



PLANNING COMMITTEE REPORT

TO: Planning Committee

BY: Head of Development and Building Control

DATE: 19th May 2026

DEVELOPMENT: Removal of conditions 19 (water efficiency measures) and 21 (water neutrality strategy) and variation of trigger Condition 14 (traffic noise mitigation) of planning approval DC/21/2233 (Outline application for up to 265 dwellings, demolition of No. 37 Kings Barn Lane to provide new pedestrian/cycle/emergency link, provision of vehicular access from the A283 Steyning by-pass. All matters reserved except for vehicular access from A283).

SITE: Land North of Glebe Farm and Kings Barn Lane, Kings Barn Lane, Steyning, West Sussex

WARD: Steyning and Ashurst

APPLICATION: DC/26/0325

APPLICANT: **Name:** Vistry South East **Address:** C/O ECE Planning, 64-68 Brighton Road, Worthing, West Sussex, BN11 2EN

REASON FOR INCLUSION ON THE AGENDA: By request of Councillor Finnegan.

RECOMMENDATION: To approve outline planning permission subject to appropriate conditions.

1. THE PURPOSE OF THIS REPORT

1.1. To consider the application.

DESCRIPTION OF THE SITE

1.2. The application site is located on the northeast side of Steyning, east of the Steyning By-Pass (A283) and north of Kings Barn Lane. The site comprises several irregular-shaped grass crop grazed fields, demarcated by post and rail fencing, hedgerows and trees. The total site area is 14.24 hectares/35.2 acres.

1.3. The site topography generally falls south to north, from the high point in the southwest corner; a central valley within the site; and a slight crest to the west. The site is visible from long distance views from higher ground to southwest and southeast of Steyning, from within the South Downs National Park. There are open fields to the north and east and existing residential development to west and south. The site itself falls outside of the National Park defined boundary but within its setting.

1.4. A Local Wildlife Site, River Adur Water Meadows and Eyckham Wood, exists immediately east of the site. This comprises floodplain woodland and grassland water meadow with bird interest and ditches with plant interest. There is Priority Habitat around the site (floodplain

and grazing marsh habitats), and the site is in the North Bramber floodplain Biodiversity Opportunity Area, an area of wetland potential with the River Adur through it.

DESCRIPTION OF THE APPLICATION

- 1.5. The application seeks to remove conditions 19 and 21 from the Outline planning permission DC/21/2233 (Outline application for up to 265 dwellings, demolition of No. 37 Kings Barn Lane to provide new pedestrian/cycle/emergency link, provision of vehicular access from the A283 Steyning by-pass. All matters reserved except for vehicular access from A283) and to vary the trigger for condition 14 (traffic noise mitigation).
- 1.6. The justification for removal of conditions 19 and 21 is that these relate to requirements to achieve water neutrality that are no longer applicable to development within Horsham District. The conditions state:

Condition 19

Pre-commencement (slab level) Condition: No development above ground floor slab level shall commence until full details of the water efficiency measures and rainwater/greywater harvesting system, including management and maintenance plan, required by the approved water neutrality strategy (Technical Note 1: Water Neutrality Statement Date: 20 August 2024 Site: Glebe Farm, Steyning, Horsham by Motion) have been submitted to and approved in writing by the Local Planning Authority. The rainwater harvesting system shall include suitable storage tanks to provide a minimum 35 days storage capacity.

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 of the National Planning Policy Framework (2023), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

Condition 21:

Pre-Occupation Condition: 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, details of the rainwater harvesting system installed including a minimum 35 days storage capacity, 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 of the National Planning Policy Framework (2023), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

- 1.7. The justification for variation of condition 14 relating to traffic noise mitigation is due to condition 14 being a pre-commencement condition, whereas the associated Conditions 15 (acoustic impact on dwellings from the adjacent battery storage) and 16 (dwelling ventilation to prevent overheating) require submissions at ground floor slab level stage. This means that once the applicant is at design stage to discharge conditions 15 and 16, they may be required to update the submission previously made under Condition 14 to align. Alignment of the trigger for condition 14 with that of 15 and 16 will allow for a comprehensive noise mitigation strategy to be developed.

