Horsham District Council

Ms Alex Jones
Stantec UK Limited
7 Soho Square
London
W1D 3QB

Application Number: DC/25/1018

TOWN & COUNTRY PLANNING ACT, 1990 (as amended)
TOWN & COUNTRY PLANNING (Development Management Procedure) (England) Order 2015

On behalf of: Legal & General (Strategic Land North Horsham) Limited

In pursuance of their powers under the above-mentioned Act and Order, the Council hereby notify their APPROVAL of the following application comprising:

Reserved Matters application pursuant to Condition 5 of Outline Planning Permission reference DC/16/1677 for the Village Centre in RM Area 3 comprising 44 residential dwellings (Use Class C3), 753 sqm (GIA) of flexible retail, leisure, commercial, cafe and restaurant floorspace (Use E(a), E(b), E(c), E(e), E(f), E(g)(i), F1 and Sui Generis (drinking establishments and hot food takeaways), plaza, car and cycle parking, landscaping, drainage, access and internal roads and associated infrastructure.

Mowbray Development Site, Land North of Horsham, Rusper Road, Horsham, West Sussex

to be carried out in accordance with Application No. DC/25/1018 submitted to the Council on 16/07/2025 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 03/12/2025

1 **Plans Condition**: The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule below.

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Plans	Planting Palette	2898-5-2-22 DR-1002 REV S4-P2	19.06.2025
Plans	Materials and Furniture Palette	2898-5-2-22 DR-1003 REV S4-P3	19.06.2025

Plans	Stone Wall with Piers and Railings	2898-5-2-22 1004 REV S5-P1	19.06.2025
Plans	Landscape Proposal	2898-5-2-22 DR-1005 REV S4-P6	27.08.2025
Plans	Village Entrance Piers	2898-5-2-22 1006 REV S5-P1	19.06.2025
Plans	Benches, Seats and Picnic Tables	2898-5-5-FRN 0001 REV S5-P5	19.06.2025
Plans	Cycle Stand	2898-5-5-FRN 0002 REV S5-P4	19.06.2025
Plans	Lighting	2898-5-5-FRN 0005 REV S5-P4	19.06.2025
Plans	Litter Bin	2898-5-5-FRN 0007 REV S5-P4	19.06.2025
Plans	Timber Bollard	2898-5-5-FRN 0009 REV S5-P4	19.06.2025
Plans	Feeder Pillars	2898-5-5-SRV 0001 REV S5-P6	19.06.2025
Plans	7KW Communal EVC	2898-5-5-SRV 0002 REV S5-P2	19.06.2025
Plans	FP4 Feeder Pillar	2898-5-5-SRV 0003 REV S5-P3	19.06.2025
Plans	Tegula Block Paved Path	2898-5-5-SUR 0001 REV S5-P4	19.06.2025
Plans	Self Binding Gravel	2898-5-5-SUR 0002 REV S5-P4	19.06.2025
Plans	Resin Bound Gravel	2898-5-5-SUR 0004 REV S5-P4	19.06.2025
Plans	Slabs	2898-5-5-SUR 0005 REV S5-P4	19.06.2025
Plans	Tree Planting Details	2898-5-5-VEG 0001 REV S5-P6	19.06.2025
Plans	Tree Planting Details	2898-5-5-VEG 0002 REV S5-P5	19.06.2025
Plans	Tree Planting Details	2898-5-5-VEG 0003 REV S5-P4	19.06.2025
Plans	Tree Planting Details - Hard Surfaces	2898-5-5-VEG 0004 REV S5-P4	19.06.2025
Plans	Tree Grilles	2898-5-5-VEG 0005 REV S5-P3	19.06.2025
Plans	Tree Protection Plan	2898-2-17 DR-0001 REV S0-P1	19.06.2025
Supporting Statement	Arboricultural Impact Assessment and Method	2898-2-17-TD-0001-S5 REV P1	19.06.2025
Plans	Coloured Street Elevations	22177 / C102A	19.06.2025
Plans	North Apartment Building Floor	22177 P133	19.06.2025
Plans	North Apartment Building	22177 P134	19.06.2025

