Horsham District Council

Angela Moore
SLR Consulting
Mountbatten House
1 Grosvenor Square
Southampton
SO15 2JU

Land To The West of Smock Alley, South of Little Haglands, West Chiltington
Erection of 14No. 2, 3 and 4-bedroom dwellings, including 4 bungalows with access from Smock Alley, vehicle parking, public open space, landscaping and a borehole.

Your application DC/24/1619 has now been determined and I enclose the decision notice. The decision notice contains important information. Please take a moment to read it as further action may be required.

Conditions
Before you start work, information must be submitted for any conditions that require discharge before development can begin. The decision notice will set out what information need to be sent.

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

Failure to discharge conditions before commencing development could result in the development being unlawful or enforcement action being taken. You can notify us of your intention to initiate development by completing a pre-commencement notification which will help us to monitor your development. There is no fee to use this service. To do this, or for further information about discharging planning conditions, visit us online at horsham.gov.uk/planning/discharging-a-planning-condition

Community Infrastructure Levy (CIL)
If this development is CIL liable, the requirements of CIL must be met before you start work. Failure to do so could result in additional financial penalties. For further information relating to CIL visit horsham.gov.uk/planning/planning-policy/community-infrastructure-levy/cil-charges-and-how-to-pay

If you have any questions about the decision notice, you can call us and speak to a member of the team on 01403 215187 between 9AM - 5PM, Monday to Friday.

If you are acting as the planning agent for this application, please ensure that the applicant is given a copy of the decision notice and this letter.

Yours Sincerely,
Development Management

Horsham District Council

Angela Moore
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Southampton
SO15 2JU

Application Number: DC/24/1619

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

On behalf of: Castle Properties Ltd

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

Erection of 14No. 2, 3 and 4-bedroom dwellings, including 4 bungalows with access from Smock Alley, vehicle parking, public open space, landscaping and a borehole.

Land To The West of Smock Alley, South of Little Haglands, West Chiltington

to be carried out in accordance with Application No. DC/24/1619 submitted to the Council on 16/10/2024 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 15/04/2025

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

SCHEDULE OF PLANS/DOCUMENTS

Plan Type	Description	Drawing Number	Received Date
Plans	Site Plan / Parking Plan	P102 A	18.11.2024
Plans	Borehole Location Plan	P101 H	24.10.2024
Site plan	Existing	S102 REV A	16.10.2024
Plans	Proposed Water treatment plant	P118	16.10.2024
Plans	Proposed Garages	P116 A	14.11.2024
Location plan		S101 REV B	16.10.2024
Supporting Statement	Management and maintenance document	NONE	16.10.2024

Plans	Management and Maintenance Plan		16.10.2024
Floor plan	Proposed Floor Plans and Elevations Plots 1 and 2	P110 REV A	16.10.2024
Plans	Proposed Floor Plans and Elevations Plots 3, 8 and 14	P1111 REV A	16.10.2024
Plans	Proposed Floor Plans and Elevations Plots 4 and 5	P1112 REV A	16.10.2024
Plans	Proposed Floor Plans and Elevations Plots 6 and 7	P113	16.10.2024
Plans	Proposed Floor Plans and Elevations Plots 9 and 10	P115	16.10.2024
Plans	Proposed Floor Plans and Elevations Plots 11, 12 and 13	P114	16.10.2024
Plans	Proposed Access Arrangements	2103083-03 REV A	16.10.2024
Site plan		P101 REV J	14.11.2024
Site plan		P104	16.10.2024
Plans	Soft Landscape	1196-11	19.11.2024
Plans	Soft Landscape	1196-11	19.11.2024
Plans	Coloured Street Scenes	17311 / C102	16.10.2024
Plans	Tree Survey	MW.20.0706.TS	16.10.2024

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

2 **Standard Time Condition**: The development hereby permitted shall begin before the expiration of three years from the date of this permission.

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

3 **Pre-Commencement Condition**: The development hereby approved shall not commence until the following demolition and construction details have been submitted to and approved in writing by the Local Planning Authority. The details shall be limited to the following measures:

i. Details of site management contact details and responsibilities;
ii. A plan detailing the site logistics arrangements on a phase-by-phase basis (as applicable), including:
    a. location of site compound,
    b. location for the loading, unloading and storage of plant and materials (including any stripped topsoil),
    c. site offices (including location, height, size and appearance),
    d. location of site access points for construction vehicles,
    e. location of on-site parking,
    f. locations and details for the provision of wheel washing facilities and dust suppression facilities

iii. The arrangements for public consultation and liaison prior to and during the demolition and construction works - newsletters, fliers etc, to include site management contact details for residents;
iv. Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination

The construction 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 wildlife and biodiversity, nearby occupiers and highway safety during construction and in accordance with Policies 31, 33 and 40 of the Horsham District Planning Framework (2015).

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

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

5 **Pre-Commencement Condition**: No development 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. The submitted details shall show accordance with the landscaping proposals and Arboricultural Assessment. 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).

6 **Pre-Commencement Condition**: No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until the following preliminaries have been completed in the sequence set out below:
i. All trees on the site shown for retention within the Arboricultural Impact and Method Statement, 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).
ii. 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.
iii. Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

7 **Pre-Commencement Condition**: No development shall commence until a Biodiversity Enhancement Strategy has been 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: 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).

8 **Pre-Commencement Condition**: The development hereby approved shall not commence until the following biodiversity construction details have been submitted to and approved in writing by the Local Planning Authority. The details shall be limited to the following measures:

a) Risk assessment of potentially damaging construction activities.
b) Identification of "biodiversity protection zones".
c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
d) The location and timing of sensitive works to avoid harm to biodiversity features.
e) The times during construction when specialist ecologists need to be present on site to oversee works.
f) Responsible persons and lines of communication.
g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority

Reason: To conserve 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).

9 **Pre-Commencement Condition**: No development shall take place until a Reptile Mitigation Strategy addressing the mitigation and translocation of reptiles has been submitted to and

approved in writing by the Local Planning Authority. The Reptile Mitigation Strategy shall include the following.

i. Purpose and conservation objectives for the proposed works.
ii. Review of site potential and constraints.
iii. Detailed design(s) and/or working method(s) to achieve stated objectives.
iv. Extent and location/area of proposed works on appropriate scale maps and plans.
v. Type and source of materials to be used where appropriate, e.g. native species of local provenance.
vi. Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
vii. Persons responsible for implementing the works.
viii. Details of initial aftercare and long-term maintenance of the Receptor area(s).
ix. Details for monitoring and remedial measures.
x. Details for disposal of any wastes arising from works.

The Reptile Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To allow the LPA to discharge its duties under the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species)

10 **Pre-Commencement Condition**: No development shall commence until a lighting design scheme for biodiversity 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).

11 **Pre-Commencement Condition**: Prior to the commencement of development, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms (using the most up to date parameters) and a construction method statement shall be submitted and agreed in writing by the Local Planning Authority. The details shall also include a scheme to agree sewage pipework specifications (in any Source Protection Zone). The scheme shall then be constructed as per the agreed drawings, method statement, Flood Risk Assessment and Drainage Strategy by Motion, 20th November 2024, revision Final A and remain in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: As this matter is fundamental to ensure that the development is properly drained, and to prevent increased risk of flooding, in accordance with Policies 35 and 38 of the Horsham District Planning Framework (2015)

12 **Pre-Commencement Condition**: No development shall commence until either:

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

or

ii) Confirmation has been submitted to and been approved in writing by the Local Planning Authority that the water demand from the proposed development will be served from the onsite borehole(s) in accordance with the submitted water neutrality statement (dated 22.02.2023). The development shall not be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority confirming that the approved borehole(s) has been fully implemented and is operational. The approved borehole(s) shall thereafter be retained, maintained and operated at all times.

Reason: To ensure that the approved development is water neutral, thus avoiding contribution to the possible adverse effect upon the integrity of the Arun Valley Special Area of Conservation, Special Protection Area and Ramsar designations addressed by the Natural England Position Statement of September 2021 and to satisfy the Authority's duties pursuant to the Protection of Habitats and Species Regulations 2017 (as amended) at Regulation 63.

13 **Pre-Commencement Condition**: Subject to condition 12, no development shall commence until a groundwater investigation report, undertaken by a suitably competent and qualified consultant, has been submitted to and approved, in writing, by the local planning authority. The groundwater investigation report shall include, but necessary be limited to, the below information:

i. Detailed commentary on the site investigation and the sampling of the borehole(s) with reference to current British Standards and technical guidance.
ii. Detailed commentary on the sampling results and comparison to UK assessment criteria.
iii. Site location plan and site plan showing location of the borehole on the application site.
iv. Borehole logs in accordance with current British Standards.
v. Laboratory certificates indicating that all parameters detailed in Schedule 1 of The Private Water Supplies (England) Regulations 2016 have been tested for.

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), Paragraph 193 of the National Planning Policy Framework (2024), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

14 **Pre-Commencement Condition**: No development 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) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from contamination at the site.

The following aspects (b) - (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

(b) An intrusive site investigation scheme, based on (a) 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.
(c) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (b) and an options appraisal.
(d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

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

Reason: 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).

15 **Pre-Commencement Slab Level Condition**: No development above ground floor slab level of any part of the development hereby permitted shall take place until the areas of advance planting, noted as 'Proposed Native Wildlife Buffer' approved under Landscape Proposals drawing (Drawing nos: CAST1196-11 Sheets 1 & 2)) are delivered. Confirmation of the delivery of these landscape works shall be submitted to and approved, in writing, by the Local Planning Authority.

Reason: To ensure identified adverse effects of the development are satisfactorily mitigated, including during construction, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

16 **Pre-Commencement Slab Level Condition**: Subject to condition 12, no development above ground floor slab level of any part of the development hereby permitted shall take place until a mitigation scheme, undertaken by a suitably qualified and competent consultant, has been submitted to and been approved in writing by the Local Planning Authority that demonstrates how the water from the borehole(s) will be treated to meet the requirements of Schedule 1 of the Private Water Supplies (England) Regulations 2016 (or subsequent superseding equivalent). The mitigation scheme shall ensure that the components of the proposed treatment system are compliant with Regulation 31 of The Water Supply (Water Quality) Regulations 2016 (or subsequent superseding equivalent) and Water Regulations Approval Scheme (or subsequent superseding equivalent). The mitigation scheme shall be implemented in full prior to first occupation of any dwelling and shall be retained and maintained at all times thereafter.

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

17 **Pre-Commencement Slab Level Condition**: Subject to condition 12, no development above ground floor slab level of any part of the development hereby permitted shall take place until a Private Water Supply Management Plan (PWSMP) has been submitted to and approved in writing by the Local Planning Authority. The PWSMP shall include, but not necessarily be limited to, the following information:

i. Detail on the sampling and testing regime, undertake in accordance with Private Water Supplies (England) Regulations 2016 (or subsequent superseding equivalent), with detail on how any failure of any samples will be investigated and managed.
ii. Confirmation that a Regulation 6 risk assessment (or subsequent superseding equivalent), undertaken by a suitably competent and experienced person in accordance with relevant guidance and statutory requirements, shall be undertaken before the private water supply is brought into use and at least once every five years thereafter with the findings of the risk assessment submitted to the LPA.
iii. Detail on the maintenance, servicing and cleaning of the pump, pumphouse, water treatment equipment, tanks, all pipework etc for the lifetime of the development along with regularity of servicing/maintenance and clarification what steps will be taken in the event of equipment failure. This should include any re-activation of the system after it has been out of use due to lack of use.
iv. Full specifications and details, including a plan or schematic, showing the supply - storage tanks, treatment etc, and means to record the total water consumption of each unit.
v. Arrangements for keeping written records of all sampling, results of analysis, inspection, cleaning, maintenance and for making these records available to Local Authority officers when reasonably requested.
vi. A named person for residents to contact (24/7) in an event of a failure or issue with the private water supply.

The management plan shall be implemented as approved and maintained for the lifetime of the development. The management plan shall be reviewed annually and any revisions shall be submitted to and approved in writing by the local planning authority.

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

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

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

19 **Pre-Occupation Condition**: Subject to condition 12, no part of the development hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that water taken from the tap within the dwelling(s) been a) sampled by a person who has undertaken the DWI certification of persons scheme for sampling private water supplies, b) has been analysed by a laboratory that is accredited to the ISO 17025 Drinking Water Testing Specification and c) meets the requirements of Schedule 1 'Prescribed concentrations or values' of the Private Water Supplies (England) Regulations 2016 (or subsequent superseding equivalent).

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), Paragraph 193 of the National Planning Policy Framework (2024), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

20 **Pre-Occupation Condition**: Subject to condition 12, no part of the development hereby permitted shall be first occupied until a risk assessment compliant with Regulation 6 the Private Water Supplies (England) Regulations 2016 (or subsequent superseding equivalent) undertaken by a suitably competent and experienced person has been submitted to and approved in writing by the Local Planning Authority.

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

21 **Pre-Occupation Condition**: The development hereby permitted shall be undertaken in full accordance with the approved Water Neutrality Statement. No dwelling hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that dwelling has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and evidence they meet the required water consumption flow rates. The installed measures shall be retained and operated as such at all times thereafter.

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

22 **Pre-Occupation Condition**: No dwelling shall be first occupied until an air quality mitigation plan has been submitted to and approved in writing by the Local Planning Authority. The air quality mitigation plan should contain a timetable for delivery and measures equal in value to the re-calculated environmental damage cost that reflects the new predicted opening year and include (but not be limited to) the measures detailed in Section 6.2 of the RSK Air Quality Assessment.

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).

23 **Pre-Occupation Condition**: Prior to the first occupation of any part of the development hereby permitted, full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all hard surfacing materials and finishes,
- Coordination of planting plans with ecological enhancement measures,
- Hard and soft written specifications (NBS compliant) including ground preparation, cultivation and other operations associated with plant and grass establishment,
- Details of existing and proposed levels for all external earthworks associated with the landscape proposals - such as SuDS, play areas, retaining walls, banking etc - including cross sections where necessary.

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 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).

24 **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).

25 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling has been provided within the garage or side or rear garden for that dwelling. The facilities shall thereafter be retained for use at all times.

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

26 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the car parking spaces (including garages where applicable) and electric vehicle charging points necessary to serve it have been constructed and made available for use in accordance with the approved plans. The car parking spaces permitted shall thereafter be retained as such for their designated use.

Reason: To provide car-parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

27 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the vehicular access serving the development has been constructed in accordance with the details shown on the approved drawing.

Reason: In the interest of road safety, and to ensure adequate access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

28 **Pre-Occupation Condition**: No part of the development shall be first occupied until visibility splays as shown on drawing no: 2103083 03A have been provided at the proposed site

vehicular access onto Smock Alley in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

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

29 **Pre-Occupation Condition**: The development hereby approved shall not 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 Policy 38 in Horsham District Planning Framework.

30 **Pre-Occupation Condition**: Upon completion of the surface water drainage system, including any SuDS features, and prior to the first occupation of the development; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition 11. 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 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).

31 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until a fire hydrant(s) to BS750 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).

32 **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 megabytes per second through full fibre broadband connection has been provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

33 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the cycle stores have been provided and made available for use in accordance with the approved plans. The stores permitted shall thereafter be retained as such for their designated use.

Reason: To provide cycle storage for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

34 **Regulatory Condition**: Subject to condition 12, no internally and/or externally located plant, machinery equipment or building services plant (which for the avoidance of doubt shall include all borehole pumping and treatment equipment) shall be operated until an assessment of the acoustic impact arising from the operation of all such equipment has been undertaken and has been submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken in accordance with BS 4142:2014 and shall include a scheme of attenuation measures to mitigate any adverse impacts identified in the acoustic assessment and ensure the rating level of noise emitted from the proposed building services plant is no greater than background levels. The scheme as approved by the Local Planning Authority shall be fully installed prior to first operation of the plant and shall be retained as such thereafter.

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

35 **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).

36 **Regulatory Condition**: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Bat Activity Survey File Note (LUC, February 2024), Ecological Appraisal Addendum (LUC, August 2023)) and Hazel Dormouse Addendum (LUC, December 2024) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the reptile method statement on p.15 of the Ecological Appraisal Addendum (LUC, August 2023) which avoids impacts on these protected species. This will 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.

37 **Regulatory Condition**: Piling shall not be carried out at any time other than with the written approval of the Local Planning Authority.

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

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).

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.

Note to Applicant
Please note that the details required by condition 8 (Biodiveristy CEMP) should include details of any Natural England licences that maybe required.

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

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

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

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

Note to Applicant
Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

ADDITIONAL INFORMATION

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

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

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

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

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

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

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

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

served for the same (or very similar) land and development. Please note, only the applicant possesses the right of appeal.

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

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

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

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