Horsham District Council

Mr Robert Franks
Berkeley Homes (Southern) Ltd
Berkeley House
Bay Tree Avenue
Leatherhead
Surrey
KT22 7EU

Application Number: DC/24/1996

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

On behalf of:

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 Conditions 1 (Approved Plans), 7 (underground services), 8 (foul and surface water drainage), 12 (finished ground floor slab levels), and 18 (schedule of materials and samples) of previously approved application DC/15/1702 (Erection of 300 dwellings, 2 x football pitches, MUGA and NEAP with associated access, parking and landscape works pursuant to outline planning permission DC/09/2138 (as amended by DC/11/2004) (Approval of Reserved Matters)), to allow the submission of water neutrality information to be secured under Condition 1 to demonstrate Phases 8, 10, 11, 12 and 13 are water neutral, and Variation of Conditions 7, 8, 12, and 18 to enable details pertaining to those conditions to be secured associated to Phase 8.

Land East of A24 Worthing Road Horsham West Sussex

to be carried out in accordance with Application No. DC/24/1996 submitted to the Council on 23/12/2024 and subject to compliance with the plans/documents and conditions specified hereunder.

Biodiversity Net Gain Condition
Please note the requirement within the Environment Act 2021 for development to deliver a minimum of 10% net gain in biodiversity may be applicable to your development. In the event your development is required to achieve a minimum 10% net gain in biodiversity then a Biodiversity Net Gain Condition (separate to the main list of conditions) will appear on your decision notice requiring the submission of a Biodiversity Gain Plan for approval prior to development commencing.

Emma Parkes
Head of Development and Building Control

Date: 07/08/2025

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
Supporting Docs	S73 Water Neutrality Strategy Highwood Phases 8, 10, 11, 12 and 13 Version 2 Final Date 16.05.25 by Hodkinson Consultancy		16.05.2025
Supporting Docs	EXTERNAL FINISHES SCHEDULE - Phase 8 - Condition 18 PLANNING PHASE Planning Phase 2 - RMA Phase 8 STATUS Planning Submission - 19.12.24		23.12.2024
Plans	Southern Site Masterplan Phase 8 & 10 -13 Plan	S783/SSPP8-13	04.08.2025
Plans	SOUTHERN SITE MASTERPLAN PHASE 8 PLAN	S783/SSPP8 REV A	24.02.2025
Plans	sub-stations 1 & 2 - lv lv Feeders - LV Layout Condition 7	226998-SOUTH-LV-001 REV W	24.02.2025
Plans	REVISED GAS-Clients reduced requirements CONDITION 7	226998-SOUTH-GAS REV Y	24.02.2025
Plans	WATER AS - LAID SOUTH SITE CONDITION 7	226998-SS-WA-AL-002 REV F	24.02.2025
Plans	PHASE 8 PRIVATE DRAINAGE LAYOUT SHEET 2 OF 2 CONDITION 8	2798-PH7-D-002 REV P13	24.02.2025
Plans	PHASE 8 PRIVATE DRAINAGE LAYOUT SHEET 1 OF 2 CONDITION 8	2798-PH8-D-001 REV P15	24.02.2025
Plans	PHASE 8 EXTERNAL WORKS SHEET 2 OF 2 CONDITION 12	2798-PH8-GA-004 REV P10	24.02.2025
Plans	PHASE 8 EXTERNAL WORKS SHEET 1 OF 2 CONDITION 12	2798-PH8-GA-003 REV P14	24.02.2025

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

2 **Pre-Commencement Condition**:
a) No development in Phases 10, 11, 12 and 13 shall take place until details of all underground trenching requirements or services, including the position of soakaways, service ducts, foul, grey and storm water systems and all other underground service facilities and associated ground excavations, have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate effective co-ordination with the approved landscape scheme and with existing trees on site. All underground services shall be installed in accordance with the approved details.

b) All underground services in Phase 8 shall be installed in accordance with the hereby approved details 226998-SOUTH-LV-001 Rev W, 226998-SOUTH-GAS Rev Y, and 226998-SS-WA-AL-002V Rev F, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the roots of trees and hedgerows on the site in accordance with the NPPF and Policy 25 of the Horsham District Planning Framework (2015) and HB3, HB4, and HB10 of the Horsham Blueprint Neighbourhood Plan (2022).

