



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0996

The Copse, Worthing Road, Horsham, West Sussex, RH13 9AT

DESCRIPTION:

Variation of conditions 1, 3, 4, 6, and removal of conditions 11, 12, 19, 20 and 31 of previously approved application reference DC/24/0622 (Erection of a 70-bed care home, access, landscaping and associated infrastructure) relating to pre-demolition conditions, compliance conditions and water neutrality.

RELEVANT PLANNING HISTORY:

DC/23/1350	Hybrid planning application for the demolition of the existing dwelling and phased development comprising 33 dwellings, access, landscaping and other associated infrastructure (Full Planning); and erection of a 76 bed care home (Outline Planning) with all matters reserved except for access to the site.	Withdrawn Application on 02.02.2024
DC/25/2002	Prior notification for the demolition of derelict house known as The Copse.	Prior Approval Required and permitted on 29.12.2025
DC/26/0355	Construction of up to 23 residential dwellings, (including 9 affordable homes), including access, parking, landscaping and other associated infrastructure works.	Under consideration
DC/26/0729	Non Material Amendment to previously approved application DC/24/0622 (Erection of a 70-bed care home, access, landscaping and associated infrastructure) for minor changes to internal layouts and elevations.	Application Refused on 27.05.2026
DC/24/0622	Erection of a 70-bed care home, access, landscaping and associated infrastructure	Application Permitted on 26.03.2025

DESCRIPTION OF THE SITE

The site is located to the north of the village of Southwater, on the western side of Worthing Road (B2237). The site comprises a recently demolished 2-storey detached dwelling (The Copse) which was set back approximately 25m from Worthing Road, and an open area of land to the rear (west) beyond the notional residential curtilage of the property. The site has an overall area of around 0.93 hectares. The site slopes from a high point in the east to a low point in the north-west corner.

Approximately 23% of the application site (comprising the house and garden at The Copse) is located within the built-up area boundary of Southwater. The northern boundary of the site lies south of the row of boundary trees which are protected under TPO-1477, with a boundary drainage ditch located between the trees and the adjacent field parcel to the north. The residential properties to the south of the site comprise a mix of detached two-storey, chalets and bungalows, with a stepped building line in relation to the line of Worthing Road. Residential developments at Willowmead, Welcome Place and Courtlands all comprise backland development to the rear of the building line along Worthing Road, dating from 2012 onwards. Residential development to the eastern side of Worthing Road at Warnham Gate, Compton Place and Martindales is also relatively new, having taken place post-2012.

Planning permission was granted under DC/24/0622 for the erection of a 70-bed care home, access, landscaping and associated infrastructure. Demolition of the house on the site was granted prior approval under DC/25/2002 and the building has now been demolished.

Land that lies some 113m to the west of the site, and the field adjoining the north of the site, is subject to an undetermined planning application for 1,000 homes and associated infrastructure (DC/26/03566), pursuant to draft Strategic Housing Allocation policy HA3 (Land north-west of Southwater) in the submission Horsham District Local Plan, which is at examination stage. The accompanying masterplan to the application details how a landscape-led approach could deliver green infrastructure, recreational links, gypsy and traveller pitches along with residential and commercial development could be developed within this strategic allocation. The masterplan shows areas of open space to the north of the application site boundary and tree line.

DESCRIPTION OF THE APPLICATION

This application seeks minor amendments to the internal layout of the care home and small site layout amendments. These are reflected in submitted revised plans and outlined further in the report below.

The application also seeks to amend the conditions 3,4,6 to compliance conditions, as documents have recently been approved that satisfy these conditions under the prior notification for the demolition of the house (DC/25/2002) and removal of the water neutrality conditions 11,12,19, 20 and 31.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF) 2026

Horsham District Planning Framework (2015):

- Policy 1 - Strategic Policy: Sustainable Development
- Policy 2 - Strategic Policy: Strategic Development
- Policy 3 - Strategic Policy: Development Hierarchy
- Policy 15 - Strategic Policy: Housing Provision
- Policy 16 - Strategic Policy: Meeting Local Housing Needs
- Policy 18 - Retirement Housing and Specialist Care
- Policy 24 - Strategic Policy: Environmental Protection
- Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
- Policy 26 - Strategic Policy: Countryside Protection
- Policy 31 - Green Infrastructure and Biodiversity
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles
- Policy 35 - Strategic Policy: Climate Change
- Policy 36 - Strategic Policy: Appropriate Energy Use
- Policy 37 - Sustainable Construction
- Policy 38 - Strategic Policy: Flooding
- Policy 39 - Strategic Policy: Infrastructure Provision
- Policy 40 - Sustainable Transport
- Policy 41 - Parking
- Policy 42 - Strategic Policy: Inclusive Communities

Southwater Neighbourhood Plan (June 2021).

