



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0609

Plots 5 and 6, Angel Heights Development Site, Water Lane, Storrington, West Sussex,

DESCRIPTION:

Variation of Condition 1 of planning permission DC/23/2144 (Variation of condition 1 of previously approved application reference DC/21/0057 (A phased development for the erection of 6no detached houses with associated landscaping, drainage and access improvements to Heather Way at Angell Sandpit, Storrington)) for amendments to Plots 5 and 6.

RELEVANT PLANNING HISTORY:

DC/26/0219	Variation of conditions 34 and 35 of previously approved application reference DC/23/2144 (Variation of condition 1 of previously approved application reference DC/21/0057 (A phased development for the erection of 6no detached houses with associated landscaping, drainage and access improvements to Heather Way at Angell Sandpit, Storrington) to allow the submission of water neutrality information, revised plans in respect of plots 1-3 and revised construction access details. Variation of conditions 3, 5, 6, 10, 12, 13, 16, 17, 18 and 19) relating to water neutrality.	Application Permitted on 07.05.2026
<i>S106/26/0005</i>	<i>Deed of Discharge for removal of Water Neutrality obligations relating to application DC/23/2144</i>	<i>Pending Consideration</i>
DC/25/1372	Non-Material Amendment to previously approved application DC/23/2144 (Variation of condition 1 of previously approved application reference DC/21/0057 (A phased development for the erection of 6no detached houses with associated landscaping, drainage and access improvements to Heather Way at Angell Sandpit, Storrington) to allow the submission of water neutrality information, revised plans in respect of plots 1-3 and revised construction access details. Variation of conditions 3, 5, 6, 10, 12, 13, 16, 17, 18 and 19) to change external finishes and square off the lower ground / basement of Plot 4 only	Application Permitted on 08.10.2025
DC/25/0572	Non Material Amendment to previously approved application DC/23/2144 (Variation of condition 1 of previously approved application reference DC/21/0057 (A phased development for the erection of 6no detached houses with associated landscaping, drainage and access improvements to Heather Way at Angell Sandpit, Storrington) to allow the submission of water neutrality information, revised plans in respect of plots 1-3 and revised construction access details. Variation of conditions 3, 5, 6, 10, 12, 13, 16, 17, 18 and 19) Amendments to Plots 4, 5 and	Application Refused on 20.05.2025

6.

DC/23/2144	Variation of condition 1 of previously approved application reference DC/21/0057 (A phased development for the erection of 6no detached houses with associated landscaping, drainage and access improvements to Heather Way at Angell Sandpit, Storrington) to allow the submission of water neutrality information, revised plans in respect of plots 1-3 and revised construction access details. Variation of conditions 3, 5, 6, 10, 12, 13, 16, 17, 18 and 19.	Application Permitted on 14.08.2024
DC/22/2121	Non-Material Amendment to previously approved application DC/21/0057 (A phased development for the erection of 6no detached houses (of which up to 4no. are to be self-build) with associated landscaping, drainage and access improvements to Heather Way at Angell Sandpit, Storrington) Amendments to the Garden Boundaries of Plots 4, 5 and 6 and Amendments to the Fenestration of Plots 5 and 6.	Application Permitted on 30.11.2022
DC/22/1095	Variation of condition 1 to previously approved DC/21/0057 (A phased development for the erection of 6no detached houses (of which up to 4no. are to be self-build) with associated landscaping, drainage and access improvements to Heather Way at Angell Sandpit, Storrington). Amendments to boundaries to Plots 4, 5 and 6 with alterations to fenestration on Plots 5 and 6.	Withdrawn Application on 19.01.2023
DC/21/0057	A phased development for the erection of 6no detached houses (of which up to 4no. are to be self-build) with associated landscaping, drainage and access improvements to Heather Way at Angell Sandpit, Storrington	Application Permitted on 24.09.2021

DESCRIPTION OF THE SITE

The overall 1.64ha site benefits from full planning permission for the erection of 6 detached dwellings comprised of 4 x self-build houses and 2 x developer-built houses, taking vehicular access off Heather Lane. Permission was granted in September 2021 under application reference DC/21/00557. A later s73 application was permitted to vary the design and details of Plots 1, 2 and 3 under DC/23/2144 in August 2024. The site is a former sand quarry where remediation works have been carried out to infill the site, and which was included in the Storrington, Sullington and Washington Neighbourhood Plan as an allocated site for residential housing development (Policy 2).

