co-ordination with the utilities layout as required under Condition 9
 - o Planting and screening details to the sub-station

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

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015) and policy ASH5(B) of the Ashington Neighbourhood Plan.

- 15 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a landscape management and maintenance plan (including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility) for all communal landscape areas, including Public Open Spaces, provision of outdoor gym equipment and the buffer zone along the southern boundary, has been submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be provided, managed and maintained in accordance with the approved details.

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).

- 16 **Pre-Occupation Condition:** The development hereby approved shall be carried out strictly in accordance with the approved Landscape and Ecological Management Plan (LEMP), under DISC/24/0121 (as approved on 22.07.2024). The approved Landscape and Ecological Management Plan (LEMP) shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the local planning authority.

Reason: To conserve 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 (Priority habitats & species).

- 17 **Pre-Occupation Condition:** The development hereby approved shall be carried out strictly in accordance with the approved Proposed Lighting Scheme Project ref: 24-034-1A Rev A (DW Windsor, January 2024) approved under DISC/25/0136 on 23.05.2025. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To conserve 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 (Priority habitats & species).

- 18 **Pre-Occupation Condition:** Prior to the first occupation (or use) of each phase of the development hereby permitted, a verification report demonstrating that the SuDS drainage system for that phase has been constructed in accordance with the approved design drawings shall be submitted to and approved by the Local Planning Authority. The development shall be maintained in accordance with the approved report.

Reason: To ensure a SuDS drainage system has been provided to an acceptable standard to the reduce risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015).

- 19 **Pre-Occupation Condition:** The development hereby approved shall be carried out strictly in accordance with the EV charge spaces details approved under DISC/25/0136 on 23.05.2025. The development shall be implemented and maintained in accordance with the approved details.

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).

- 20 **Pre-Occupation Condition:** Prior to the first occupation of each dwelling, the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabytes per second through full fibre broadband connection shall be 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).

- 21 **Pre-Occupation Condition:** The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (Design Stage Water Neutrality Report By Melin Rev E). No dwelling hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that dwelling has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures, including all water butt provision as detailed in the approved water neutrality strategy, shall be retained as such 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), Paragraphs 179 and 180 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).

- 22 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the car parking spaces and EV charging points (including garages and car-ports where applicable) necessary to serve it have been constructed and made available for use in accordance with approved drawing number [Proposed Site Layout 7071 PL-03 Rev G]. The car parking spaces permitted shall thereafter be retained as such for their designated use.

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

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

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

- 24 **Pre-Occupation Condition:** The development hereby approved shall be carried out strictly in accordance with the details of refuse / recycling store and bicycle store to serve the flatted units 9-22 as approved under DISC/25/0136 on 23.05.2025. The approved facilities shall thereafter be implemented in accordance with the approved details and retained for the designated use at all times.

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

- 25 **Pre-Occupation Condition:** No dwelling hereby approved shall be first occupied until the cycle parking facilities serving it have been provided within the garage, car-port, side or rear garden for that dwelling. The facilities shall thereafter be retained for use at all times. The cycle parking facilities shall thereafter be retained as such for their designated use.

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

- 26 **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).

- 27 **Pre-Occupation Condition:** The development hereby approved shall be carried out strictly in accordance with the EV charge spaces details approved under DISC/25/0136 on 23.05.2025. The means for charging electric vehicles shall be retained as such thereafter.

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).

- 28 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled Proposed Site Access and numbered 104333-T- 001 rev D.

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

- 29 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the Applicant has implemented the measures incorporated within the approved travel plan. The Applicant shall thereafter monitor, report and subsequently revise the travel plan as specified within the approved document.

Reason: To encourage and promote sustainable transport and in accordance with Policy 40 of the Horsham District Planning Framework (2015)

- 30 **Regulatory Condition:** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (The Ecology Co-Op, December 2021) 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 Local Planning Authority to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the 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, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy has been submitted to and approved by the local planning authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: 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).

- 33 **Regulatory Condition:** The first-floor east side windows to Plots 01 and first floor west side windows 66 shall be fitted with obscure glass and shall be retained as such thereafter.

Reason: To protect the amenities of adjoining residential properties (Chanctonbury Lodge and Chanctonbury House) from loss of privacy and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 34 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order no development falling within Class B of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of Plots 56-58, and 63-67 of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and due to potential increased and elevated overlooking of Chanctonbury House and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT

POSITIVE AND PROACTIVE STATEMENT

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

Plans list for: DC/26/0221

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

Schedule of plans/documents **approved:**

Plan Type	Description	Drawing Number	Received Date
Floor plan	FLAT FIRST - PLOTS 12,13,14,19,20,21	PL-58 REV C	09.02.2026
Floor plan	FLAT GROUND - PLOTS 9, 10, 11, 16, 17,18	PL-57 REV B	09.02.2026
Floor plan	FLAT SECOND FLOOR - PLOTS 15 AND 22	PL-59 REV B	09.02.2026
Layout plan	Proposed Site	PL-03 REV H	09.02.2026
Floor plan	TYPES 2 AND 3 - PLOTS 67-69	PL-23 REV B	09.02.2026

Elevation plan	TYPES 2 AND 3 - PLOTS 67-69	PL-24 REV C	09.02.2026
Elevation plan	TYPES 2 AND 5 - PLOTS 23-26	PL-30 REV B	09.02.2026
Floor plan	TYPES 2 AND 5 - PLOTS 23-26	PL-29 REV B	09.02.2026
Floor plan	TYPE 5 - PLOTS 32-35	PL-40 REV B	09.02.2026
Elevation plan	TYPE 5 - PLOTS 32-35	PL-41 REV B	09.02.2026
Elevation & Floor plan	TYPE 11 - PLOT 27	PL-49 REV D	09.02.2026
Supporting Statement		NONE	09.02.2026