2. PLANNING HISTORY AND RELEVANT APPLICATIONS

DISC/26/0049	Application for Approval of Details Reserved by Conditions 8 (finished floor levels and external ground levels) and 12 (foul water sewerage disposal) to approved Outline application DC/21/2233, relating to Phases 2 - 4 inclusive only.	Permitted 29-04-2026
DISC/26/0081	Approval of details reserved by condition 4 (contamination) to approved application DC/21/2233 (Outline application for up to 265 dwellings, demolition of No. 37 Kings Barn Lane , provision of vehicular access from the A283 Steyning by-pass, provision of public open space, community orchard, sustainable drainage and other ancillary and enabling works. All matters reserved except for vehicular access from A283).	Permitted 17-04-2026
DISC/25/0083	Approval of details reserved by condition 9(i) (archaeological fieldwork scoping) to approved application DC/21/2233 (Outline for up to 265 dwellings, demolition of No. 37 Kings Barn Lane. All matters reserved except for vehicular access from A283).	Permitted 31 st March 2025
DISC/25/0384	Application for Approval of Details Reserved by Conditions 4 (contamination); 5 (surface water drainage scheme); 6 (Construction Environmental Management Plan); 7 Construction Environmental Management Plan (CEMP: Biodiversity); 9 (archaeological works) parts (i) & (ii) ONLY and 11 (Arboricultural Method Statement) to approved application DC/21/2233 (Outline application for up to 265 dwellings).	Split decision Conditions 5, 6, 7, 9, 11 permitted Condition 4 refused 6th March 2025
DC/25/0739	Non Material Amendment to application DC/21/2233 (Outline for up to 265 dwellings, demolition of No. 37 Kings Barn Lane, and provision of vehicular access from the A283 Steyning by-pass), to allow delivery of approved access roundabout off the Steyning Bypass (A283) as first phase of the development in line with Condition 10 of the Outline Planning Permission.	Permitted 3 rd June 2025
DC/25/1138	Approval of Reserved Matters following the Outline Planning Permission (reference DC/21/2233) relating to the Appearance, Landscaping, Layout and Scale for 265no. dwellings, demolition of No. 37 Kings Barn Lane to provide new pedestrian/cycle/emergency link, provision of vehicular access from the A283 Steyning bypass, provision of public open space, community orchard, sustainable drainage and other ancillary and enabling works.	Permitted 19 th December 2025
DC/26/0493	Non Material Amendment to previously approved application DC/25/1138 (Approval of Reserved Matters following the Outline Planning Permission (reference DC/21/2233) relating to the Appearance, Landscaping, Layout and Scale for 265no. dwellings, demolition of No. 37 Kings Barn Lane to provide new pedestrian/cycle/emergency link, provision of vehicular access from the A283 Steyning by-pass, provision of public open space, community orchard, sustainable drainage and other ancillary and enabling works.) Regarding repositioning of dwellinghouse plots and eastern and western substations.	Permitted 15 th April 2026

3. OUTCOME OF CONSULTATIONS

- 3.1. Where consultation responses and representations 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 horsham.gov.uk/planning/planning-applications/view-and-comment-on-planning-applications.

INTERNAL CONSULTATIONS

- 3.2. **Natural England (standing advice):** No objection

PUBLIC CONSULTATIONS

Representations (summarised):

- 3.3. 2 letters of Objection have been received from 2 addresses, objecting to the application on the grounds that it reduces the sustainability of the development and the alterations only benefit the developer in cost savings.

Parish Comments:

- 3.4. **Steyping Parish Council:** No Objection

Member Comments:

- 3.5. Councillor Finnegan 20-03-26: Vistry had previously promised that these conditions would not be removed (and are removing due to financial issues). Would like to call this into committee. Is there likelihood of success that any of these conditions could remain? Do Vistry need to provide evidence of water usage per person/day? The new condition to be imposed is appreciated (condition to comply with the Building Regulations Part G Optional Technical Standard (currently 110 l/p/d) as required by Policy 37 of the Horsham District Planning Framework) - but do they need to demonstrate how they will comply? Feel that the water saving measures were integral to the acceptance of the site in an area of water stress and it is hugely disappointing that Vistry are going back on their word.
- 3.6. Councillor Finnegan 28-03-26: Concerned about removal of elements of the water neutrality conditions (19&21) from this application in an area of water stress. Would like to understand if there is any middle ground that would be acceptable with limited cost implications for the developer - have these been explored? The developer stated before the Reserved Matters committee review (after the understanding that the water neutrality requirements were changing) that they had no intention to remove conditions, I therefore did not raise any concerns at committee. Unclear how 110lpp/d will be achieved. Would therefore like to call it to committee to be discussed with members.