- SNP1 – Core Principles
- SNP2 – Proposals for Residential Development
- SNP4 – Keeping Our Roads Moving
- SNP9 – Home Standards
- SNP10 – Residential Space Standards
- SNP11 – Specialist Accommodation and Care
- SNP13 – Enhancing Our Non-Motorised Transport Routes
- SNP14 – Adequate Provision of Car Parking

SNP15 – Driving in the 21st Century
SNP16 – Design
SNP17 – Site Levels
SNP18 – A Treed Landscape
SNP22 – Telecommunications

Horsham District Local Plan (Reg 19)

Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 3: Settlement Expansion
Strategic Policy 6: Climate Change
Strategic Policy 7: Appropriate Energy Use
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 10: Flooding
Strategic Policy 11: Environmental Protection
Strategic Policy 12: Air Quality
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 23: Infrastructure Provision
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Policy 26: Gatwick Airport Safeguarding
Strategic Policy 27: Inclusive Communities, Health and Wellbeing
Strategic Policy 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs
Policy 42: Retirement Housing and Specialist Care

West Sussex Joint Minerals Local Plan (2018)

Policy M9 - Safeguarding Minerals

West Sussex Waste Local Plan (2014)

Supplementary Planning Guidance:

HDC Southwater Parish Design Statement (2011)

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

None received

OUTSIDE AGENCIES

None received

PUBLIC CONSULTATIONS

Representations:

One letters of Objection has been received from one address, objecting to the application on the following grounds:

- Highway Access and Parking
- Overdevelopment

- Privacy Light and Noise
- Trees and Landscaping

Parish Comments:

None received

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

This application seeks minor amendments to the internal layout of the care home and small site layout amendments.

The application also seeks to amend the condition 3,4,6 as documents have recently been approved that satisfy these conditions under the prior notification for the demolition of the existing building (DC/25/2002) and removal of the water neutrality conditions 10,12, 19, 20 and 31. Consent was also sought to agree the details required under condition 5 (contaminated land) however this has been removed from this decision and will be addressed under a separate application.

Justification for removal/ variation of the conditions

Variation of condition 1 (approved plans)

This application seeks to make external and internal alterations which are stated for 'operational purposes'. The amendments include:

- The addition of a second stair and lift at the basement level and second floor, and 2 additional stairs and a lift at ground and first floor. These relate to fire safety and building regulations requirements.
- Layout of ground floor rooms: new fire exit doors to south side / fire stairs, projecting entrance feature to south side (24 beds now, 25 beds previously), mobility scooter parking room omitted, north-facing 'hospitality room' projection, and covered patio, north-facing patio doors, covered patio to 'dining room / lounge' (GIA increases from 1,309sq.m to 1,334sq.m).
- Layout of 1st floor rooms: 26 beds now, 24 beds previously, new first-floor balcony to dining room / lounge, inset balcony to west-elevation removed, layout changes to service / staff rooms and communal rooms (GIA decreases from 1,318sq.m to 1,316sq.m).
- Layout of 2nd floor rooms: 20 rooms now, 21 rooms previously, north and south projections to lounge and dining rooms (GIA decreases from 1,018sq.m to 966sq.m).
- The solar panel array has been increased to include panels on an additional roofscape
- Fenestration amendments- locations stay the same but windows are slightly different design with horizontal bars. The gables are located in the same position and the roofscape remains the same
- Amendments to the proposed site plan to include maintenance and potting sheds, a residents pavilion, disabled parking spaces reconfigured and cycle storage repositioned.

The residents pavilion is confirmed as no longer required and no details have been provided of this. The potting shed and maintenance shed are to be located on the hardstanding to the north of the building.

The roofscape has been amended since it was identified that the revised roofscape would be too high and too bulky. The stepping down was seen as a requirement of the original planning permission and should be kept. Nine revised plans have been submitted to reflect the changes. These changes are considered minor in nature and acceptable, and will not have an unacceptable material impact on the proposal.

Variation of condition 3 (Bat Licence):

Pre- Commencement Condition: No development, including demolition pursuant to the permission granted, which has the potential to impact on the breeding / resting place of Bats, shall commence until the Local Planning Authority has been provided with either:

- a) A licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or*
- b) Evidence of site registration supplied by an individual registered to use a Bat Mitigation Class Licence; or*
- c) A statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.*

Reason: To conserve protected 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).