Plans List for DC/24/1081 (not superseded):

Plan Type	Description	Drawing Number	Received Date
Plans	Proposed Substation	C9_23_46_PL_150 A	27.08.2024
Floor plan	Type 14 (plot 49-50), as proposed	7071-PL-55 B	02.02.2023
Elevation plan	Type 14 (plot 49-50), as proposed	7071-PL-56 B	02.02.2023
Elevation plan	Flats (plots 9-22), as proposed	7071-PL-60 B	02.02.2023
Elevation plan	Type 8B (plot 39), as proposed	7071-PL-61 A	09.02.2022
Elevation plan	Garage Type 1	7071-PL-62 A	09.02.2022
Elevation plan	Garage Type 2 and 3	7071-PL-63 A	09.02.2022
Elevation plan	Garage Type 4 and 5	7071-PL-64 A	02.02.2023
Plans	Indicative visual 1 (plots 3-8) main access, as proposed	7071-PL-70 A	09.02.2022
Plans	Indicative visual 2 (plots 61-64 and 70-72), as proposed	7071-PL-71 A	09.02.2022
Plans	Indicative visual 3 (plots 44-47) view from southern POS, as proposed	7071-PL-72 A	09.02.2022
Elevation plan	Street, sheet 1, as proposed	7071-PL-80 B	02.02.2023
Elevation plan	Street, sheet 2, as proposed	7071-PL-81 B	02.02.2023
Supporting Statement	Flood Risk Assessment	NONE	02.02.2023
Supporting Statement	Energy Statement	NONE	09.02.2022
Supporting Statement	Ecological Impact Assessment	NONE	09.02.2022
Supporting Statement	Biodiversity Impact Calculation	NONE	09.02.2022
Supporting Statement	Utilities and Drainage Assessment	NONE	09.02.2022
Supporting Statement	Transport Statement Report	NONE	09.02.2022
Supporting Statement	Phase 1 Geo-Environmental Investigation	NONE	09.02.2022
Supporting Statement	Travel Plan	NONE	09.02.2022
Supporting Statement	Water Neutrality Statement	NONE	01.02.2022
Supporting Statement	Planning Statement	NONE	09.02.2022
Supporting Statement	Accommodation breakdown by plot	NONE	09.02.2022
Supporting Statement	Mineral Resource Assessment	NONE	09.02.2022

Supporting Statement	Existing Tree Constraints	NONE	09.02.2022
Supporting Statement	Existing Tree Schedule	NONE	09.02.2022
Supporting Statement	Archaeological Desk-Based Assessment	NONE	09.02.2022
Supporting Statement	Site Habitat Baseline Report	NONE	09.02.2022
Design & Access Statement		NONE	09.02.2022
Elevation plan	Type 4 and 6 (plots 59-60, 73-74), as proposed	7071-PL-36 A	09.02.2022
Elevation & Floor plan	Type 8 (plots 3, 36 and 39), as proposed	7071-PL-37 B	09.02.2022
Floor plan	Type 5 (plot 28-29), as proposed	7071-PL-38 A	02.02.2023
Elevation plan	Type 5 (plot 28-29), as proposed	7071-PL-39 A	09.02.2022
Floor plan	Type 4 and 5 (plot 46-47), as proposed	7071-PL-42 A	09.02.2022
Elevation plan	Type 4 and 5 (plot 46-47), as proposed	7071-PL-43 A	09.02.2022
Floor plan	Type 9 (plot 51, 54, 63, 64), as proposed	7071-PL-44 A	09.02.2022
Elevation plan	Type 9 (plot 51, 54, 63, 64), as proposed	7071-PL-45 A	09.02.2022
Floor plan	Type 10 (plot 1, 2, 44, 45, 58), as proposed	7071-PL-46 A	09.02.2022
Elevation plan	Type 10 (plot 1, 44, 58), as proposed	7071-PL-47 A	09.02.2022
Section plan	Type 10 (plot 2 and 45), as proposed	7071-PL-48 A	09.02.2022
Floor plan	Type 12 (plot 48 and 55), as proposed	7071-PL-50 B	09.02.2022
Elevation plan	Type 12 (plot 48 and 55), as proposed	7071-PL-51 B	02.02.2023
Floor plan	Type 13 (plot 56-57), as proposed	7071-PL-52 A	09.02.2022
Elevation plan	Type 13 (plot 56), as proposed	7071-PL-53 A	09.02.2022
Elevation plan	Type 13 (plot 57), as proposed	7071-PL-54 A	09.02.2022
Location plan		7071-PL-01	09.02.2022
Details plan	Site, sheet 1	7071-PL-04 A	09.02.2022
Materials	Key plan	7071-PL-06 A	09.02.2022
Block plan		7071-PL-02 A	09.02.2022
Materials	Site, sheet 2	7071-PL-05 A	09.02.2022
Floor plan	Landscape masterplan sheet 1	PJC-1072.001 B	06.07.2022
Floor plan	Landscape masterplan sheet 2	PJC-1072.001 B	06.07.2022
Elevation & Floor plan	Type 1, (plot 6), as proposed	7071-PL-20 B	09.02.2022
Floor plan	Type 2, (plots 37, 38, 52, and 53), as proposed	7071-PL-21 A	09.02.2022