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

- 4.1. 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.
- 4.2. 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.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1. It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

- 6.1. The National Planning Policy Framework 2024 and relevant Planning Practice Guidance (updated) states within the Flexible Options for Planning Permissions chapter (March 2014), that an application can be made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. Whilst a consent under S73 of the Act creates a new planning permission for the site, government guidance set out in the PPG is clear that only the matters being amended are to be considered. It is not the purpose or function of a S73 consent to revisit the principle of development on the site.
- 6.2. Accordingly, the principle of development on this site remains settled and acceptable, along with all other matters not subject to these proposed amendments, and there are no material planning considerations that would indicate otherwise (this includes progress on the emerging Horsham District Local Plan and adoption of the Shaping Development in Horsham District advice note (Sept 2025) which replaces Facilitating Appropriate Development Advice Note (2022); updates to the Environment Agency flood risk mapping and the Council's 5YHLS, subsequent to approval of the Outline Permission DC/21/2233; and consultation on the draft National Planning Policy Framework (Dec 2025)).
- 6.3. In relation to Condition 14, Officers accept the justification put forward to align the discharge of this detail with associated conditions 15 and 16 as set out in paragraph 1.7 of this report, particularly now the Reserved Matters has been approved, and recommend approval of the amended trigger to be at ground floor slab level.
- 6.4. Therefore, the main consideration is whether the removal of conditions 19 and 21 is acceptable having regard to the development plan and all other relevant material planning considerations.

Material Planning Consideration - Water Neutrality

- 6.5. The 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.
- 6.6. In order to demonstrate water neutrality, the applicants proposed a combination of onsite efficiencies and the offsetting of the remaining water consumption via an off-site offsetting scheme at Orchard Farm, Emms Lane, Brooks Green. The onsite mitigation required each dwelling to achieve a water performance standard of 80 litres per person per day (l/p/d), with 107 of the dwellings also being fitted with rainwater harvesting systems to save a further 26.33 l/p/d within each of the 107 dwellings. The rainwater system would be used for toilets, washing machines and outside use. These measures were secured via conditions 19 and 21 on the outline planning permission. Following the completion of an accompanying s106 legal agreement, outline planning permission was then granted on 29 November 2024. A subsequent application for the Reserved Matters was approved on 19 December 2025 (DC/25/1138 refers).

- 6.7. 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 (Nb it is understood the licence change process is nearing completion) 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.
- 6.8. 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.
- 6.9. As a consequence of the withdrawal of the Position Statement, new development is no longer required to demonstrate water neutrality. This equally applies to development previously granted as water neutral as there is no HDPF policy basis to require that all previously secured water neutrality measures be retained.
- 6.10. It is important to note that Policy 37 of the HDPF requires that all new housing achieves the Building Regulations Optional Technical Standard of 110 l/p/d. The requirement for water neutrality to be demonstrated in addition to this was based on separate legal duties set out in the Conservation of Habitats and Species Regulations 2017 to avoid adverse impacts on protected habitat sites, a matter that also drew into consideration Policy 31 of the HDPF and Paragraph 193 of the NPPF which seek to ensure protected habitats are protected. As the Natural England Withdrawal Statement of 31st October 2025 confirms that these protected habitat sites are now protected via a separate package of measures being delivered by Southern Water (principally via an amendment to the abstraction license at Hardham) Officers advise that there is no development plan basis for developments to be required to retain their water neutrality mitigation.
- 6.11. Officers acknowledge the wider sustainability benefits of retaining the onsite measures, however as explained above there is no longer a policy or legal basis to do so. Whilst Policy 35 (climate change) makes reference to developments including '*measures which promote the conservation of water and/or greywater recycling*', no specific performance standard is set out in the policy and the reasoning for the measures secured by conditions 19 and 21 does not refer to this policy. The only policy standard relating to water performance in the HDPF is the 110 l/p/d standard set out in Policy 37, as referred to above, which is now to be secured via condition 44.
- 6.12. In light of the changing circumstances Officers have undertaken a new 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 referred to above, which is the available water capacity ahead of the abstraction licence change taking effect. Current data indicates that planning permissions totalling some 1,079,361 litres per day of water consumption have been granted since the withdrawal of the Position Statement, well within the above

capacity. The proposed development would add approximately 63,403 litres per day to this figure.