This condition was required due to the presence of bat roosts within the buildings onsite. A Bat Licence has been provided and approved under DC/25/2002 for the demolition of the buildings. The licensed activities have been undertaken with the demolition of the existing property and there are no more licensable activities to be undertaken. Therefore, the condition can be amended to regulatory for clarity.

Variation of condition 4

Pre-Commencement Condition: No development pursuant to the permission hereby granted, including demolition, ground clearance, or bringing equipment, machinery or materials onto the site, shall commence 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 [Arboricultural Impact Assessment/Method Statement / Tree Protection Plan, 841.001.ENZ.XX.00.RP.AR.45.101 Rev PL03, 41.001.ENZ.XX.00.RP.AR.45.102 Rev PL03 and 841.001.ENZ.XX.00.RP.AR.45.103 Rev PL01, by Enzygo Ltd, received 21.08.2024] 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 within a specific phase 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 31 and 33 of the Horsham District Planning Framework (2015).

This condition relates to tree protection and does not require any information to be submitted. As demolition has already occurred, the wording can be changed, but the condition is otherwise necessary for construction activities. Reference to the 2025 Tree Protection Plan can be added for consistency and it can be changed to 'regulatory' rather than pre-commencement.

Variation of condition 6

Pre-Commencement Condition: No development, including demolition pursuant to the permission granted, shall commence until a Construction Environmental Management Plan (CEMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of the following relevant measures:

- i. An introduction consisting of a demolition and construction phase environmental management plan, definitions and abbreviations and project description and location;*
- ii. A description of management responsibilities*
- iii. A description of the construction programme which identifies activities likely to cause high levels of noise or dust;*
- iv. Site working hours and a named person for residents to contact;*
- v. Detailed Site logistics arrangements;*
- vi. Details regarding parking, deliveries, and storage;*
- vii. Details regarding dust and noise mitigation measures to be deployed including identification of sensitive receptors and ongoing monitoring*
- viii. Details of hours of work, site delivery hours and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network; and*
- ix. Communication procedures with the local planning authority and local community regarding key construction issues - newsletters, fliers etc.*

The construction of each phase shall thereafter be carried out in accordance with the details and measures approved in the CEMP.

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).

The Construction Environmental Management Plan was submitted under DC/25/0002 and has been resubmitted under this current application.

The CEMP includes site hours of operation restricting them to "0800 – 1800 Monday to Friday. Saturday working hours shall be 0800 – 1300. No working shall be permitted on Sundays or bank holidays." It also includes confirmation dust, noise and vibrations will be monitored and proposed mitigations. Paragraph 4.1.2 of the CEMP includes information on the routing of traffic and includes information on entrance arrangements.

This condition can be amended to a regulatory condition securing compliance with the CEMP and site operation hours.

Removal of the water neutrality conditions 11,12 and 19, 20 and 31.

A 2021 Position Statement from Natural England identified that it could not be concluded with the required degree of certainty that new development in the Sussex North Water Supply Zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites. As a consequence, and to comply with the legal duties set out in the Conservation of Habitats and Species Regulations 2017 (known as the Habitat Regulations), all new development since has been required to demonstrate water neutrality.

On 31st October 2025 Natural England formally withdrew the 2021 Position Statement, citing a package of measures that they were satisfied would safeguard the Arun Valley sites. Principal amongst these measures is a reduction in the Southern Water abstraction licence 'by March 2026'. However, given the licence change has not yet taken place Horsham District Council, as competent authority under the

Habitats Regulations, cannot yet be certain that new development will not result in adverse impacts on the Arun Valley sites.

To ensure development can come forward as water neutral in the meantime, the Council has agreed with Natural England to use the significant water savings made by Southern Water in 2024/25 through their programme of leakage reduction (amongst other measures). This has generated some 3,240,000 litres per day of water savings that can now be attributed to new development without increasing water abstraction in the Arun Valley beyond baseline. These savings were previously to be used to launch the Sussex North Water Certification Scheme (SNWCS), however following the withdrawal statement SNWCS will no longer be launching. Natural England standing advice dated 10th November 2025 raises no objection to using these savings to enable development to come forward. The standing advice clarifies that it functions as Natural England's formal response pursuant to Regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 to all relevant planning applications which seek to achieve water neutrality using the above Southern Water savings.

