Horsham District Council

Andy Ryley
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Warren Park
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Application Number: DC/25/0342

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

On behalf of: HE4 UK Enterprises 17 GP Limited

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:

Variation of Condition 1, and 18, of previously approved application DC/24/1571 (Variation of Condition 23 of previously approved application DC/25/0386 (Variation of Condition 1 and Removal of Condition 18 of previously approved application DC/24/1989 (Variation of condition 1 and 17 of previously approved application reference DC/22/0518 (Outline Application for redevelopment of the site to provide flexible employment space (Use Classes E(g)(ii) and (iii), B2 and B8) totalling 4,627sqm, ancillary parking and circulation space with all matters reserved except access and layout)) Relating to water neutrality.

Land Parcel at 507911 125837, Newbridge Road, Billingshurst, West Sussex

to be carried out in accordance with Application No. DC/25/0342 submitted to the Council on 05/03/2025 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 18/07/2025

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
Supporting Statement	AIR QUALITY (SUPPORTING INFO)	784-B033054	28.07.2022
Supporting Statement	NOISE (SUPPORTING INFO)	784-B033054	28.07.2022

Section plan	Proposed Site Sections	CHQ.18.15464-PL04E	10.03.2022
Location plan	Location Plan	CHQ.18.15464-PL01C	10.03.2022
Site plan	Proposed Block Site Plan	101 REV B	23.12.2024
Supporting Statement	Flood Risk Assessment and Drainage Strategy	5017397 Rev 1.0	10.03.2022
Supporting Statement	Updated Ecological Walkover Report	784-B033054	10.03.2022
Supporting Statement	Landscape and Visual Impact Appraisal Addendum Appendix 3	DD554	10.03.2022
Supporting Statement	Energy Statement	5017397	10.03.2022
Supporting Statement	Lighting Assessment	784-A101561-3	10.03.2022
Tree plan	Tree Constraints Plan	Treescene	10.03.2022
Supporting Statement	Tree Survey	Treescene	10.03.2022
Supporting Statement	Transport Technical Note	784-B032970	10.03.2022
Supporting Statement	Air Quality Assessment	784-B033054	10.03.2022
Supporting Statement	Specification for an Archaeological Evaluation by Trial Trenching: Land Off Newbridge Road, Billingshurst, West Sussex		13.03.2024
Site plan	Proposed Block Site Plan	101 REV B	23.12.2024
Details plan	Proposed Drainage	D01	24.05.2024
Supporting Statement	Submission to discharge Condition 5 - Drainage	23-030-I&L	24.05.2024
Supporting Statement	PART 1 OF 4Flood Risk Drainage Strategy - Part 1 of 4	5017393-RDG-XX-XX-DOC-C-9950 Part 1 of 4	24.05.2024
Supporting Statement	Flood Risk Drainage Strategy - Part 2 of 4	5017393-RDG-XX-XX-DOC-C-9950 Part 2 of 4	24.05.2024
Supporting Statement	Flood Risk Drainage Strategy - Part 3 of 4	5017393-RDG-XX-XX-DOC-C-9950 Part 3 of 4	24.05.2024
Supporting Statement	Flood Risk Drainage Strategy - Part 4 of 4	5017393-RDG-XX-XX-DOC-C-9950 Part 4 of 4	24.05.2024
Supporting Statement	Flood Risk Technical Note	23-027-GOY	24.05.2024
Supporting Statement	Archaeological Evaluation	AAL 2024051	24.05.2024
Supporting Statement	Submission to discharge Condition 7 (1) - Contamination	23-030-I&L Part 1 of 5	24.05.2024
Supporting Statement	Submission to discharge Condition 7 (2) - Contamination	23-030-I&L Part 2 of 5	24.05.2024
Supporting Statement	Submission to discharge Condition 7 (3) - Contamination	23-030-I&L Part 3 of 5	24.05.2024
Supporting Statement	Submission to discharge Condition	23-030-I&L Part 4	24.05.2024