- 6.13. Accordingly, the removal of conditions 19 and 21 means that the proposed development will continue to 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.

Other Matters:

Updating and editing of Recommended Condition Suite

- 6.14. In addition to the removal of conditions 19 and 21, and the inclusion of a new condition 44, the condition suite set out below has also been updated to reflect discharged and amended conditions under various applications permitted since the Outline and Reserved Matters approvals.

Section 106 Agreement

- 6.15. This section 73 application remains subject to the s106 legal agreement completed with the original outline permission, which was made 29th November 2024.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 6.16. 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. In the case of outline applications, the CIL charge has been calculated as part of the Reserved Matters stage under ref: DC/25/1138.

Conclusions and Planning Balance:

- 6.17. The proposed removal of conditions 19 and 21 due to the withdrawal of the 2021 Natural England Position Statement and variation of condition 14 is considered acceptable, with the weighting of the benefits of the development proposals against harms in the overall planning balance, similarly as assessed and undertaken in approval of the Outline permission DC/21/2233, (whilst taking account of all new material planning considerations that have arisen subsequently), not leading to a different conclusion to the acceptability of the proposals. Officers therefore recommend this application be approved.

7. RECOMMENDATIONS

- 7.1. To approve outline planning permission, subject to the following conditions:

Conditions:

1 Approved Plans list

2 Outline Permission:

(a) Details of the appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") for each phase shall be submitted to, and approved in writing by, the local planning authority before any development takes place on the relevant phase and the development shall be carried out as approved.

(b) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

(c) The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.

3 Regulatory Condition (Reserved Matters):

(a) The submission of reserved matters applications pursuant to this outline approval shall demonstrate substantial compliance with the following Parameter, Phasing, and Open Space Strategy plans submitted as part of the Outline approval to fix the development principles:

Drawing P20-2253_13 Rev C: Land Use Parameters

Drawing P20-2253_14 Rev D: Building Heights Parameters

Drawing P20-2253_15 Rev E: Green and Blue Infrastructure Parameters

Drawing P20-2253_18-1: Phasing

Drawing P20-2253_010 REV G Plan 2 - Open Space Strategy

(b) The submission of reserved matters applications pursuant to the outline approval shall demonstrate substantial compliance with the Design and Access Statement and Outline Design Code P20-2253 REV C submitted as part of the Outline approval to fix the development principles.

Reason: To enable the Local Planning Authority to control the development in detail to ensure Reserved Matters compliance with development principles fixed at outline and to comply with Section 92 of the Town and Country Planning Act 1990.

- 4 Regulatory Condition:** The development hereby permitted shall be undertaken in accordance with the details approved under planning decision notice DISC/26/0081 to deal with the risks associated with contamination, and the remediation measures and verification plan 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).

- 5 Regulatory Condition:** The development hereby permitted shall be carried out in accordance with the details and measures approved in the Drainage Strategy approved under planning decision notice DISC/25/0384. No occupation of any dwelling shall take place until the approved works required to facilitate that dwelling have been completed.

Reason: To prevent flooding in accordance with National Planning Policy Framework paragraph 163, 165 and 170 by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development, and to comply with Policy 38 of the Horsham District Planning Framework (2015).

- 6 Regulatory Condition:** The construction of the development hereby permitted shall be carried out in accordance with the details and measures approved in Construction Environmental Management Plan approved under planning decision notice DISC/25/0384.

Reason: In the interests of highway safety and the amenities of the area, ecological and biodiversity interests, and in accordance with Policies 24, 33(2) and 40 of the Horsham District Planning Framework (2015).

- 7 Regulatory Condition:** The development hereby permitted shall be carried out in accordance with the details and measures approved in the CEMP: Biodiversity approved under planning decision notice DISC/25/0384. The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To conserve protected and Priority species and allow the Local Planning Authority 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) in accordance with Policy 31 of the Horsham District Local Plan and Policy 1 of the Steyning Neighbourhood Development Plan (2022).

- 8 Regulatory Condition:** The existing and proposed finished floor levels and external ground levels of the development hereby permitted in phases 2 - 4 inclusive (as shown on BR31285 JNP XX XX DR C 2007 P02 Phasing Plan) shall be completed in accordance with the details approved under planning decision notice DISC/26/0049.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and setting of the South Downs National Park in accordance with Policies 25, 30, 33 of the Horsham District Planning Framework (2015) and Policy 2 of the Steyning Neighbourhood Development Plan (2022).