Officers have undertaken an Appropriate Assessment which demonstrates that the anticipated increase in mains water consumption from this development, alongside all other development granted since the 31st October 2025, will not exceed 3,240,000 litres per day.

Accordingly, Officers consider that the five conditions relating to water neutrality can be removed from this permission and the proposed development will not have an Adverse Effect on the Integrity of the Arun Valley Site, either alone or in combination with other plan and projects, thereby complying with Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

Conclusions:

The minor amendments to the submitted plans are acceptable and will not have a material impact on the proposal. As water neutrality can now be addressed through the strategic measures above, it is acceptable and appropriate to remove the conditions relating to the original method of meeting water neutrality. The conditions that have been discharged under the prior notification have been amended to reflect this where relevant.

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:

Conditions:

1 Plans list

2 **Regulatory (Time) Condition:** The development hereby permitted must be commenced by the 26.03.2028

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

3 **Regulatory Condition:** The development hereby approved shall be implemented in accordance with the licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead as approved under DC/25/0002.

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).

4 **Regulatory Condition:** No development pursuant to the permission hereby granted, including demolition, ground clearance, or bringing equipment, machinery or materials onto the site, shall commence 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 [Arboricultural Impact Assessment/Method Statement / Tree Protection Plan, 841.001.ENZ.XX.00.RP.AR.45.101 Rev PL03, 41.001.ENZ.XX.00.RP.AR.45.102 Rev PL03 and 841.001.ENZ.XX.00.RP.AR.45.103 Rev PL01, by Enzygo Ltd, received 21.08.2024] 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 within a specific phase 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 31 and 33 of the Horsham District Planning Framework (2015).

5 **Pre-Commencement Condition:** No development, including demolition pursuant to the permission granted, shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

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

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

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

- 6 **Regulatory Condition:** The development hereby permitted shall be undertaken in strict accordance with the details contained in the Construction Environmental Management Plan 25-356-DC-CEMP-12-XX-XX-R2 dated December 2025.

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).

- 7 **Pre-Commencement Condition:** No development, with the exception of demolition, shall commence until construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement has been submitted to and approved in writing by the Local Planning Authority (in agreement with the Local Lead Flood Authority), avoiding the Root Protection Areas of trees. The scheme shall then be constructed as per the agreed drawings, method statement, FRA (Price & Myers, NO DATE, Revision 3) and Drawing 31276/6000 (Drainage Strategy by Price & Myers, 23/07/2024, revision P2) and remain in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved drainage scheme.

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).

- 8 **Pre-Commencement Condition:** No development, with the exception of demolition, shall take place within the application site until the applicant has secured the maintenance of an on-site watching brief by a suitably qualified and experienced archaeologist during construction work in accordance with written details which have been submitted to and approved, in writing, by the local planning authority. In the event of important archaeological features or remains being discovered which are beyond the scope of the watching brief to excavate and record and which require a fuller rescue excavation, then construction work shall cease until the developer has secured the implementation of a further programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the local planning authority. Works shall be carried out in accordance with the approved scheme.

Reason: As this matter is fundamental to ensure that the archaeological and historical interest of the site is safeguarded and recorded in accordance with Policy 34 of the Horsham District Planning Framework (2015).

- 9 **Pre-Commencement Condition:** No development, with the exception of demolition, shall commence until full details of underground services, including locations, dimensions and depths of all service facilities and required ground excavations, have been submitted to and approved by the Local Planning Authority in writing, ensuring the services are clear of Root Protection Areas of trees. The submitted details shall show accordance with the landscaping proposals and Arboricultural Method Statement. The development shall thereafter be carried out in accordance with the approved details.

Reason: As this matter is fundamental to the acceptable delivery of this permission, to ensure the underground services do not conflict with satisfactory landscaping in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 10 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, roofs, windows, and ancillary structures 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 33 of the Horsham District Planning Framework (2015).

11 **N/A**

12 **N/A**

13 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level shall commence until a scheme for protecting the proposed development from road traffic noise, including a scheme of appropriate ventilation to prevent overheating, shall be submitted and approved in writing by the Local Planning Authority. The approved details hereby permitted shall be implemented prior to first occupation of the building and shall be retained as such thereafter.