	7 (4) - Contamination	of 5	
Supporting Statement	Submission to discharge Condition 7 (5) - Contamination	23-030-I&L Part 5 of 5	24.05.2024
Supporting Statement	Submission to discharge Condition 8 (1) - Levels	23-030-I&L Part 1 of 2	24.05.2024
Details plan	Submission to discharge Condition 8 (2) - Levels	23-030-I&L Part 2 of 2	24.05.2024
Supporting Statement	Submission to discharge Condition 9 - Biodiversity Enhancement Strategy	16479_R02_MJ	24.05.2024
Supporting Statement	Submission to discharge Condition 12 - Noise Management Plan	A5083 V2	17.12.2024
Supporting Statement	Air Quality Damage Cost Assessment	A5083 V2	18.12.2024
Supporting Statement	Submission to discharge Condition 15 - Air Quality Technical Note	A5083	24.05.2024
Supporting Statement		23-030_001A	15.08.2024
Supporting Statement	Water Neutrality / Technical Note s73 Borehole Option	Issue 1	13.03.2025
Supporting Statement	Technical Note	Feb 2025	30.04.2025
Supporting Statement	Technical Note in response to EHO comments	Feb 2025	30.04.2025

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

2 **Regulatory (Time) Condition:**

(a) Approval of details relating to the scale and appearance of each building, access within the site, and landscaping of the development (hereinafter called "the Reserved Matters"); shall be obtained from the Local Planning Authority in writing before any development of this phase is commenced.

(b) Plans and particulars of the Reserved Matters referred to in condition (a) above, relating to the scale and appearance of each building, access within the site, and landscaping of the development shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

(c) Application for approval of the Reserved Matters shall be made to the Local Planning Authority before 07.10.2025.

(d) The development hereby permitted shall be begun either before 07.10.2025, or before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved, whichever is the later.

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

3 **Pre-Commencement Condition**: No development (including any ground clearance or site levelling) shall commence until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The approved CEMP shall be a single document covering the development of this part of the site and shall be strictly adhered to throughout the construction period. The CEMP shall provide for, but not be limited to:

i. An introduction consisting of construction phase environmental management plan, definitions and abbreviations and project description and location;

ii. A description of management responsibilities;
iii. A description of the construction programme which identifies activities likely to cause high levels of noise or dust;
iv. Site working hours and a named person for residents to contact;
v. Detailed Site logistics arrangements;
vi. Details regarding parking, deliveries, and storage;
vii. The anticipated number, frequency and types of vehicles used during construction;
viii. Details of construction traffic routing, including site access;
ix. Details of any construction-related floodlighting, including location, height, type, timing and direction of light sources and intensity of illumination;
x. Details regarding dust and noise (including vibration) mitigation measures to be deployed including identification of sensitive receptors and ongoing monitoring;
xi. Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network;
xii. Communication procedures with the local community regarding key construction issues - newsletters, fliers etc.
xiii. Locations and details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
xiv. The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
xv. Details of a scheme for the recycling/disposing of waste resulting from site clearance and construction works.

Reason: As this matter is fundamental in the interests of good site management, highway safety, and to protect the amenities of adjacent businesses and residents during construction works to accord with Policies 33 & 40 of the Horsham District Planning Framework (2015).

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

- All hedgerows, trees and vegetation on the site shown for retention [in the Tree Constraints Plan, by Treescene, received 10/03/2022] 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).

5 **Regulatory Condition**: The development hereby permitted shall be carried out in strict accordance with Flood Risk Technical Note [23-027-GOY], Submission to discharge Condition 5 - Drainage [23-030-I&L], drawing ref: D01 Proposed Drainage, drawing ref: 5017393-RDG-XX-XX-DOC-C-9950 Part 1 of 4, Flood Risk Drainage Strategy - Part 1 of 4, drawing ref:

5017393-RDG-XX-XX-DOC-C-9950 Part 2 of 4Flood Risk Drainage Strategy - Part 2 of 4, drawing ref: 5017393-RDG-XX-XX-DOC-C-9950 Part 3 of 4 Flood Risk Drainage Strategy - Part 3 of 4, and drawing ref: 5017393-RDG-XX-XX-DOC-C-9950 Part 4 of 4 Flood Risk Drainage Strategy - Part 4 of 4. The Drainage Strategy shall be implemented prior to first occupation in accordance with the approved details and thereafter retained as such.

Reason: As this matter is fundamental to prevent the increased 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).

6 **Regulatory Condition**: The development hereby permitted shall be carried out in strict accordance with the approved Specification for an Archaeological Evaluation by Trial Trenching: Land Off Newbridge Road, Billingshurst, West Sussex and Archaeological Evaluation Report dated April 2024 [AAL 2024051].

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

7 **Regulatory Condition**: The development hereby permitted shall be carried out in strict accordance with the approved Submission to discharge condition 7 - Contamination Risk Assessment, including Appendix A - Phase 1 & 2 Ground Investigation Report by Geo-Environmental dated March 2020. 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).