- 9 Regulatory Condition:** The development hereby permitted shall be carried out in accordance with the Written Scheme of Archaeological Investigation, archaeological site investigation and any post investigation assessment approved under planning decision notices DISC/25/0083 and DISC/25/0384.

Reason: As this matter is fundamental as the site is of archaeological significance and it is important that it is recorded by excavation before it is destroyed by development in accordance with Policy 34 of the Horsham District Planning Framework (2015)

- 10 Pre-commencement Condition:** No development hereby permitted in phases 2 - 4 inclusive (as shown on BR31285 JNP XX XX DR C 2007 P02 Phasing Plan) shall commence until the construction of the access roundabout serving the development has been constructed for its operational use in accordance with the details shown on drawings T17583.017 REV D and T17583.019 (the latter showing a controlled pedestrian and cyclist toucan crossing on Steyning By-Pass) or as subsequently approved under the relevant Section 38/278 Agreement.

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

- 11 Regulatory condition:** The development hereby permitted, including supervision and site monitoring and tree protection fencing, shall be implemented in accordance with the details and measures approved in the Arboricultural Method Statement approved under planning decision notice DISC/25/0384.

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. The development shall be implemented and thereafter carried out at all times strictly in accordance with the agreed details.

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) and Policies 1 and 2 of the Steyning Neighbourhood Development Plan (2022).

- 12 Regulatory Condition:** The means of foul water sewerage disposal of the development hereby permitted in phases 2 - 4 inclusive (as shown on BR31285 JNP XX XX DR C 2007 P02 Phasing Plan) shall be undertaken in accordance with the details approved under planning decision notice DISC/26/0049 and no occupation of any dwelling shall take place until the approved works required to facilitate that dwelling have been completed. The foul drainage system shall be retained as approved thereafter.

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).

- 13 Pre-commencement Condition:** No development hereby permitted in phases 2 - 4 inclusive (as shown on BR31285 JNP XX XX DR C 2007 P02 Phasing Plan) shall commence until a detailed construction phase surface water management plan for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be carried out in accordance with the approved details.

Reason: To ensure that the construction of the site does not result in any flooding both on and off site and that all Surface water Drainage features are adequately protected and to comply with Policy 38 of the Horsham District Planning Framework (2015).

- 14 Pre-commencement (slab-level) Condition:** Prior to the commencement above ground floor slab level of the development hereby permitted in phases 2 - 4 inclusive (as shown on BR31285 JNP XX XX DR C 2007 P02 Phasing Plan), a scheme for protecting the proposed development from road traffic noise shall have been submitted to, and approved in writing by, the Local Planning Authority. The proposed scheme shall achieve the following noise levels: i. Internal day time (0700 - 2300) noise levels shall not exceed 35dB LAeq, 16hr for habitable rooms (bedrooms and living rooms with windows open) ii. Internal night time (2300 - 0700) noise levels shall not exceed 30dB LAeq with individual noise events not exceeding 45dB LMax (bedrooms and living rooms with windows open). iii. Garden/external amenity spaces should not exceed 55 dB LAeq, 16hr.

Reason: To preserve the amenity of the future residents of the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 15 Pre-commencement (slab level) Condition:** Prior to the commencement above ground floor slab level of the development, a detailed assessment of the acoustic impact on proposed dwellings arising from the operation of adjacent battery energy storage facility shall be provided. The acoustic impact assessment shall be undertaken by a competent person in accordance with BS 4142:2014. The assessment shall be submitted to the Local Planning Authority together with recommendations for a scheme of attenuation measures, including ventilation sufficient to prevent overheating and maintain thermal comfort, to mitigate any adverse impacts identified in the acoustic assessment. The scheme shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To preserve the amenity of the future residents of the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 16 Pre-commencement (slab-level) Condition:**

- i. Prior to the commencement above ground floor slab level of the development, a scheme of attenuation measures, including ventilation sufficient to prevent overheating and maintain thermal comfort, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall fully implement the recommendations of the acoustic impact assessments required under conditions 14 and 15 above, including performance details and a glazing plan, sufficient to ensure noise levels do not exceed NR30 at night in all bedrooms identified as requiring mitigation in condition 14 above.