3 **Pre-Commencement Condition**:
a) No development in Phases 10, 11, 12 and 13 shall commence until a drainage strategy detailing the proposed means of foul and surface water drainage and an implementation timetable has been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The development shall be carried out in accordance with the approved scheme and timetable.

b) The drainage strategy in Phase 8 shall be installed in accordance with the hereby approved plans 2798-PH7-D-002 Rev P13 and 2798-PH8-D-001 Rev P15, unless otherwise agreed in writing by the Local Planning Authority

Reason: To prevent the increased risk of flooding, to protect water quality and to ensure the future maintenance of the surface water drainage system to comply with the NPPF and Policy 38 of the Horsham Development Planning Framework (2015) and HB3, HB4 of the Horsham Blueprint Neighbourhood Plan (2022).

4 **Pre-Commencement Condition**: No development shall commence within Phases 8, 10, 11, 12 and 13 until either:

i) Details have been submitted to and been approved in writing by the Local Planning Authority confirming that the necessary credits to achieve water neutrality have been secured via the Sussex North Water Certification Scheme;

or

ii) A site-specific water neutrality mitigation scheme has been submitted to and been approved in writing by the Local Planning Authority. The site or Phase specific water neutrality mitigation scheme shall include full details of the means of any and all onsite and offsite mitigation and any necessary agreements pursuant to S106 of the Town and Country Planning Act 1990 to deliver and secure the approved mitigation; and

iii) The development phase shall not be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority confirming that the approved site-specific water neutrality mitigation scheme has been fully implemented. The approved mitigation shall thereafter be retained, maintained and operated to the same or better water performance standard.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2024), and to enable the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species) and HB10 of the Horsham Blueprint Neighbourhood Plan (2022).

5 **Pre-Commencement Slab Level Condition**:
a) Prior to the commencement of development of Phases 10, 11, 12 and 13, details shall be submitted to and approved in writing by the Local Planning Authority of finished ground floor slab levels, in relation to a nearby datum point, in relation to all dwellings lying adjacent to the existing dwellings in Windrum Close. The scheme shall be carried out in accordance with the approved details.

b) The development of Phase 8 shall be carried out in accordance with the approved finished ground floor slab level details in the hereby approved plans 2798-PH8-GA-004 Rev P10 and 2798-PH8-GA-003 Rev P14, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory impact upon the adjacent residents in accordance with the provisions of Policy 33 of the Horsham District Planning Framework (2015) and HB3, HB4 of the Horsham Blueprint Neighbourhood Plan (2022).

6 **Pre-Commencement Slab Level Condition**:
a) No development above ground floor slab level within Phases 10, 11, 12 and 13 shall be commenced unless and until a schedule of materials and samples of such materials and finishes and colours to be used for external walls and roofs of the buildings hereby permitted have been submitted to and approved by the Local Planning Authority in writing and all materials used shall conform to those approved.

b) All materials and finishes for the external walls and roofs of the buildings hereby permitted within Phase 8, shall conform with the approved EXTERNAL FINISHES SCHEDULE Planning Phase 2 - RMA Phase 8 Planning Submission - 19.12.24 as listed on this decision notice unless otherwise agreed in writing by Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve buildings of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015) and HB3, HB4 of the Horsham Blueprint Neighbourhood Plan (2022).

7 **Pre-Commencement Slab Level Condition**:
a) No development in Phases 10, 11, 12 and 13 above slab level shall take place until a Landscape Management and Maintenance Plan has been submitted to and agreed, in writing, by the Local Planning Authority. The approved landscaping shall be managed and maintained in accordance with the approved details thereafter, unless otherwise agreed, in writing, by the Local Planning Authority.

b) The landscaping as approved under Condition 8b of this decision notice shall be managed and maintained in accordance with the Landscape Management and Maintenance Plan approved under separate decision notice DISC/23/0069, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the soft landscaping and areas of open space are managed and maintained appropriately and in the interests of the future visual amenity of the locality and to comply with Policies 25 and 33 of the Horsham District Planning Framework (2015) and HB3, HB4, and HB10, HB13 and HB14 of the Horsham Blueprint Neighbourhood Plan (2022).