8 **Regulatory Condition**: The site levelling works shall be carried out in strict accordance with approved drawing ref: G00 Rev P4 Earthworks Cut and Fill Volumes prior to the commencement of development of any building within Phase 2.

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).

9 **Regulatory Condition**: The development hereby permitted shall be implemented and retained in strict accordance with the approved Biodiversity Enhancement Strategy dated 19th April 2024 [16479_R02_MJ]. 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).

10 **Pre-Commencement (Slab Level) Condition**: Not applicable

11 **Pre-Occupation Condition**: Prior to the first occupation or use of the development hereby permitted, a Marketing Report shall have been submitted to and approved in writing by the Local Planning Authority. The Marketing Report shall set out how the occupation of the units hereby approved have been marketed to existing or new businesses based within the Horsham District (local businesses). The minimum marketing period shall be as follows:

i. An initial period of 6 months from the date of grant of Planning Permission. During this period, no sales or letting shall be agreed with businesses other than local businesses.

ii. A subsequent period of 6 months (up to a period of 12 months from the grant of Planning Permission). During the subsequent period, no more than 50% of the unoccupied units shall be marketed for occupation to businesses based outside the Horsham District

Reason: To ensure the development promotes local economic growth in accordance with Policy 7 of the Horsham District Planning Framework (2015).

12 **Regulatory Condition**: The development hereby permitted shall be carried out and operated in strict accordance with the approved Noise Management Plan dated 17th December 2024.

Reason: In order to ensure that the safe operation of the development and to protection of the amenities of nearby residents, in accordance with Polices 33 and 40 of the Horsham District Planning Framework (2015).

13 **Pre-Occupation Condition**: Prior to the first occupation or use of the development hereby permitted, a Landscape and SuDS 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 landscape areas and SuDS infrastructure (existing and proposed) shall have 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 Policies 25, 31 and 33 of the Horsham District Planning Framework (2015).

14 **Pre-Occupation Condition**: Prior to the first occupation or use of the development hereby permitted, a verification report demonstrating that the SuDS drainage system has been constructed in accordance with the approved design drawings shall be submitted to and approved by the Local Planning Authority. The development shall be maintained in accordance with the approved report.

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).

15 **Pre-Occupation Condition**: Prior to the first occupation or use of the development hereby permitted, an Air Quality Mitigation Scheme shall be submitted to and approved in writing by the Local Planning Authority. The Air Quality Mitigation Scheme shall detail the measures to achieve a minimum environmental damage cost value of £25,435.73 and include (but not be limited to) the measures detailed in the Mitigation Section of the ACCON UK Air Quality Assessment v2 (18th December 2024). The approved scheme shall be installed prior to first occupation of the development and shall thereafter remain 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).

16 **Pre-Occupation Condition**: Prior to the first occupation or use of the development hereby permitted, a Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority and shall include details to mitigate impacts on air quality as set out in the Council's latest Air Quality and Emissions Reduction Guidance document. The applicant

shall use all reasonable endeavours to work with other businesses in the immediate area to co-ordinate the measures within the travel plan. The Travel Plan once approved shall thereafter be implemented as specified within the approved document.

Reason: To encourage and promote sustainable transport and mitigate the impacts of the development on air quality in accordance with Policies 35, 40 & 41 of the Horsham District Planning Framework (2015).

17 **Pre-Occupation Condition**: Prior to the first occupation or use of the development hereby permitted, full details of the proposed footpath link along the eastern boundary to the existing footbridge as shown on approved Proposed Block Site Plan reference [101 Rev B] shall have been submitted to and approved in writing by the Local Planning Authority. The footpath shall be implemented in accordance with the approved details prior to the first occupation (or use) of any part of the development and maintained as such thereafter.

Reason: To encourage and promote sustainable travel options to the site, and in the interests of visual amenity in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

18 **Pre-Commencement Condition**: No development shall commence until full details of the water efficiency measures and rainwater harvesting system required by the approved Water Neutrality Technical Note 's73 Borehole Option' (prepared by SB Partnership, received 13.03.2025) have been submitted to and been approved in writing by the Local Planning authority. The submitted details shall include:

- The specification of the fittings and fixtures to be installed within each unit.
- Details of the rainwater storage tank capacity to allow for a minimum of 35 days storage.
- Detail on the proposed rainwater treatment system and maintenance regime.
- Details of who is responsible for the management and maintenance of the rainwater system.

Arrangements for keeping written records of all sampling, results of analysis, inspection, cleaning, and maintenance.