- ii. Prior to occupation a final verification report of all the works which form part of the scheme approved under a) shall be submitted to and approved in writing by the Local Planning authority. All work must be carried out by suitably qualified person and the approved noise, attenuation and ventilation measures shall thereafter be retained and maintained in working order for the duration of the use of the development in accordance with the approved details.

Reason: To preserve the amenity of the future residents of the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 17 Pre-commencement (slab level) Condition:** No development above ground floor slab level shall commence until a plan showing all areas where advance planting is to be delivered at the various stages of the project, including enabling works stage for any structural planting along buffer zones (including southern boundary and key mitigation and integration measures) that are to be retained / enhanced and then those that can progress alongside with the phasing on drawing P20-2253_18-1, has been submitted to and approved by the Local Planning Authority. The advance planting so agreed shall thereafter be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and character of the surroundings and setting of the South Downs National Park, and in the interests of visual amenity in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015) and Policies 1 and 2 of the Steyning Neighbourhood Development Plan (2022).

- 18 Pre-commencement (slab level) Condition:** No development above ground floor slab level shall commence until full details of all 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. The submitted details shall show coordination with the landscaping strategy and 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).

19 N/A

- 20 Pre-commencement (slab level) Condition:** As part of each reserved matters application and prior to ground floor slab level of any development, a Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the Local Planning Authority. The content of the Biodiversity Enhancement Strategy shall include the following: i. Purpose and conservation objectives for the proposed enhancement measures; ii. detailed designs to achieve stated objectives; iii. locations of proposed enhancement measures by appropriate maps and plans; iv. persons responsible for implementing the enhancement measures; v. details of initial aftercare and long-term maintenance (where relevant). The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To enhance Protected and Priority Species/habitats and allow the Local Planning Authority to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) in accordance with Policy 31 of the Horsham District Planning Framework (2015).

21 N/A

- 22 Pre-Occupation Condition:** The development hereby approved shall not be occupied until all the works which form part of the scheme for protecting the proposed development from noise as approved by the Local Planning Authority under the provisions of conditions 14 and 15 and 16 above have been completed. All works which form part of the approved scheme for that respective dwelling shall be completed prior to first occupation of that dwelling. The approved scheme shall be thereafter maintained, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To preserve the amenity of the future residents of the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 23 Pre-Occupation Condition:** The development hereby permitted in phases 2 - 4 inclusive (as shown on BR31285 JNP XX XX DR C 2007 P02 Phasing Plan) shall not be occupied until there has been submitted to the Local Planning Authority verification that the contamination remediation scheme required and approved under the provisions of condition 4 above 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 4 above, 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).

- 24 Pre-Occupation Condition:** Prior to first use of the development hereby permitted in phases 2 - 4 inclusive (as shown on BR31285 JNP XX XX DR C 2007 P02 Phasing Plan), a detailed verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme approved under the provisions of condition 5 above), must be submitted to and approved (in writing) by the Local Planning Authority. The verification report shall include a full set of "as built" drawings plus photographs of excavations (including soil profiles/horizons), any installation of any surface water drainage structures and control mechanisms.

Reason: To ensure a SuDS drainage system has been provided to an acceptable standard to the reduce risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015) and Policy 2 of the Steyning Neighbourhood Development Plan (2022).

- 25 Pre-Occupation Condition:** As part of each reserved matters application and prior to the first occupation of any dwelling, a Landscape and Ecological Management Plan (LEMP) must have been submitted to, and be approved in writing by, the local planning authority prior to the occupation of the development. The content of the LEMP shall include the following:
- i. Description and evaluation of features to be managed.
 - ii. Ecological trends and constraints on site that might influence management.
 - iii. Aims and objectives of management.
 - iv. Appropriate management options for achieving aims and objectives.
 - v. Prescriptions for management actions
 - vi. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - vii. Details of the body or organisation responsible for implementation of the plan.

- viii. Ongoing monitoring and remedial measures and future maintenance responsibilities and prescriptions for all areas of land including a plan showing parties responsible for the maintenance of different areas and their contact details including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured and the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details and the development shall thereafter be maintained in accordance.

Reason: To allow the Local Planning Authority 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) in accordance with Policy 31 of the Horsham District Planning Framework (2015) and Policies 1 and 2 of the Steyning Neighbourhood Development Plan (2022).

- 26 Pre-Occupation Condition:** As part of each reserved matters application and prior to first occupation of any dwelling, a lighting design scheme shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be in accordance with the Institute of Lighting Professional's Guidance notes for the reduction of obstructive light and shall have been designed by a suitably qualified person in accordance with the recommendations. 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: To 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 (as amended) and Policies 1 and 2 of the Steyning Neighbourhood Development Plan (2022).

- 27 Pre-Occupation Condition:** Prior to the first occupation of any dwelling/unit forming part of the proposed development the developer will, at their own expense, install the required fire hydrants (or in a phased programme if a large development) in locations to be submitted to and approved by the Local Planning Authority to BS 750 standards or stored water supply and arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting.

Reason: To ensure fire hydrants are provided for fire safety in accordance with Policy 32 of the Horsham District Planning Framework (2015).

- 28 Pre-Occupation Condition:** No part of the development shall be first occupied until such time as plans, details and construction specification showing the proposed works for any Public Right of Way within the development site boundary have been submitted to and approved in writing by the Local Planning Authority after consultation with the Highway Authority.

Reason: To ensure that suitable materials are used for the Public Right of Way works and to provide safe and suitable access in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 29 Pre-Occupation Condition:** No dwelling shall be first occupied until Electric Vehicle Charging spaces have been provided for that respective dwelling in accordance with plans and details to be submitted to and approved in writing at Reserved Matters by the Local Planning Authority. The Electric Vehicle Charging parking spaces shall thereafter be retained as such.

Reason: To provide electric vehicle car charging space for the use in accordance with Policies 35 and 41 of the Horsham District Planning Framework (2015).

- 30 Pre-Occupation Condition:** The delivery of the hard and soft landscaping will be in accordance with the phases shown on drawing BR31285 JNP XX XX DR C 2007 P02 Phasing Plan. No part of phases 2 - 4 inclusive of the development hereby permitted shall be occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority for that phase. The details shall include plans and measures addressing the following:

- i. Details of all existing trees and planting to be retained;
- ii. Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details; and to adhere to the following specifications to tree sizes at key corridors/important links and to reinforce street hierarchy: CA1 Principal street with 30- 35cm girth CA3 tree lined streets with 20- 25cm girth
- iii. Details of all hard surfacing materials and finishes;
- iv. Details of all boundary treatments;
- v. Details of all external lighting; vi. Ecological enhancement measures set out in the Tyler Grange Ecological Assessment (12345_R05a_RB_HM) dated 24 September 2021.

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 relevant phase. Notwithstanding this requirement, unless otherwise agreed in writing with the Local Planning Authority, no more than 75% of the dwellings shall be occupied until the Local Equipped Area of Play and the Open Amenity Space (as defined in the Section 106 Agreement) are ready for use.

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 character of the surroundings and setting of the South Downs National Park, and in the interests of visual amenity in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015) and Policies 1 and 2 of the Steyning Neighbourhood Development Plan (2022).

- 31 Pre-Occupation Condition:** No part of each phase of the development hereby permitted shall be occupied until details for the provision for the storage of refuse and recycling facilities have been submitted to and approved at Reserved Matters in writing by the Local Planning Authority for that phase. No dwelling shall be first occupied until the facilities

serving the respective dwelling has been provided. Once provided the facilities shall thereafter be retained for use at all times.

Reason: To ensure that adequate and satisfactory provision is made for refuse and recycling storage clear of all highways in accordance with Policy 40 of the Horsham District Planning Framework (2015)

- 32 Pre-Occupation Condition:** No dwelling shall be first occupied until the car parking serving the respective dwelling has been constructed in accordance with plans and details to be submitted to and approved at Reserved Matters in writing by the Local Planning Authority. Once provided the spaces shall thereafter be retained at all times for their designated purpose.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of all highways in accordance with Policy 40 of the Horsham District Planning Framework (2015)

- 33 Pre-Occupation Condition:** No part of each phase of the development shall be first occupied until details of the road(s), footways, cycle ways serving that phase of the development have been provided in accordance with plans and details to be submitted to and approved at Reserved Matter stage by the Local Planning Authority.

