Horsham District Council

Mr Nikolas Antoniou
NJA Town Planning Ltd
The Beehive
City Place
Gatwick
RH6 0PA

Application Number: DC/23/2144

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

On behalf of: Refer to Company Name MiBri Ltd

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify you that they PERMIT the following development, that is to say:

Variation of condition 1 of previously approved application reference DC/21/0057 (A phased development for the erection of 6no detached houses with associated landscaping, drainage and access improvements to Heather Way at Angell Sandpit, Storrington) to allow the submission of water neutrality information, revised plans in respect of plots 1-3 and revised construction access details. Variation of conditions 3, 5, 6, 10, 12, 13, 16, 17, 18 and 19.

Angell Sand Pit Washington Road Storrington West Sussex

to be carried out in accordance with Application No. DC/23/2144 submitted to the Council on 24/11/2023 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 14/08/2024

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
Section plan	Sections Through Site	2.11	27.03.2024
Details plan	Tree Constraints Plan - Sheet 02	LLD1280-ARBDWG-001 01	11.01.2021

Details plan	Tree Retention and Protection Plan - sheets 01, 02, 03 and 04	LLD1280-ARBDWG-002 00	11.01.2021
Location plan		001 P2	24.11.2023
Site plan		2.01 REV C	24.11.2023
Floor plan	Plot 1 - Floor Plans	2.02 REV B	27.03.2024
Elevation plan	Plot 1 - Proposed Elevations	2.03 REV B	27.03.2024
Floor plan	Plot 2 - Floor Plans	2.04 REV B	27.03.2024
Elevation plan	Plot 2 - Proposed Elevations	2.05 REV B	27.03.2024
Floor plan	Plot 3 - Floor Plan	2.06 REV A	24.11.2023
Elevation plan	Plot 3 - Proposed Elevations	2.07 REV B	27.03.2024
Layout plan	Comparison Site Plan	2.08 REV A	24.11.2023
Details plan	Construction Management Plan	2.09 REV A	24.11.2023
Location & Block plan		2.10 REV A	24.11.2023
Floor plan	Proposed Plot 1 floor plans and roof	101 REV P2	24.11.2023
Elevation plan	Proposed elevations and sections Plot 1	102 REV P1	24.11.2023
Floor plan	Proposed floor and roof plan Plot 2	103 REV P2	24.11.2023
Elevation plan	Proposed elevations and sections Plot 2	104 REV P2	24.11.2023
Floor plan	Proposed Floor and Roof Plan Plot 4	107 REV P2	24.11.2023
Elevation plan	Proposed Elevations and Sections plot 4	108 REV P2	24.11.2023
Elevation & Floor plan	Proposed Plot 5	109 REV P4	24.11.2023
Elevation & Floor plan	Proposed Plot 5 and 6	109-01 REV P1	24.11.2023
Supporting Docs	Phasing Plan and Programme of Works	Appendix NJA 2	24.11.2023
Supporting Docs	Construction Management Plan	Appendix NJA 3	24.11.2023
Supporting Docs	Technical Note	Appendix NJA 3 020.0844/TN/3	24.11.2023
Supporting Docs	Condition 10 CEMP Biodiversity	Appendix NJA 6	24.11.2023
Supporting Docs	Condition 14 Decision Notice DISC/23/0092	Appendix NJA 10	24.11.2023
Supporting Docs	Ecological Enhancement Strategy	Appendix NJA 12	24.11.2023
Supporting Docs	Landscape Management Plan	Appendix NJA 14	24.11.2023
Supporting Statement	Proposed Water Offsetting Scheme at Danefold Farm	NONE	24.11.2023
Supporting Statement	Water Neutrality (Technical Note)	NONE	24.11.2023

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

2 **Standard Time Condition**: The development hereby permitted must be commenced by the 24th September 2024.

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

3 **Regulatory Condition**: The approved phasing details shall be implemented in accordance with the details set out under Appendix NJA/2. The development shall be completed in accordance with the approved details.

Reason: To ensure the development is carried out in such a was that provides safe and suitable access and takes account of the former use as a landfill site in ensuring that ground stability and remediation works are carried out cohesively across the site, and to comply with Policies 32, 38 and 40 of the Horsham District Planning Framework (2015) and paragraph 170 of the National Planning Policy Framework.

4 **Pre-Commencement Condition**: No development shall take place, including any ground works within the site, until the access improvement works along Heather Way have been agreed with the relevant land owner(s) and completed in accordance with the submitted and approved Transport Report [Ref 7053/2.3 dated July 2020]. The works shall provide adequate access for firefighting vehicles and equipment to reach the site in accordance with BS5588 Part B 5 and Part B of the Building Regulations.

Reason: To ensure that there is adequate provision made for securing a safe and accessible access route to the development site in accordance with Policies 32 and 40 of the Horsham District Planning Framework (2015).

5 **Pre-Commencement Condition**: Notwithstanding the temporary construction vehicular access arrangements via Angell Sands, no development shall take place, including any ground works, until the measures set out within the approved Construction Management Plan (Paul Basham Associates Ltd, 020.0844/CMP/5, 26 October 2023) as included at Appendix NJA/3 and the CMP plan [2.09 Rev A] in relation to the temporary construction access, have been implemented, subject to agreement with relevant third parties.

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

6 **Pre-Commencement (slab level) Condition**: No development, other than ground investigation and remediation works, shall commence until precise details (to include details shown on a plan) of the proposed slab levels, and existing and proposed external ground levels of the development in relation to nearby datum points adjoining the application site have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details.

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**: No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until the following preliminaries have been completed in the sequence set out below:
- All trees on the site shown for retention on approved drawing numbers [LLD1280-ARBDWG-001 rev 01 and LLD1280-ARB-DWG-002 rev 00, Sheet 01 and Sheet 02], as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).
- 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.

- 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).

8 **Pre-Commencement Condition**: No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until fencing to establish and protect the 20m buffer zone to the adjacent SSSI has been erected in accordance with the approved drawing numbers [LLD1280-ARB-DWG-002 rev 00 Sheet 01, and 2.09 Rev A]. Once in place, this fencing shall be maintained throughout the development phases across the site.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of a significant feature of nature conservation in accordance with Policies 31 and 33 of the Horsham District Planning Framework (2015).

9 **Pre-Commencement Condition**: The development shall be carried out in accordance with the Reptile Mitigation Strategy submitted to and approved under DISC/23/0091 (dated 11.05.2023), and all features shall be retained in that manner thereafter.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

10 **Regulatory Condition**: The approved Construction Environmental Management Plan: Biodiversity (Lizard Landscape Design and Ecology, 21 November 2023) as included at Appendix NJA/6 of the Supporting Planning Statement (NJA Town Planning Ltd, November 2023) 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: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

11 **Pre-Commencement Condition**: The development shall be carried out in accordance the drainage strategy, relating to the means of foul and surface water disposal, as submitted and approved under DISC/23/0092 (dated 31.05.2023). As part of the details, no drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority.

Reason: Given the previous use of the land as a landfill this condition is required to ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants, and to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015) and paragraph 170 of the National Planning Policy Framework.

12 **Pre-Commencement Condition**: No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the entire development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:
(1) A preliminary risk assessment which has identified:
- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from contamination at the site.
The following aspects (b) - (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.
(2) An intrusive site investigation scheme, based on (1) 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.
(3) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (2) and an options appraisal.
(4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) 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: The proposed development is on a historic landfill and therefore it is likely that contamination will be present. Remediation and/or mitigation measures are likely to be required to protect mobilising contamination during construction works which risk causing pollution to controlled waters. This condition is required 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 in line with paragraph 170 of the National Planning Policy Framework.

13 **Pre-Commencement Condition** No development shall take place until a scheme to deal with the risks from ground instability at the site to the proposed development has been submitted to and approved in writing by the local planning authority. The scheme shall be prepared by a competent and suitably experienced engineer and must include the following components:
i) a detailed assessment of the risk to all phases of the development that may be affected, including any risks to offsite receptors.
ii) An options appraisal of the potential impacts and the remedies that might be available including estimated cost
iii) full details of the measures required to prevent ground instability and how they are to be undertaken;
iv) Demonstration of how cumulative and reasonable worse case effects have been considered;
vi) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in iii) are complete and identifying any requirements for longer-term monitoring, maintenance and arrangements for contingency action.