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), and to enable 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).

19 **Post-Occupation Condition**: Not applicable

20 **Regulatory Condition**: The approved fire hydrant shall be installed in accordance with drawing ref: 101 Rev B Proposed Block Site Plan and ready for use prior to the first use of the development hereby permitted and 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).

21 **Regulatory Condition**: Not applicable

22 **Regulatory Condition**: All works within the development hereby permitted shall be carried out in full accordance with the mitigation and enhancement measures and/or works contained within the Ecological Walkover Report [Tetra Tech, 784-B033054, dated 17 January 2022].

Reason: To conserve and enhance protected and priority species in accordance with the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981, s40 of the NERC Act 2006, and Policy 31 of the Horsham District Planning Framework (2015).

23 **Regulatory Condition**: The site shall be subject to the following:
a) With the exception of internal operations and associated deliveries and dispatch, no operation of plant and machinery, or external activities shall take place in connection with the units 5-9 on the Proposed Block Site Plan [101 Rev B] hereby permitted under DC/24/1989; except between the hours of 06:00 to 23:00 Mondays to Saturdays, and 07:00-20:00 on Sundays and public holidays.

b) No operations or activities, including the operation of plant and machinery and deliveries/dispatches, shall take place in connection with the units 1-4 on the Proposed Block Site Plan [101 Rev B] hereby permitted under DC/24/1989; except between the hours of 06:00 to 23:00 Mondays to Saturdays, and 07:00-20:00 on Sundays and public holidays.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015)

24 **Regulatory Condition**: No external lighting, other than low level lighting to emergency exits, shall be operated within the development site hereby permitted between the hours of 23:00 to 06:00 hours the following day on Mondays to Fridays, 23:00 to 07:00 hours the following day on Saturdays, and 20:00 to 06:00 hours the following day on Sundays and public holidays.

Reason: To safeguard the ecology and tranquillity of the countryside and amenities of adjacent occupiers in accordance with Policies 24, 25, 26 & 33 of the Horsham District Planning Framework (2015).

25 **Regulatory Condition**: No externally located plant or equipment within the development site hereby permitted shall be installed or operated without the prior written approval of the Local Planning Authority by way of formal application.

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

26 **Regulatory Condition**: Following first occupation of each unit within the development hereby approved, no mezzanine or additional floor levels (other than any already identified on the approved drawings listed in Condition 1) shall be constructed within any unit without express planning consent from the Local Planning Authority first being obtained.

Reason: To ensure the traffic generation form the site is sustainable having regard the car park facilities within the wider development to ensure no overspill parking into surrounding roads to accord with Policies 40 & 41 of the Horsham District Planning Framework (2015).

27 **Regulatory Condition**: No external storage of any materials or waste shall take place at any time within the development hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: To safeguard the amenities of the locality in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

28 **Regulatory Condition**: No works for the implementation of the development hereby permitted 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).

29 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order) no development falling within Classes F, G, H and J of Part 7 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of buildings within the development hereby permitted, without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity to protect the rural character of the area in accordance with Policies 25, 26, 27 & 33 of the Horsham District Planning Framework (2015).

30 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and/or re-enacting that Order), no change of use of the units within the development hereby permitted from the uses granted for that unit by this permission shall take place without express planning consent from the Local Planning Authority first being obtained.

Reason: To ensure the development remains in employment use in accordance with Policies 7 & 9 of the Horsham District Planning Framework (2015).

31 **Regulatory Condition**: No part of the building or the site shall be designated, equipped or used as a vehicle washing area without the prior written consent of 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).

32 **Pre-Commencement Condition**: Other than earthworks, 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 received in writing setting out that the borehole supply set out in the approved Water Neutrality Technical Note ‘s73 Borehole Option’ (prepared by SB Partnership, received 13.03.2025) will be delivered to provide all potable water for the development;

or

iii) A site-specific water neutrality mitigation scheme has been submitted to and been approved in writing by the Local Planning Authority. The site-specific water neutrality mitigation scheme shall include full details of the means of any and all onsite and offsite mitigation and any necessary agreements pursuant to S106 of the Town and Country Planning Act 1990 to deliver and secure the approved mitigation; and

iv) 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 site-specific water neutrality mitigation scheme under part iii) has been fully implemented. The approved mitigation shall thereafter be retained, maintained and operated to the same or better water performance standard.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA 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 enable 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).