	Elevations		
Plans	Central Apartment Building Ground and First Floor	22177 P135	19.06.2025
Plans	Central Apartment Building Second Floor and Roof	22177 P136	19.06.2025
Plans	Central Apartment Building Elevations	22177 P137	19.06.2025
Plans	Western Building Ground, First and Second Floor	22177 P138	19.06.2025
Plans	Western Building Third Floor and Roof	22177 P139	19.06.2025
Plans	Western Building Elevations	22177 P140	19.06.2025
Plans	Street Elevations	22177 P145 REV A	19.06.2025
Plans	Boundary Wall and Ancillary Buildings	22177 P150 REV A	19.06.2025
Site plan	Coloured	22177 / C101A	19.06.2025
Location plan		S101	16.07.2025
Site plan	Layout	P102	19.06.2025
Site plan		P101 REV A	19.06.2025
Supporting Statement	Transport	NONE REV 2	19.06.2025

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

2 **Pre-Commencement Slab Level Condition**: No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule and samples of materials and finishes and colours to be used for external walls, windows and roofs of the approved buildings has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy SD1, SD7 and 33 of the Horsham District Planning Framework (2015).

3 **Pre-Occupation Condition**: The landscaping hereby approved shall be implemented 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 enhance the appearance of the development in the interest of the visual amenities of the area and in accordance with Policy SD1, SD6 and 33 of the Horsham District Planning Framework (2015).

4 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until details of the proposed location of fire hydrant(s) have been submitted to and approved in writing by the Local Planning Authority. The approved fire hydrant(s) shall be installed and

ready for use prior to the first use of the development hereby permitted and 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).

5 **Pre-Occupation Condition**: Prior to the occupation of any dwelling hereby permitted, secure covered cycle parking facilities and refuse storage facilities to serve that dwelling or use shall be as provided as indicated on the approved plans. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of cycle and refuse facilities in accordance with Policy SD1, 33 and 40 of the Horsham District Planning Framework (2015).

6 **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 a minimum 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).

7 **Pre-Occupation Condition**: No dwelling or use shall be first occupied until the car parking, including any electric vehicle charging and disabled car parking spaces, serving the respective dwelling or use has been constructed in accordance with the approved site plan. Once provided the spaces shall thereafter be retained at all times for their designated purpose

Reason: To provide car parking spaces for the approved uses in accordance with Policy 41 of the Horsham District Planning Framework (2015).

8 **Pre-Occupation Condition**: No part of the retail uses shall be first occupied until such time as the vehicular access serving the uses has been constructed in accordance with the details shown on the drawing titled Site Layout and numbered P101 A.

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

9 **Pre-Occupation Condition**: Prior to first occupation of any dwelling or use, details of the appearance and location of all air source heat pumps and photovoltaic panels shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and climate change in accordance with Policy SD1, SD7, 33 and 35 of the Horsham District Planning Framework (2015).

10 **Regulatory Condition**: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Mitigation and Management Plan (EMMP) (Derek Finnie Associates September 2024) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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 (Priority habitats & species) and Policy SD6 and 31 of the Horsham Development Framework.

11 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 and the Town and Country Planning (Use Classes) Order 1987 (as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020) (or any order amending or revoking and/or re-enacting these Orders), the commercial units hereby permitted shall be used for Use Class E(a), E(b), E(c), E(e), E(f), E(g)(i) and F1 and Sui Generis (drinking establishments and hot food takeaways) only and for no other purposes whatsoever without express planning consent from the Local Planning Authority first being obtained.

Reason: Having regard to the floor area restrictions on uses, as required under the outline planning permission for the site (DC/16/1677), to allow appropriate uses within the Village Centre in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

12 **Regulatory Condition**: The development shall be implemented strictly in accordance with the Arboricultural Impact Assessment & Method Statements (ref: AIA/AMS 06572/2025 and 2898-2-17-TD-0001-S5-P1 Village Centre AIA-AMS).

Reason: To safeguard existing trees in accordance with Policy 31 of the Horsham District Planning Framework (2015).

13 **Regulatory Condition**: All commercial premises hereby approved shall not be open for trade or business except between the hours of 0700-2200 Monday to Saturday and 0800-2200 Sundays and Bank Holidays.

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

14 **Regulatory Condition**: No deliveries to any of the commercial buildings hereby approved shall take place except between the hours of 0700-2200 Monday to Saturday and 08.00 - 22.00 on Sundays and Bank Holidays.