Reason: In the interests of the amenities of prospective residents and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

14 **Pre-Occupation Condition:** No development hereby permitted shall be first occupied until full details of all hard and soft landscaping works, including boundary treatments and retaining features, 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
- Details of no less than 106 new trees
- Details of all proposed trees and planting, including schedules specifying species, planting size, girth and canopy spread, densities, plant numbers and tree pit details
- Details of all hard surfacing materials and finishes, as well as fixed features such as benches, shelters, pergola structures and raised planters, sheds and greenhouses, and retaining walls
- Details of all boundary treatments - specifying the siting, design, height and materials of the screen walls/fences to be constructed or erected and/or the species, spacing and height of hedging to be retained and / or planted together with a programme of implementation
- Details of all external lighting to be wildlife sensitive

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).

15 **Pre-Occupation Condition:** Prior to the first occupation of the development hereby permitted, a scheme of air quality mitigation shall have been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall have regard to the Council's latest Air Quality & Emissions Reduction Guidance document, and the agreed details shall be implemented in full accordance prior to occupation of the development.

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).

- 16 **Pre-Occupation Condition:** No development hereby permitted shall be first occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:
- i. a timetable for its implementation,
 - ii. details of SuDS features and connecting drainage structures and maintenance requirement for each aspect
 - iii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

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

- 17 **Pre-Occupation Condition:** No development hereby permitted shall be first occupied until a survey and report from an independent surveyor has been submitted to and approved in writing by the Local Planning Authority, upon completion of the surface water drainage system, including any SuDS features. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to Condition 16. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policy 38 in HDPF.

- 18 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until there has been submitted to the Local Planning Authority verification that the remediation scheme required and approved under the provisions of condition 5(b) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 5(b), unless otherwise agreed in writing by 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).

- 19 **N/A**

- 20 **N/A**

- 21 **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 has been submitted to and approved in writing

by the Local Planning Authority. 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).

- 22 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until details for the provision and storage of refuse and recycling has been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling storage area shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details.

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

- 23 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until such time as the northern and southern crossing points to Worthing Road have been constructed in accordance with plans and details, including Road Safety Audit Information, to be submitted to and approved by the Local Planning Authority (in consultation with the Highway Authority). Such plans to include any associated footpath extensions, design checks and Road Safety Audits and recommendations therein.

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

- 24 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until such time as the access, road(s), footways, and parking areas, including the buggy / mobility scooter parking, serving the development have been constructed, surfaced, and drained in accordance with the approved plans, and thereafter be retained for the designated use at all times.

Reason: In the interests of road safety and to ensure adequate car parking, turning and access facilities are available to serve the development in accordance with Policies 40 and 41 of the Horsham District Planning Framework (2015).

- 25 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until details setting out the means for the charging of electric vehicles, the number of active charge spaces to be provided and their location within the site, along with the number and location of passive ducting, have been submitted to and approved in writing by the Local Planning Authority. The means for charging electric vehicles shall be installed prior to first occupation of the building and 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 and 41 of the Horsham District Planning Framework (2015), and policy SNP 15 of the Southwater Neighbourhood Plan.

- 26 **Pre-Occupation Condition:** Notwithstanding the submitted details, no part of the development hereby permitted shall be occupied until amended details of secure and covered cycle parking facilities for the staff and visitors to the development have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be occupied or use hereby permitted commenced until the approved cycle parking facilities have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

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).

- 27 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a lighting design scheme for biodiversity, based on Guidance Note: 08/23 (Institute of Lighting Professionals), has been 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. 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 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).
- 28 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Ecological Appraisal (Lizard Landscape Design and Ecology, March 2024) shall be submitted to and approved in writing by the local planning authority. The enhancement measures shall be implemented in accordance with the approved details prior to occupation 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).
- 29 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a scheme for sound attenuation against external noise has been submitted to and approved by the Local Planning Authority, arising as a result from building plant and / or machinery, such as refrigeration, air conditioning, ventilation / extract). The approved sound attenuation works shall be completed before the development is occupied and be retained thereafter. No additional building plant and/or machinery to be installed without prior approval from the Planning Authority.
- Reason: As this matter is fundamental in the interests of neighbouring and prospective residential amenities by ensuring an acceptable noise level in accordance with Policy 33 of the Horsham District Planning Framework (2015).
- 30 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of a minimum 30 megabits per second through full fibre broadband connection has been provided to the premises.
- Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).
- 31 N/A
- 32 **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).

- 33 **Regulatory Condition:** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Reptile Survey Report (Lizard Landscape Design and Ecology, April 2024) and Ecological Appraisal (Lizard Landscape Design and Ecology, March 2024) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the Non-licenced Precautionary Method Statement for bats in Section 5.5.4; the Non-licensed Precautionary Method Statement for Hazel Dormouse in Section 5.6.2; and the Precautionary Method Statement for mobile protected species in Section 5.7.2 of the Ecological Appraisal (Lizard Landscape Design and Ecology, March 2024). This avoids impacts on European Protected Species (bats and Hazel Dormouse) and protected species. This shall include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham Development Framework.

- 34 **Regulatory Condition:** All works shall be carried out in accordance with the precautionary working measures as set out in the Great Crested Newt eDNA Report (Lizard Landscape Design and Ecology, April 2024) as submitted with the planning application..

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 31 of the Horsham Development Framework.

- 35 **Regulatory Condition:** All development shall be constructed in accordance with the submitted and approved Flood Risk Assessment in section 5.4.6 on Page 13 (Revision 3), this includes all new residential dwellings to have a finished floor level raised a minimum of 150 mm above the surrounding proposed ground level unless otherwise first approved in writing by the Local Planning Authority.

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

- 36 **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).

- 37 **Regulatory Condition:** All works shall be executed in full accordance with the submitted Arboricultural Impact Assessment/Method Statement / Tree Protection Plan 841.001.ENZ.XX.00.RP.AR.45.101 Rev PL03, 41.001.ENZ.XX.00.RP.AR.45.102 Rev PL03 and 841.001.ENZ.XX.00.RP.AR.45.103 Rev PL01, by Enzygo Ltd, received 21.08.2024].

Reason: To ensure the successful and satisfactory protection of important trees, shrubs and hedges on the site in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).

- 38 **Regulatory Condition:** No deliveries and commercial waste collections shall take place outside of 08:00 hours to 19:00 hours Mondays to Fridays and 09:00 hours to 18:00 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).

- 39 **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).

Biodiversity Net Gain Condition

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

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

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

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

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: [Submit a biodiversity gain plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/biodiversity-net-gain).

Statutory exemptions and transitional arrangements

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

Irreplaceable habitat

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

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/26/0996

(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
Plans	Basement floor G.A.	AL(1)100 REV P2	19.06.2026
Plans	Ground floor G.A.	AL(1)101 REV P2	19.06.2026
Plans	First floor G.A.	AL(1)102 REV P2	19.06.2026
Plans	Second floor G.A.	AL(1)103 REV P2	19.06.2026
Roof plan		AL(1)104 REV P2	19.06.2026
Elevation plan	Proposed, sheet 1	AL(1)140 REV P2	19.06.2026
Elevation plan	Proposed, sheet 2	AL(1)141 REV P2	19.06.2026
Site plan	Proposed	AL(9)901 REV P2	19.06.2026
Site plan	Proposed	AL(9)902 REV P2	19.06.2026
Tree plan	Protection	TSP-01 REV 1	19.06.2026
Supporting Docs	Asbestos Survey Issue No: 1 Issue Date 17 Oct 2025 by Asbestos Gone		15.12.2025
Supporting Docs	Bat Licence WML-CL47 [March 2025]		11.12.2025
Supporting Docs	PHASE II AND UPDATED RISK ASSESSMENT REPORT by GeoEnviro Solutions Limited	4444-23 P1	11.12.2025
Plans	Existing Site Plan	FL24-2145-051	11.12.2025
Plans	Tree Protection Plan TSP-01 Rev1	TSP-01 Rev1	11.12.2025
Supporting Docs	Construction Environmental Management Plan December 2025 by DC Development Consultants	25-356-DC-CEMP-12-XX-XX-R2	17.12.2025
Details plan	FIRE TENDER VEHICLE TRACKING	12449/2200 P7	05.08.2024
Details plan	REFUSE VEHICLE TRACKING	12449/2201 P8	05.08.2024
Details plan	DELIVERY & CAR PARKING VEHICLE TRACKING	12449/2202 P3	05.08.2024
Details plan	Access Plan	12449/2200 P7	05.08.2024
Location plan		FL24-2145-050 REV B	05.08.2024
Details plan	Building Heights	FL24-2145-060 Rev A	05.08.2024
Details plan	Building Mix	FL24-2145-061 Rev A	05.08.2024
Details plan	Refuse Strategy	FL24-2145-062 Rev A	05.08.2024
Details plan	Parking	FL24-2145-063 Rev A	05.08.2024
Details plan	Tenure	FL24-2145-064 Rev A	05.08.2024
Section plan	Basement	FL24-2145-285	22.04.2024