33 **Regulatory Condition**: Subject to Condition 32, no development, other than earthworks, shall commence until a management and maintenance plan for the borehole, pump and treatment plant has been submitted to and approved in writing by the Local Planning Authority. The management and maintenance plan shall include the following details:

- The sampling regime and parameters etc, recognising that the sampling will need to be undertaken a DWI certified sampler and analysed by a UKAS accredited lab.
- Detail on how any failure of any samples will be investigated and managed.
- Details, including a plan or schematic, showing the supply - storage tanks, treatment etc, and means to record the total water consumption of each unit
- Detail on what type of treatment that will be installed on the supply with information clearly indicating that it is appropriate for the amount of water being used.
- Detail on how the treatment system, pipework, tanks etc will be cleaned and maintained and who will maintain them for the lifetime of the development. This should include any re-activation of the system after it has been out of use due to lack of use.
- The completion and sharing of the Regulation 6 risk assessment by a suitably competent person (as required by the Private Water Supply (England) Regulations 2016) prior to the water supply being put into use.
- Arrangements for keeping written records of all sampling, results of analysis, inspection, cleaning, and maintenance.
- Details of contingency plans to ensure any failure's or reported concerns with the supply are investigated and rectified as soon as possible, including timeframes. This should include notification of the investigation and corrective actions to the local 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), and to enable 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).

34 **Pre-Commencement Condition**: Subject to Condition 32, no development, other than earthworks and the drilling of the borehole, shall commence until evidence that water from the borehole has been sampled by a person who has undertaken the DWI certification of persons scheme for sampling private water supplies and analysed by a laboratory that is accredited to the ISO 17025 Drinking Water Testing Specification and the findings submitted to the Local Planning Authority. In the event the samples show that any of the parameters are above the prescribed concentrations or values, as detailed in Schedule 1 of the Private Water Supplies (England) Regulations 2016, no development shall commence until a mitigation scheme has been submitted to and been approved in writing by the Local Planning Authority that demonstrates how the water 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 then 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).

35 **Pre-Occupation Condition**: No unit 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 unit has been implemented in full in accordance with the approved details. The evidence shall include the specification of fittings and appliances used, evidence of their installation, evidence they meet the required water consumption flow rates, and evidence of the installation and connection of the rainwater harvesting system and appropriate storage tanks to provide a minimum 35 days storage

capacity, and, subject to Condition 32, evidence of the installation and connection to the borehole water supply system. The installed measures shall be retained and operated as such at all times thereafter to an equivalent or better water performance standard.

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), and to enable 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).

36 **Regulatory Condition**: Subject to Condition 32, prior to first use of the borehole system, details of the Source Protection Zone for the borehole shall be provided to the Local Planning Authority and Environment Agency, alongside evidence that all landowners within the Source Protection Zone have been notified of the borehole and their responsibilities to avoid contamination of the borehole supply.

Reason: To ensure the quality of water is maintained and 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

37 **Pre-Occupation Condition**: Subject to Condition 32, no unit(s) shall be brought into first use until evidence has been submitted to and been approved in writing by the Local Planning Authority that water taken from the tap within the unit(s) meets the requirements of Schedule 1 'Prescribed concentrations or values' of the Private Water Supplies (England) Regulations 2016.

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 (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

38 **Regulatory Condition**: Subject to Condition 32, no unit hereby permitted shall be connected to or draw supply from the mains water supply except for emergency purposes in the event of a temporary failure of the borehole system. Where a temporary failure has occurred, the occupiers shall immediately undertake the contingency measures set out in the management and maintenance plan agreed under condition 33 until such time as the system is fully operational. The occupiers of each dwelling shall keep an ongoing record of all water taken from the mains supply and hold written evidence to explain why it was necessary as an exceptional measure to take water from the mains supply.

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).

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.

Compliance with the Approved Plans and Conditions
The development hereby approved must be implemented in accordance with the approved plans and any conditions set out in the Notice. Some of the conditions may specify that works are to be carried out, and/or details submitted and approved before all or part of the development is started. These will appear in the 'Pre-Commencement Conditions' section of the Notice.

If works on implementing this permission is started without these requirements being fully met, the development may be unauthorised and the permission invalidated, and could lead to enforcement proceedings or in some cases to prosecution.

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.

Conditions Compliance
Requests for confirmation of compliance with conditions associated with that permission should be made in writing or by using the application form 'Approval of Details Reserved by Conditions'.

A request may be for confirmation that one or more conditions imposed on the same permission have been complied with. We aim to respond within 8 weeks of receipt of the request.

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.