8 **Pre-Commencement Slab Level Condition**:
a) No development within Phases 10, 11, 12 and 13 above slab level shall take place until details of the soft and hard landscaping for the site, relating to:
- planting plans relating the proposed species to planting position
- details of tree pits
- boundary treatments
- materials for hard landscaping including within the play area
- street furniture
- position and materials of acoustic fence
- a programme/timetable for its implementation,
- position of fencing and details of landscaping along the boundary of the railway embankment, have been submitted to and approved, in writing, by the Local Planning Authority. The landscaping shall be provided in accordance with the approved details and programme/timetable thereafter.

b) Prior to occupation of any dwellinghouse hereby permitted within Phase 8, all landscaping shall be provided in accordance with the approved details and programme/timetable approved as listed on this decision notice and under separate decision notice DISC/23/0069 and as approved under DISC/18/001 (in relation to noise bund only), unless otherwise agreed in

writing by the Local Planning Authority. Where there is conflict over detail, those listed on decision notice DC/24/1996 shall prevail.

Reason: To ensure that an appropriate level of landscaping is provided at the site and in the interests of the future visual amenity of the locality and to comply with Policies 25, 32 and 33 of the Horsham District Planning Framework (2015) and HB3, HB4, and HB10 of the Horsham Blueprint Neighbourhood Plan (2022).

9 **Pre-Occupation Condition**:
a) No part of the development in Phases 10, 11, 12 and 13 shall be first occupied until the road(s), footways, and casual parking areas serving the development have been constructed, surfaced and drained in accordance with plans and details to be submitted to and approved, in writing, by the Local Planning Authority.

b) No part of the development in Phase 8 shall be first occupied until the road(s), footways, and parking areas serving the development have been constructed, surfaced and drained in accordance with approved plans and details listed on this decision notice and under separate decision notice DISC/23/0069, unless otherwise agreed in writing by the Local Planning Authority. Where there is conflict over detail, those listed on decision notice DC/24/1996 shall prevail.

Reason: To secure satisfactory standards of access for the proposed development in accordance with Policy 40 and 41 of the Horsham District Planning Framework and HB12 of the Horsham Blueprint Neighbourhood Plan (2022).

10 **Pre-Occupation Condition**:
a) No part of the development in Phases 10, 11, 12 and 13 shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved plans. The facilities shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

b) No part of the development in Phase 8 shall be occupied until covered and secure cycle parking spaces have been provided in accordance with the approved plans and details listed on this decision notice and approved under separate decision notice DISC/23/0069, unless otherwise agreed in writing by the Local Planning Authority. Where there is conflict over detail, those listed on decision notice DC/24/1996 shall prevail. The facilities shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies, including Policy 40 of the Horsham District Planning Framework (2015) and HB12 of the Horsham Blueprint Neighbourhood Plan (2022).

11 **Pre-Occupation Condition**: The development hereby permitted shall be undertaken in full accordance with the Water Neutrality Strategy 'Highwood Phases 8, 10, 11, 12, and 13' version 2 Dated 16.05.2025 Final by Hodkinson Consultancy, unless otherwise agreed in writing by the Local Planning Authority. 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, as detailed in the approved water neutrality strategy, shall be retained as such thereafter, unless otherwise agreed in writing by Local Planning Authority.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), 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) and HB10 of the Horsham Blueprint Neighbourhood Plan (2022).

12 **Regulatory Condition**: The Sports pitches and MUGA shall be carried out in accordance with the approved details listed DISC/18/0084, unless otherwise agreed in writing by Local Planning Authority.

Reason: To ensure the provision of a facility that is compliant with the relevant British Standards and provides a safe facility for users in accordance with Policy 33 of the Horsham District Planning Framework (2015) and HB13 and HB14 of the Horsham Blueprint Neighbourhood Plan (2022).