Reason: To ensure safe and suitable access in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 34 Pre-Occupation Condition:** No dwelling shall be first occupied until the approved parking, turning and access facilities necessary to serve it have been fully implemented in accordance with plans and details to be submitted to and approved at Reserved Matter stage by the Local Planning Authority. The parking, turning and access facilities shall thereafter be retained as such.

Reason: To ensure that adequate and satisfactory provision is made for the turning and access of vehicles in accordance with Policy 40 of the Horsham District Planning Framework (2015)

- 35 Pre-Occupation Condition:** No dwelling shall be first occupied until covered and secure cycle parking spaces serving the respective dwelling have been provided in accordance with plans and details to be submitted to and approved at Reserved Matter stage by the Local Planning Authority. The covered and secure cycle parking spaces shall thereafter be retained as such.

Reason: To ensure that adequate and satisfactory provision is made for cycle parking in accordance with Policy 40 of the Horsham District Planning Framework (2015)

- 36 Pre-Occupation Condition:** No dwelling shall be first occupied until the necessary inbuilding physical infrastructure and necessary external site-wide infrastructure to enable superfast broadband speeds of a minimum 30 megabytes per second through full fibre broadband connection serving the respective dwelling has been provided.

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).

- 37 Pre-Occupation Condition:** No dwelling within Phases 3 and 4 of the development as shown on drawing BR31285 JNP XX XX DR C 2007 P02 Phasing Plan shall be first occupied until the works to provide only emergency, foot and cycle access onto Kings Barn Lane have been provided in accordance with the approved drawing T17583.018 REV A. The works shall be retained thereafter for these access purposes only, subject to

complying with health and safety in terms of traffic management whilst part of the construction site as detailed in the agreed Construction Environmental Management Plan approved under condition 7 above.

Reason: To provide safe and suitable access in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 38 Pre-Occupation Condition:** No dwelling within Phase 4 of the development as shown on drawing BR31285 JNP XX XX DR C 2007 P02 Phasing Plan shall be first occupied until a detailed scheme for the pedestrian/cycle link to Kings Barn Lane (east) as a connection to the Down Links Bridleway (NCN Route 223) has been submitted to and approved in writing by the Local Planning Authority, and provided in accordance with the approved details and retained thereafter.

Reason: To ensure that safe and suitable access onto the Public Right of Way network in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 39 Regulatory Condition:** All mitigation and enhancement measures and/or works have been submitted to, and approved in writing by, the Local Planning Authority. These should be in accordance with the details contained in the Ecological Assessment 12345_R05a (Tyler Grange, September 2021) and the Ecology Tech Note for Access 12345_R08a (Tyler Grange, October 2022), unless otherwise agreed in writing by the Local Planning Authority. 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: 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 Planning Framework (2015) and Policy 1 of the Steyning Neighbourhood Development Plan (2022)

- 40 Regulatory Condition:** The existing Public Right of Way within the site shall remain undisturbed throughout the course of construction unless either legally stopped up or diverted prior to the commencement of any of the development hereby permitted. The alignment of any public right of way to be retained within the site shall be protected by being clearly demarcated, signed and fenced, as may be approved by the Local Planning Authority after consultation with the Highway Authority, throughout the course of the development.

Reason: To ensure safe and suitable Public Right of Way access in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 41 Regulatory Condition:** As each dwelling is occupied, the Travel Plan T17583 Rev B (Hub Transport Planning, January 2023) as already submitted with the planning application and agreed in principle with the Local Planning Authority, shall be implemented, monitored for a minimum of 5 years, and shall be updated in agreement with the Local Planning Authority.

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

- 42 Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 (8am) hours to 18:00 (6pm) hours of the same day, Mondays to Fridays, and 08:00 (8am) hours to 13:00 (1pm) 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)

- 43 Regulatory Condition:** The Reserved Matters application for housing development within Phase 4 as shown on drawing BR31285 JNP XX XX DR C 2007 P02 Phasing Plan shall be accompanied by a risk assessment to address any safety impacts that may arise from the BESS facility on Kings Barn Lane, east of the site.

Reason: To ensure safe occupation of the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 44 Regulatory Condition:** The dwelling(s) hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to no more than 110 litres per person per day. The subsequently installed water limiting measures shall thereafter be retained.

Reason: To limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015), and 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), Paragraph 193 of the National Planning Policy Framework (2024), and to allow 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).

8. USE OF AI

- 8.1 This report has not been prepared with the support of artificial intelligence tools.