All work shall be supervised the engineer in accordance with the mechanisms and procedures specified in the approved verification plan and a comprehensive non- technical summary document of the assessments provided and information submitted against (i) to (vi) of this condition. The scheme shall be implemented in accordance with the approved details and mitigation measures, and they shall be permanently retained and maintained in working order for the duration of the use and their operation.

Reason: Given the previous use of the land as a landfill this condition is required to ensure that the development can be carried out in a way that does not lead to adverse ground instability and to comply with Policy 24 of the Horsham District Planning Framework (2015) and paragraph 179 of the National Planning Policy Framework.

14 **Pre-Commencement (Slab Level) Condition**: No development above ground floor slab level of plots 1, 2 and 3 of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, roofs and skylights of the approved building 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. Plots 4, 5 and 6 shall be implemented in accordance with the details submitted and approved under DISC/23/0092 (dated 31.05.2023).

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).

15 **Pre-Commencement (Slab Level) Condition**: No development above ground floor slab level of any part of the development hereby permitted shall take place until one fire hydrant (to BS 750 standards) or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) has been installed in a suitable location to the satisfaction of West Sussex County Council's Fire and Rescue Services. The fire hydrant or stored water supply shall be connected to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting and shall be retained and maintained as such thereafter.

Reason: In the interests of amenity and in accordance with Policies 33 and 39 of the HDPF and in accordance with The F&RS Act 2004

16 **Pre-Occupation Condition**: Prior to the first occupation of any dwelling hereby permitted, full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:
- Details of all existing trees and planting to be retained - planting mix to reflect the site-specific acid soil mix
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details, with a minimum suggested girth size of 20 - 25cm
- Appropriate Heathland planting within the designated buffer zone
- Details of all hard surfacing materials and finishes
- Details of all boundary treatments and fencing, including means to permanently enclose the Buffer Zone and prevent access / inclusion of this area into residential curtilages, and details of any retaining walls

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

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

17 **Regulatory Condition**: Notwithstanding the locations of the bat boxes, the approved Ecological Enhancement Strategy (Lizard, 21 November 2023) included at Appendix NJA/12 and the soft landscape scheme (LLD3069-LANDWG-200)] shall be adhered to and implemented in accordance with the approved details relative to the relevant phase of the development and shall be retained in that manner thereafter. The bat boxes shall not be sited on true south-facing sides of trees or buildings, with south-east or south-west facing locations chosen. The measures pursuant to each phase shall be implemented prior to first occupation of any dwelling within that phase and shall be retained as such thereafter.

Reason: As these matters are fundamental to enhance the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species)

18 **Pre-Occupation Condition**: Prior to the first occupation of the development hereby permitted, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. 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 and approved phasing plan for the development. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: As these matters are fundamental to enhance the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

19 **Regulatory Condition**: The approved Landscape Management Plan (Lizard, November 2023) as included at Appendix NJA/14 shall be implemented in accordance with the approved details. The landscape areas shall thereafter be 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)

20 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015) and in line with paragraph 170 of the National Planning Policy Framework

21 **Pre-Occupation Condition**: No dwelling hereby permitted shall be occupied until provision for the storage of refuse and recycling has been provided within the garage or 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).

22 **Pre-Occupation Condition**: No dwelling hereby permitted shall be occupied until the car parking spaces (including garages where applicable), turning and access facilities necessary to serve it have been constructed and made available for use in accordance with approved drawing numbers [2.01 Rev C, 2.02 Rev B. 2.04 Rev B, 2.07 Rev B, 6545 107 rev P2, 6545 109 rev P4 and 6545 109-01 rev P1]. 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 dwelling hereby permitted shall be occupied until the cycle parking facilities serving it have been provided within the garage or 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).

24 **Pre-Occupation Condition**: No dwelling hereby permitted shall be occupied until a fast charge electric vehicle charging point for that dwelling has been installed. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

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 ramework (2015).

25 **Pre-Occupation Condition**: No dwelling hereby permitted shall be occupied until 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 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).

26 **Regulatory Condition**: The development hereby permitted shall be carried out in accordance with all mitigation and enhancement measures and/or works contained in the Ecological Impact Statement (Lizard Landscape Design and Ecology, May 2020) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may 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: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

27 **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) and in line with paragraph 170 of the National Planning Policy Framework.