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

15 **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).

16 **Regulatory Condition**: No more than 714sqm of total sales floorspace within the commercial units hereby permitted shall be occupied as Use Class E(a), E(b), E(c) and Sui Generis (drinking establishments and hot food takeaways) at any one time.

Reason: Having regard to the floor area restrictions on uses, as required under the outline planning permission for the site (DC/16/1677), to allow appropriate uses within the Village Centre in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

17 **Regulatory Condition**: No more than one commercial unit hereby permitted within the Village Centre shall be occupied under Use Class E(g)(i) at any one time.

Reason: To allow appropriate uses within the Village Centre in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

Note to Applicant
The applicant is advised to submit an Affordable Housing Delivery Scheme for the affordable housing under this proposal as required by Schedule 3 of the legal agreement under DC/16/1677.

Note to Applicant
The applicant is advised that separate advertisement consent maybe required for any advertisements for the commercial premises.

Note to Applicant – Community Infrastructure Levy (CIL):
Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017. **This development constitutes CIL liable development**.

If you have not received a Liability Notice from the Council within 1 month of the decision date please contact the CIL Team at cil@horsham.gov.uk.

CIL is a mandatory financial charge on development. To avoid additional financial penalties, the requirements of CIL must be managed before development is commenced (including in the event of any successful appeal).

Payment must be made in accordance with the requirements of the CIL Demand Notice issued.

Note to Applicant:
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.

ADDITIONAL INFORMATION

Planning Permission – Important Provisos
If planning permission has been granted, please note that your Notice of Decision refers only to consideration of your proposal under the Town and Country Planning Acts. It is not a building regulations approval and does not mean that you can disregard other Acts of Regulations, or avoid any other legal obligations. Some of these obligations, of particular relevance to your proposal are referred to elsewhere in this note. Before you proceed with your proposal you should ensure that a Building Control application is not required, or has been submitted. The Building Control Department can be contacted on 01403 215151.

If this permission relates to new dwellings, commercial premises or other buildings which will require a new postal address you should contact the Council's Street Naming & Numbering Department as soon as possible or before work commences on site. Further details are available on the Street Naming page on the Council's website or alternatively e-mail streetnaming@horsham.gov.uk or telephone 01403 215139.

It is the responsibility of the developer to provide bins for the development. If you are a developer and need to purchase bins, please email hop.oast.admin@horsham.gov.uk.

It must be stressed that the information included on this Notice of Decision may not include all your legal obligations, and it does not grant you rights to carry out works on or over lands, or to access land that is not within your control or ownership.

Compliance with the Approved Plans and Conditions
The development hereby approved must be implemented in accordance with the approved plans and any conditions set out in the Notice. Some of the conditions may specify that works are to be carried out, and/or details submitted and approved before all or part of the development is started. These will appear in the 'Pre-Commencement Conditions' section of the Notice.

If works on implementing this permission is started without these requirements being fully met, the development may be unauthorised and the permission invalidated, and could lead to enforcement proceedings or in some cases to prosecution.

Amendments
Should alterations or amendments be required to the approved plans, it will be necessary to apply either under Section 96A of the Town and Country Planning Act 1990 for non-material alterations, or under Section 73 of the Act for minor material alterations. An application must be made using the standard application form and you should consult with us, to establish the correct type of application to be made.

Monitoring
Horsham District Council monitors the implementation of planning permissions. Please be aware that monitoring officers may visit the application site at various stages of the development to ensure compliance with the approved plans and conditions.

Conditions Compliance
Requests for confirmation of compliance with conditions associated with that permission should be made in writing or by using the application form 'Approval of Details Reserved by Conditions'.

A request may be for confirmation that one or more conditions imposed on the same permission have been complied with. We aim to respond within 8 weeks of receipt of the request.

Right of Appeals
If you are aggrieved by the decision to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

You must appeal within 12 weeks of the date of the decision notice for a householder application or 'minor commercial' (shop front) development, and within 6 months for other types of planning applications. There are different timescale – usually 28 days – if an enforcement notice is/has been served for the same (or very similar) land and development. Please note, only the applicant possesses the right of appeal.

Appeals can be made online at: https://www.gov.uk/planning-inspectorate. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are at https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries.