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22nd April 2025

Dear Jason

RE: MOWBRAY, HORSHAM, WEST SUSSEX DISCHARGE OF CONDITION 16 TREE PROTECTION PLAN IN RELATION TO MOAT ROAD EXTENSION (DC/24/0446)

Please find enclosed an application to discharge condition 16 Tree Protection Plan for Moat Road Extension approved through Reserved Matters (DC/24/0446) pursuant to Planning Permission DC/16/1677 for the development of the Site at Mowbray, West Horsham.

Background

Outline Planning Permission (OPP) was granted at Mowbray (Formerly North Horsham) on the 1st March 2018 for:

> *Outline planning application with all matters reserved except access for a mixed use strategic development to include housing (up to 2,750 dwellings), business park (up to 46,450 m2), retail, community centre, leisure facilities, education facilities, public open space, landscaping and related infrastructure*

Further to approval of the OPP, an application pursuant to S96A of the Town and Country Planning Act 1990 (as amended), seeking a number of non-material changes to the wording of conditions, was approved by the Council in June 2019 (reference DC/19/0984; 'the S96A').

The S96A made amendments to Condition 16 to clarify the requirements of the condition.

Condition 16 (as amended through the S96A) requires the following:

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We are authorised and regulated by the Financial Conduct Authority.

*16. **Pre-Commencement Condition**: No development shall commence within any Reserved Matters Area or on works to construct the accesses hereby approved, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the relevant part of the site, until the following preliminaries have been completed in the sequence set out below:*

a) A plan shall be submitted to show all trees on the relevant part of the site to be retained as well as those off-site whose root protection areas ingress into the relevant part of the site, such trees shall be fully protected by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).

b) Once installed, the fencing shall be maintained during the course of the development works for that phase or sub-phase and until all machinery and surplus materials have been removed from the site.

c) 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.

The following are submitted pursuant to this condition:

- Landscape Proposals showing location of tree protection fencing
- Email from Andy Bush (Tree officer) confirming type of tree protection fencing is appropriate.

I trust the enclosed is sufficient to discharge this condition and I look forward to receiving confirmation in due course.

Thank you

Your Sincerely

[redacted]

Tom Davies MRTPI
Planning Manager
Legal & General Strategic Land and Major Projects