13 **Regulatory Condition**: The development hereby approved shall be built out in accordance with Phasing Plan S783/SSPP8-13, notwithstanding previously approved details, and unless otherwise agreed with in writing by the Local Planning Authority.

Reason: In the interests of proper planning and to ensure an orderly phased delivery of the development in accordance with policy 33 of the Horsham District Planning Framework (2015) and HB3, HB4 of the Horsham Blueprint Neighbourhood Plan (2022).

14 **Regulatory Condition**: No development shall be carried out, other than between the hours of 0800 and 1800 hours on Mondays - Fridays and 0900 - 1300 on Saturdays, and no development shall take place on Sundays, Bank Holidays or Public Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of nearby properties to comply with policy 33 of the Horsham District Planning Framework (2015) and HB3, HB4 of the Horsham Blueprint Neighbourhood Plan (2022).

15 **Regulatory Condition**: No trees or shrubs not identified for removal by the approved plans and which subsequently shall not be removed without the prior agreement in writing of the Local planning Authority. The details submitted shall also include details of the proposed replacement plants including species, planting position and planting size.

Reason: To ensure a satisfactory appearance upon completion in accordance with the provisions of Policy 33 of the Horsham District Planning Framework (2015) and HB3, HB4, and HB10 of the Horsham Blueprint Neighbourhood Plan (2022).

16 **Regulatory Condition**: All reptile translocations shall take place in accordance with the Reptile Translocation Strategy V2, prepared by Derek Finnie Associates in February 2015 and amended in July 2015, unless otherwise agreed with in writing by the Local Planning Authority.

Reason: To accord with Policy 31 of the Horsham District Planning Framework (2015) and HB10 of the Horsham Blueprint Neighbourhood Plan (2022).

17 **Regulatory Condition**: Removal of any buildings, trees and/or shrubs should be undertaken between September and the end of February. If this is not possible, and clearance is required to be removed between March and August, an Ecologist should check for active bird nests no more than seven days before works commence, and any active bird nests found should be protected as advised by the Ecologist until the birds have finished nesting.

Reason: To accord with Policy 31 of the Horsham District Planning Framework (2015) and HB3, HB4, and HB10 of the Horsham Blueprint Neighbourhood Plan (2022).

18 **Regulatory Condition**: Should any Public Rights of Way across or adjacent to the site need to be closed, and until such time as a formal Temporary Path Closure Order is confirmed, details shall be provided in writing to the Local Planning Authority (in consultation with the

West Sussex County Council Public Rights of Way Team) of the specification of the proposed temporary footpath. The works shall be carried out in accordance with the approved scheme.

Reason: To ensure adequate continued public access around the site in accordance with the provisions of Policy 40 of the Horsham District Planning Framework (2015) and HB12 of the Horsham Blueprint Neighbourhood Plan (2022).

19 **Regulatory Condition**: Prior to the commencement of development within Phases 8, 10, 11, 12 and 13, all trees and shrubs on the site targeted for retention, as well as those off-site whose root protection areas ingress into the site, shall be fully protected by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012). Once installed, the fencing shall be maintained during the development works and until all machinery and surplus materials have been removed from the development Phase. 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. No alterations or variations to the approved tree works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

Reason: To ensure the successful and satisfactory retention of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015) and HB3, HB4, and HB10 of the Horsham Blueprint Neighbourhood Plan (2022).

20 **Regulatory Condition**: Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification), all garages, driveways, parking barns and parking areas shall be retained for the parking of vehicles only, without express planning consent from the Local Planning Authority first being obtained.

Reason: To ensure that adequate parking is available at the site and in the interests of highways and pedestrian safety and amenity and to comply with Policies 40 and 41 of the Horsham Development Planning Framework (2015) and HB12 of the Horsham Blueprint Neighbourhood Plan (2022).

21 **Regulatory Condition**: The development hereby permitted shall be carried out in accordance with the plans and details listed on this decision notice and those listed on separate decision notices set out below. Where there is conflict, the development approved under the most recently determined decision notice shall prevail.

DC/15/1702
DC/20/1568
DC/21/1228
DC/21/1727
DC/22/0409
DC/24/0170

Reason: In the interests of proper planning.

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.