28 **Regulatory Condition**: No piling and or other penetrative methods shall be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: As this development is on a historic landfill there is the potential that any piling activities could mobilise any contamination and risk impacting controlled waters. If the landfill is lined then piling also risks penetrating the liner and so the landfill design should also be considered in the piling risk assessment. To ensure that any proposed piling or other deep foundation does not harm groundwater in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015) and in line with paragraph 170 of the National Planning Policy Framework.

29 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning re-enacting that Order no development falling within Classes A, AA, B and E of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) 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 the historic, ecological and environmental sensitivities of the site in accordance with Policies 24, 25, 33 and 34 of the Horsham District Planning Framework (2015).

30 **Regulatory Condition**: The garage(s) hereby permitted shall be used only as private domestic garages for the parking of vehicles incidental to the use of the properties as dwellings and for no other purposes.

Reason: To ensure adequate off-street provision of parking in the interests of amenity and highway safety, and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

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**: No soils shall be imported or re-used within the development site until the developer has submitted details of the chemical testing and assessment of the soils which demonstrates the suitability of the soils for the proposed use. The assessment shall be undertaken by a suitably qualified and competent person and full details shall be submitted to and approved in writing by the local planning authority.

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**: No external lighting or floodlighting shall be installed other than that approved under Condition 18 (Biodiversity Lighting Details) unless by way of application to the Local Planning Authority.

Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015), and in order to protect the Dark Night Skies of the adjacent South Downs National Park, as required under paras 174 and 176 of the NPPF (2021).

34 **Pre-Occupation Condition** The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (Technical Note 1: Water Neutrality Statement, by Motion, dated 25th August 2023). No unit 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 unit has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, evidence they meet the required water consumption flow rates, and evidence of the installation and connection of the rainwater harvesting system and appropriate storage tanks to provide a minimum 35 days storage capacity. The installed measures shall be retained and operated as such 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), Paragraphs 186 and 187 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).

35 **Pre-Occupation Condition**: No part of the development hereby permitted shall be brought into first use until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for the development 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 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 186 and 187 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

36 **Pre-Commencement Condition**: Notwithstanding the approved Construction Management Plan (Paul Basham Associates Ltd, 020.0844/CMP/5, 26 October 2023) as included at Appendix NJA/3, and the CMP plan [2.09 Rev A], no vehicles associated with the ground remediation or construction phases shall utilise the site's temporary construction access via Angell Sands until a swept path tracking diagram has been submitted to, and approved in writing by, the Local Planning Authority, demonstrating adequate vehicular access and egress can be achieved. The details shall include any annotations relating to vegetation management required to achieve required visibility during the construction / remediation phases.

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

Note to Applicant
Please be advised that there are conditions on this notice that will require the submission of details to be submitted for approval to the Local Planning Authority. To approve these details, you will need to

submit an "Application for approval of details reserved by condition" with an application form and pay the appropriate fee. Guidance and the forms can be found at planningportal.co.uk/planning/planning-applications

Note to Applicant
The applicant is advised that full details of the hard and soft landscape works include the provision of, but shall not be necessarily limited to:
- Planting and seeding plans and schedules specifying species, planting size, densities and plant numbers
- Tree pit and staking/underground guying details
- A written hard and soft landscape specification (National Building Specification compliant), including ground preparation, cultivation and other operations associated with plant and grass establishment
- Hard surfacing materials - layout, colour, size, texture, coursing, levels
- Walls, steps, fencing, gates, railings or other supporting structures - location, type, heights and materials
- Minor artefacts and structures - location and type of street furniture, play equipment, refuse and other storage units, lighting columns and lanterns

Note to Applicant
Please note that Southern Water require a formal application for connection to the water supply in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire (tel: 0330 303 0119) or www.southernwater.co.uk .

Note to Applicant
The applicant's attention is drawn to the provisions of both the Wildlife and Countryside Act 1981 and the Protection of Badgers Act 1992. Under these Acts, it is an offence to intentionally or recklessly kill, disturb, damage or destroy a protected species or its habitat. This includes but is not limited to wild birds, bats, badgers, dormice, reptiles and great crested newts.

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.