Various non-material amendments to the plots and discharge of conditions have been received and dealt with across the site, and works have commenced and are well underway to build out the scheme.

The application site takes in Plots 5 and 6 of the wider site, which lie along the eastern side, where the sloping site adjoins a pair of listed cottages (School and Chestnut / Jasmine Cottage), at the lowest level. The residential gardens of these adjacent cottages extend along the full eastern side of the site, abutting the boundaries to Plots 5 and 6. Low post and rail fences to these properties provide views across and into the sloping application site, affording them with a view across the restored heathland habitat that was formerly the open sand quarry.

DESCRIPTION OF THE APPLICATION

The proposal seeks a number of client-specific changes to Plots 5 and 6, following these being taken on as self-build properties.

Plot 5

- Layout - Squared off footprint to the north side, new double height front hall-way, increased floorspace with layout re-organised and new mezzanine within roofspace, and a double-height void over living space. Following the pre-application meeting, the client has revised the internal layout to provide 2-bedrooms and a study at ground floor to allow space to work from home.
- Materials - Portland stone render and charred cladding, with Horsham stone to the front porch, south and east-facing elevations, natural slate roof tiles – same as the approved materials on Plots 1-3. Double-height glazing to south-facing flank gable elevation serving a void at first floor.
- Massing – overall marginal increased ridge height to accommodate new mezzanine floor, but overall proposal shows the development set further into the ground levels. Split level element removed, so that entire ground floor appears comparable to the originally approved 'lower ground level'.
- Reinstated garage following discussions with the LPA as part of the pre-application meeting.

Plot 6

- Layout - Squared off footprint along north side, new double-height front hall-way, increased floorspace with 3 of the 4 bedrooms within a new first-floor (4-beds overall), width of building increases by approximately 3m to the south.
- Materials - Portland stone render with Horsham stone, natural slate roof tiles – same as the approved materials on Plots 1-3 and proposed for Plot 5. Double-height glazing to front elevation. Extended roofline to rear of dwelling as requested in pre-application discussions.
- Massing – overall increased ridge height noted to accommodate new first floor, but overall proposal shows the development set further into the ground levels, so that only a marginal increase in ridge level is evident. Split level element removed to create a level floor.
- Retained integral garage and forecourt parking.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF):

Horsham District Planning Framework (2015):

Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 – Strategic Policy: Climate Change
Policy 36 – Strategic Policy: Appropriate Energy use
Policy 37 – Sustainable Construction
Policy 40 - Sustainable Transport
Policy 41 - Parking

Storrington, Sullington and Washington Neighbourhood Plan (Sept 2019):

Policy 1: A Spatial Plan for the Parishes
Policy 2: Site Allocations for Development - (iii) Land and Angell Sandpit, Storrington
Policy 8: Countryside Protection
Policy 14: Design
Policy 15: Green Infrastructure and Biodiversity
Policy 16: Local Green Spaces
Policy 17: Traffic & Transport

Storrington and Sullington Parish Design Statement

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations: OUTSIDE AGENCIES

WSCC Highways: Comment

[Summary] Proposal would **not** have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.

From inspection of the submitted plans and application documents, the amendments appear relatively minor, with highways specific amendments being revised plot layouts and incorporation of garages. The proposed amendments appear acceptable from a highway safety point of view.

PUBLIC CONSULTATIONS

Representations:

One letter of representation has been received, raising the following objections:

- Flank wall to Plot 6 is now 300mm closer to the boundary with 3 Angell Sands, with the resulting gap now 100cm to 150cm, which now seems impossible to grow a hedge in the gap which needs a 90cm gap
- The plans also show a single silver birch tree of 300cm – 350cm when there are already 6 willow trees of 300cm – 350cm to the rear boundary and side boundary to Plot 6 and 3 Angell Sands – are these to be removed and replaced with a 30cm – 80cm hedge? If so, this will exacerbate the overbearing and oppressive nature of the construction
- Increased scale and massing – although the ridge has only increased by 20cm, the side elevation looking north has increased by 20% - 25% - Impossible to be accurate as there are no measurements on plans. The addition of an extended kitchen / diner and huge porch have made this an overbearing and oppressive development and moving it closer to the boundary by 300cm makes this even worse
- No details on positioning of sewerage pipes to the boundary of 3 Angell Sands
- Wildlife impact

Parish Comments:

Storrington and Sullington Parish Council Parish Council: Comment

The committee feel that it would be better for HDC Planning to decide what is possible with regard to the variations.

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

As set out above, consent is sought under Section 73 of the Town and Country Planning Act to amend the plans approved under planning permission DC/21/0057 and secured by Condition 1, specifically to the scale, design and massing of Plots 5 and 6.

Section 73(2) of the Town and Country Planning Act 1990 (TCPA) states:

(2) On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and—

(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and

(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.

Whilst a consent under s73 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. Accordingly, the principle of development on this site remains settled and acceptable, along with all other matters not subject to these proposed amendments.

Amendments to Plots 5 and 6 and the ground levels relevant to these plots:

Amendments to the design of Plots 5 and 6:

Various amendments are currently sought in relation to Plots 5 and 6 as described above. Officers have assessed these in relation to the consented plot layouts and dwelling designs, and note that the proposals would not introduce any fundamental changes to the consented scheme, insofar of the massing, plot layout, orientation and operational part of the permission. The overall form of the dwellings has not been materially altered, despite both units now presenting mezzanine levels within the design in place of the approved 'split-level' design. The additional height has been accommodated for by way of a reduction in the external ground levels of each dwelling, previously the lower ground floor of the consented design. The resultant scale, bulk and design of the dwellings would remain acceptable within the context of the site, its surrounds, and the policy framework.

Levels:

Officers understand that the change to the levels within the site are in order to accommodate the additional height and the mezzanines within each of these plots, with the ground level strategy not increasing over and above that which has previously been approved by way of conditions, or anticipated at part of the original consent. The additional height has been accommodated by way of using the lower ground floor level of the consented development.

As approved, Plot 5 indicated a GFL of 71.77 and a LGFL of **70.72**, with ridge heights of 77.05 (main ridge) and 75.95 (rear element) = overall building height of **6.33m**.

*As Proposed, Plot 5 indicates a GFL of **70.72**, with ridge heights of 77.34 (main ridge) and 75.62 (rear element) = overall building height of **6.62m**.*

As approved, Plot 6 indicated a GFL of 72.34 and a LGFL of **71.29**, with ridge heights of 77.62 (main ridge) and 76.52 (rear element) = overall building height of **6.33m**

*As Proposed, Plot 6 indicates a GFL of **71.29**, with ridge heights of 77.81 (main ridge) and 76.38 (rear element) = overall building height of **6.52m***

As indicated above, the proposed amendments utilise the lowest ground levels that were previously consented, and result in ridge levels to both plots which are only marginally higher than previously consented (0.2m).

Landscape:

Officers have reviewed the proposals against the consented landscape scheme under DISC/25/0386, and see that the submitted drawings maintain the large proportion of consented landscape details insofar as planting, hedging and boundary treatments. New low-height retaining walls would be incorporated into the landscaping of the front gardens, forming paved paths around the front elevations of Plots 5 and 6.

The driveway / garage to Plot 5 moves along the northern side of the plot and introduces a separate / new pedestrian access to the estate roadway, resulting in a reduction of the new front hedgerow by around ½ its consented length / and plant numbers.

Plot 6 would be provided is an increased driveway surface along the southern side up to the plot boundary with the adjacent dwelling at Angell Sands, with the drawings indicating the retention of the new boundary hedgerow. Additionally, 3no. *Betula pendula* (Silver Birch) are now shown within the frontage of Plot 6, tree species which have previously been accepted for the site.

The consented landscape scheme set details for a double staggered row of hedgerow planting supported by a central frame of post and galvanised wire with approx. 5 plants per linear metre. These specifications are maintained in the revised details to plots 5 and 6.

In response to the concerns raised in the neighbour representation, officers confirm no trees would be lost from the landscape plan previously approved, and there would be the above-mentioned gain of Silver Birch trees. The planting gap alongside the common boundary with No. 3 Angell Sands and the retaining wall would be some 900mm at its narrowest point, which is sufficient to accommodate a native hedgerow, planted in a double staggered row.

Residential Amenity:

Given the visual permeability between the application site and the adjoining residential cottages to the east (Chestnut Cottage and School Cottage), the implications of the amendments have been considered, including the potential increase in overlooking from the new mezzanine floors.

The representation is noted in respect of a southern dwelling at No.3 Angell Sands, relating to the decreased proximity of the southern flank wall to Plot 6 and a concern over ensuing overbearing and oppressive impact. Officers appreciate the level change between stated plots, with Plot 6 being set above the internal GFL of No 3 Angell Sands, but having an overall distance between house walls of some 40m. Furthermore, Plot 6 is set to the north of No.3 Angell Sands so as to not lead to any adverse level of light reduction to the exiting neighbouring property.

Whilst the southern flank wall of Plot 6 does indeed move close to the common boundary with No.3 Angell Sands, the overall distance of separation would remain of a reasonable distance so as to not lead to any adverse impact on the amenities of the residential occupants therein, when compared to the consented development overall, and in consideration of the overall height of the building being some 0.2m higher than the approved development for this plot.

The proposed variations would not materially impact the privacy or amenity of the identified adjoining properties over and above the consented development, and noting that a gap between the flank wall of Plot 6 and the common boundary of No. 3 Angell Sands would be around 3m.

OTHER MATTERS:

Occupancy levels over and above consented development

Officers recognise that the bedroom numbers to each of the plots has increased over and above the consented scheme, with Plot 5 now having the potential to accommodate 3 bedrooms compared to the consented 2-bed dwelling, and Plot 6 having showing 4-beds compared to the consented 2-beds.

The only planning-related implications arising from the bedroom numbers (occupancy) is the required parking spaces for developments in Zone 1. For 2-bed dwellings, new development is expected to provide 1.7 spaces per dwelling, and for 3-bed dwellings, this increases to 2.2 spaces, whilst for 4+-bed dwellings, the expectation is that each dwelling can provide 2.7 spaces on-plot.

Officers have sought advice from the local highways authority to ensure that the parking capacity for plots 5 and 6, given the increased bedroom potential shown on plans, would be sufficient. In response, whilst there would be benefit to increasing the garage dimensions to the 3m x 6m (from the current 3m x 5.5m internal dims), the local highways authority consider that the garage on plan could likely accommodate a smaller-size car.

In short, although there would be benefits to increasing the garage size of Plot 5, given the small size of the development, these suggestions cannot be insisted upon, and so the development would continue to provide for acceptable parking provision per plot, which are 2 spaces for Plot 5 and 2.5 spaces for Plot 6.

Ground Stability:

The ground stability details subject to Condition 13 were suitably discharged under DISC/24/0209 in December 2024, having been assessed by a Structural Surveyor, noting the use of reinforced raft foundations for the dwellings to account for ongoing settlement of fill materials within the former sand quarry and the siting of soakaways at least 20m from the nearest foundations to address future issues of saturation, and the use of a geotextile membrane within . Piling on site was not to take place to ensure that re-activation of landfill emissions would not be facilitated.

In relation to plots 5 and 6, revised slope stability assessments have been carried out which conclude that raft foundations will continue to be used.

Services layout:

The revised layout would likely require the proposed line of water and other services being re-routed into Plot 5 on account of the driveway shifting from the south to the north side of the plot, but this is a relatively minor adjustment, which broadly aligns with the services layout under DISC/25/0386, noting that all services are routed from the site, along the southern side of Plot 6 and along the garden spur into the Angell Sands development. The agent has confirmed that these arrangements would remain as per previously shown under DISC/25/0386. Officers note that 3rd party access rights, wayleave and easements of the shared infrastructure are matters to be agreed between parties: developer, land owner and utilities provider.

Biodiversity Net Gain (BNG):

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG) (unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024) and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

In this instance, the s73 relates to an application which originates prior to the introduction of mandatory BNG, and therefore remains exempt from having to demonstrate the otherwise required 10% net gain.

Conclusions:

Overall, officers have reviewed the proposed variations in the context of a sloping site, adjacent properties and their respective heights, and the details of the consented scheme. Officers conclude that the variations would be acceptable, and would not raise any new and material planning issues over and above those already considered under the original scheme DC/21/0057, and subsequently varied under DC/23/2144.

The specific amendments to the design of Plots 5 and 6 are considered by officers to have an acceptable impact on the character and appearance of the site and surrounding area, and the amenities of adjacent occupiers.

Planning legislation enables the Local Planning Authority to grant a permission with new or amended conditions, which has the effect of creating a new and independent permission to carry out the same development as previously permitted, but which will be subject to the same 3 year duration as the original consent.

Officers therefore will need to exercise the right to apply conditions of differing wording on the permission for the proposed amendments to DC/23/2144 under Section 73(2)(a) of the TCPA, recognising also the recent s73 under DC/26/0219 which has had the effect of removing the on-site water neutrality conditions. These water neutrality conditions are also removed from this current application, making this application the most recent planning permission for the site as a whole.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

It is considered that this development constitutes CIL liable development.

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

Recommendation:

Conditions:

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

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

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

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

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

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

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

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

- 6 **Regulatory Condition:** The development shall be carried out in accordance with the slab level/ ground level/ datum points provided and approved under DISC/24/0209 on 23.12.2024, and as per the details on approved site plans for plots 5 and 6 (ARC/008/24/P5/104, and ARC/008/24/P6/105). The development shall be completed in accordance with the approved details.

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

- 7 **Pre-Commencement Condition:** No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until the following preliminaries have been completed in the sequence set out below:

- All trees on the site shown for retention on approved drawing numbers [LLD1280-ARBDWG-001 rev 01 and LLD1280-ARB-DWG-002 rev 00, Sheet 01 and Sheet 02], as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).

- Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.

- Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

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

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

- 8 **Pre-Commencement Condition:** No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until fencing to establish and protect the 20m buffer zone to the adjacent SSSI has been erected in accordance with the approved drawing numbers [LLD1280-ARB-DWG-002 rev 00 Sheet 01, and 6545 100 rev P5]. Once in place, this fencing shall be maintained throughout the development phases across the site.

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

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

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

- 10 **Regulatory Condition:** The approved Construction Environmental Management Plan: Biodiversity (Lizard Landscape Design and Ecology, 21 November 2023) as included at Appendix NJA/6 of the Supporting Planning Statement (NJA Town Planning Ltd, November 2023) shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

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

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

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

- 12 **Regulatory Condition:** The development shall be carried out in accordance with the remediation strategy as submitted and approved under DISC/24/0209 on 23.12.2024

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

Reason: The proposed development is on a historic landfill and therefore it is likely that contamination will be present. Remediation and/or mitigation measures are likely to be required to protect mobilising contamination during construction works which risk causing pollution to controlled waters. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015) and in line with paragraph 170 of the National Planning Policy Framework.

- 13 **Regulatory Condition:** The development shall be carried out in accordance with the scheme to deal with the risks from ground instability at the site as submitted and approved under DISC/24/0209 on 23.12.2024, and as per the Slope Stability Assessment for Plots 5 and 6 (dated April 2026)

All work shall be supervised the engineer in accordance with the mechanisms and procedures specified in the approved verification plan and a comprehensive non- technical summary document of the assessments provided and information submitted against (i) to (vi) of this condition. The scheme shall be implemented in accordance with the approved details and

mitigation measures, and they shall be permanently retained and maintained in working order for the duration of the use and their operation.

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

- 14 **Regulatory Condition:** Plots 1, 2 and 3 shall be implemented in accordance with the details submitted and approved under DISC/25/0031 on 25.02.2025.
Plots 4, 5 and 6 shall be implemented in accordance with the details submitted and approved under DISC/23/0092 (dated 31.05.2023), and / or as set out approved Elevations for Plots 5 and 6 (ARC/008/25/P5/4, ARC/008/25/P5/5, ARC/008/25/P6/4 and ARC/008/25/P6/5).
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).

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

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

- 16 **Regulatory Condition:** The development shall be carried out in accordance with the details of hard and soft landscaping as submitted and approved under DISC/25/0386 on 25.01.2026, and prevised landscape plan in respect of Plots 5 and 6 (Detailed Landscape Proposals (plots 5 and 6), received 14.04.2026).

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

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

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

pursuant to each phase shall be implemented prior to first occupation of any dwelling within that phase and shall be retained as such thereafter.

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

- 18 **Regulatory Condition:** The development shall be carried out in accordance with the lighting design scheme as submitted and approved under DISC/25/0031 on 25.02.2025.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme and approved phasing plan for the development. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

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

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

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015)

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

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

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

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

- 22 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until the car parking spaces (including garages where applicable), turning and access facilities necessary to serve it have been constructed and made available for use in accordance with 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).

- 23 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until the cycle parking facilities serving it have been provided within the garage or side or rear garden for that dwelling. The facilities shall thereafter be retained for use at all times. The cycle parking facilities shall thereafter be retained as such for their designated use.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

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

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

- 25 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabytes per second through full fibre broadband connection has been provided to the premises.

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

- 26 **Regulatory Condition:** The development hereby permitted shall be carried out in accordance with all mitigation and enhancement measures and/or works contained in the Ecological Impact Statement (Lizard Landscape Design and Ecology, May 2020) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

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

- 27 **Regulatory Condition:** If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy has been submitted to and approved by the local planning authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015) and in line with paragraph 170 of the National Planning Policy Framework.

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

Reason: As this development is on a historic landfill there is the potential that any piling activities could mobilise any contamination and risk impacting controlled waters. If the landfill is lined then piling also risks penetrating the liner and so the landfill design should also be considered in the piling risk assessment. To ensure that any proposed piling or other deep

foundation does not harm groundwater in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015) and in line with paragraph 170 of the National Planning Policy Framework.

- 29 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning re-enacting that Order no development falling within Classes A, AA, B and E of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and due the historic, ecological and environmental sensitivities of the site in accordance with Policies 24, 25, 33 and 34 of the Horsham District Planning Framework (2015).

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

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

- 31 **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays.

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

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

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

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

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

34 N/A

35 N/A

- 36 **Regulatory Condition:** The development hereby permitted shall be undertaken in accordance with the approved Construction Management Plan (Paul Basham Associates Ltd, 020.0844/CMP/5, 26 October 2023) as included at Appendix NJA/3, and the CMP plan [2.09 Rev A], and the swept path tracking diagram as submitted and approved under DISC/24/0209 on 23.12.2024.

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

37. **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).

NOTE TO APPLICANT

POSITIVE AND PROACTIVE STATEMENT

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

Plans list for: DC/26/0609

(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved:**

Plan Type	Description	Drawing Number	Received Date
Location & Site plan	Proposed	02	14.04.2026
Section plan	Proposed	04	14.04.2026
Site plan	Plot 5	104	14.04.2026
Site plan	Plot 6	105	14.04.2026
Floor plan	Proposed plot 5 ground	P5/1	14.04.2026
Floor plan	Proposed plot 5 first	P5/2	14.04.2026
Plans	Proposed plot 5 roof	P5/3	14.04.2026
Elevation plan	Proposed plot 5	P5/4	14.04.2026
Elevation plan	Proposed plot 5	P5/5	14.04.2026
Section plan	Proposed plot 5	P5/6	14.04.2026
Plans	Proposed GIA	P5/7	14.04.2026
Elevation plan	Proposed plot 5 overlay A	P5/8	14.04.2026
Elevation plan	Proposed plot 5 overlay B	P5/9	14.04.2026
Floor plan	Proposed plot 6 ground	P6/1 REV B	14.04.2026
Floor plan	Proposed plot 6 first	P6/2 REV B	14.04.2026

Plans	Proposed plot 6 roof	P6/3 REV B	14.04.2026
Elevation plan	Proposed plot 6 A	P6/4 REV B	14.04.2026
Elevation plan	Proposed plot 6 B	P6/5 REV B	14.04.2026
Section plan	Proposed plot 6	P6/6 REV B	14.04.2026
Plans	Proposed plot 6 GIA	P6/7 REV B	14.04.2026
Elevation plan	Proposed plot 6 overlay A	P6/8 REV B	14.04.2026
Elevation plan	Proposed plot 6 overlay B	P6/9 REV B	14.04.2026
Plans	Eaves window detail, plot 6	P6/10	14.04.2026
Plans	Detailed landscape proposal	AH_001 REV A	14.04.2026
Section plan	Sections Through Site	2.11	27.03.2024
Details plan	Tree Constraints Plan - Sheet 02	LLD1280-ARBDWG-001 01	11.01.2021
Details plan	Tree Retention and Protection Plan - sheets 01, 02, 03 and 04	LLD1280-ARBDWG-002 00	11.01.2021
Location plan		001 P2	24.11.2023
Site plan		2.01 REV C	24.11.2023
Floor plan	Plot 1 - Floor Plans	2.02 REV B	27.03.2024
Elevation plan	Plot 1 - Proposed Elevations	2.03 REV B	27.03.2024
Floor plan	Plot 2 - Floor Plans	2.04 REV B	27.03.2024
Elevation plan	Plot 2 - Proposed Elevations	2.05 REV B	27.03.2024
Floor plan	Plot 3 - Floor Plan	2.06 REV A	24.11.2023
Elevation plan	Plot 3 - Proposed Elevations	2.07 REV B	27.03.2024
Layout plan	Comparison Site Plan	2.08 REV A	24.11.2023
Details plan	Construction Management Plan	2.09 REV A	24.11.2023
Location & Block plan		2.10 REV A	24.11.2023
Floor plan	Proposed Plot 1 floor plans and roof	101 REV P2	24.11.2023
Elevation plan	Proposed elevations and sections Plot 1	102 REV P1	24.11.2023
Floor plan	Proposed floor and roof plan Plot 2	103 REV P2	24.11.2023
Elevation plan	Proposed elevations and sections Plot 2	104 REV P2	24.11.2023
Floor plan	Proposed Floor and Roof Plan Plot 4	107 REV P2	24.11.2023
Elevation plan	Proposed Elevations and Sections plot 4	108 REV P2	24.11.2023
Elevation & Floor plan	Proposed Plot 5	109 REV P4	24.11.2023
Elevation & Floor plan	Proposed Plot 5 and 6	109-01 REV P1	24.11.2023
Supporting Docs	Phasing Plan and Programme of Works	Appendix NJA 2	24.11.2023
Supporting Docs	Construction Management Plan	Appendix NJA 3	24.11.2023
Supporting Docs	Technical Note	Appendix NJA 3 020.0844/TN/3	24.11.2023
Supporting Docs	Condition 10 CEMP Biodiversity	Appendix NJA 6	24.11.2023

