Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/1170
Kingsmead Nursing Home , Crawley Road, Horsham, West Sussex, RH12 4RX

DESCRIPTION:
Variation of condition 1 of previously approved application reference DC/24/1010 (Demolition of the existing buildings and erection of an 80-bedroom specialist dementia care home (Use Class C2) together with a retained access from Crawley Road and associated car and cycle parking and landscaping) for minor changes to the approved care home design by means of varying the drawings. The proposed changes comprise revisions to the internal configuration of the proposed care home (and associated elevational changes) to meet operational and staffing requirements.

RELEVANT PLANNING HISTORY:

DC/25/0773	Non Material Amendment to previously approved application DC/24/1010 (Demolition of the existing buildings and erection of an 80-bedroom specialist dementia care home (Use Class C2) together with a retained access from Crawley Road and associated car and cycle parking and landscaping) Minor changes to the approved care home design.	Application Refused on 12.06.2025
DC/24/1010	Demolition of the existing buildings and erection of an 80-bedroom specialist dementia care home (Use Class C2) together with a retained access from Crawley Road and associated car and cycle parking and landscaping.	Application Permitted on 08.04.2025
DISC/25/0248	Approval of details reserved by condition 3 to approved application DC/24/1010.	Application Permitted on 25.09.2025
DISC/25/0249	Approval of details reserved by condition 5 to approved application DC/24/1010.	Application Permitted on 26.09.2025
DISC/25/0250	Approval of details reserved by condition 10 to approved application DC/24/1010.	Application Permitted on 26.09.2025

DESCRIPTION OF THE SITE
The application site is around 0.9ha and set on the southern side of Crawley Road, within the Horsham built-up area boundary. The site is currently occupied by a cluster of buildings which form the Kingsmead Nursing Home, now vacant, comprising some 54 residential rooms and other staff and residential facilities. Officers understand that the site has been fully vacant since May 2021. The front block (Kingsmead Lodge) is a low-rise single storey building set at an angle to Crawley Road, and dating from the 1980's. To the rear, and original inter-war property has been extended to form the accommodation wings and service functions of the nursing home facility (Kingsmead Nursing Home). The buildings have a combined footprint of 2,580sq.m.

Permission was granted in April 2025 for a replacement care home, specialising in dementia care, with 80-beds, largely occupying the footprint of the existing buildings in a T-form building across two-storeys, with staff and service facilities set within the roofspace of the rear block (eastern side) – under DC/24/1010.

A PRoW (footpath_3571) runs alongside the site's southern boundary, and a terrace of three Grade II listed buildings lie to the north-west (Fernbank Cottage, old Timbers, and Oak Tree Cottage).

There is a significant tree belt along the rear (east) boundary and the southern boundary, which are not subject to any protection orders, with several Preserved Trees (TPOs) remain in place: Scots Pine and Douglas Fir along the site's frontage. These trees would form part of the approved new landscape at the site.

DESCRIPTION OF THE APPLICATION

The application involves the redevelopment of the entire site, with the demolition of all buildings followed by the erection of a new 80-bed specialist care home (dementia) with a footprint of around 2,344sq.m (GEA).

A s73 application has been submitted to vary the details of the approved care home redevelopment under condition 1 of the approved consent DC/24/1010 which will address a number of optimisations to the layout to be realised over and above the consented scheme, whilst reflecting the consented scale, massing and quantum of care accommodation development scheme. The internal changes are required to meet the intended operational and staffing needs of the care home, by Splendid Healthcare Group.

The following amendments are noted, as supplied by the applicant:

- Bedroom and ensuite layouts amended to reflect the operator's updated design guide. This includes a revised split in the ratio of standard and premium bedrooms from 60:40 to 80:20. This results in a **marginal reduction in the overall floorspace** and footprint of the building, but without compromising care provision.
- A **slight projection forward of two bay windows on the southern elevation**. Due to the staggered form of the building, this change does not impact upon the overall building line.
- **A small adjustment (reduction) to the length of the main building elevation, moving this further away from the eastern and western boundaries**.
- A subtle **repositioning of the gables in the north-west wing** of the proposed building (on both sides) to open-up the external space at the corner of the two facades.
- The **repositioning of the rooflights** on the south-west wing of the proposed building to reflect changes made to the internal layout.
- The **introduction of first-floor balconies on the east and west elevations** to provide secure, accessible external amenity space for residents in the specialist dementia care wings. To the east the proposed larger balcony will sit entirely behind the existing boundary planting. The two smaller balconies at the northern end of the building will be screened where facing north with obscure glazing (1.7 metres in height) so that the outlook is only to the east and west. This will avoid any overlooking of the neighbouring houses to the north. To the east the balcony sits behind evergreen vegetation, while to the west the separate distances to the nearest properties are generous.
- I**nstallation of photovoltaic (PV) panels on the south-eastern flat roof.**
- **Integration of air source heat pumps (ASHPs) within the roof space** of the north-eastern part of the building.

To address potential concerns regarding the changes, the following are noted:

1) The first-floor window to the end of corridor 'destination space' facing north (between beds 1.13 and 1.14) is shown as obscure glazed and non-openable (to 1.7 metres in height).
2) The first-floor side window to bedroom 1.09 is also shown as obscure glazed and non-openable to 1.7 metres in height.
3) Obscure glazed screen to north-eastern balcony to height of 1.8m above FFL
4) Obscure glazed screen to the northern side of the north-western balcony to a height of 1.8m above FFL

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF):

Horsham District Planning Framework (2015):

Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 18 - Retirement Housing and Specialist Care
Policy 24 - Strategic Policy: Environmental Protection
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 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities
Policy 43 - Community Facilities, Leisure and Recreation

Supplementary Planning Guidance:
Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Neighbourhood Plan:
The North Horsham Parish Council voluntarily withdrew from the Neighbourhood Development Plan process on 30th July 2018

Planning Advice Notes:
Biodiversity and Green Infrastructure

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 1 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

West Sussex Joint Minerals Local Plan (2018)
Policy M9 - Safeguarding Minerals

Supplementary Planning Guidance:
Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017):

Planning Advice Notes:
Facilitating Appropriate Development

Biodiversity and Green Infrastructure

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:
HDC Conservation: No Objections, the previous comments (to DC/24/1010) remain relevant

PUBLIC CONSULTATIONS
Representations:
To date, three neighbour representations are noted, all of which express support:

- Tall conifers provide privacy but am concerned about the actual height of the proposed build will not be seen from my home.
- Approve of the redesign - the plans to improve the biodiversity are also very good. Our only concern is how tall the trees may grow along our shared border fence and what species they will be. We would also appreciate communication about the planned demolition when the time comes
- Building Positioning within the site is well thought-out, some of the existing trees and Laurels are in a poor state and have not been maintained for many years, hopefully the existing vegetation that is dead or overgrown will be tidied up, or removed and replaced as part of the planned landscaping proposals for this new development.

Parish Comments:
North Horsham Parish Council: No Objection

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

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 condition 1 (layout shift and elevational changes)

The proposed amendments sought by way of the s73 would involve a number of shifts to the consented footprint, as described above. Changes to the rear elevation (east-facing) would involve a reduced footprint, and would thus lead to no further impact over and above the approved development, to the neighbouring occupants along Sycamore Avenue. Changes to the front elevation (west-facing) would involve a reduced footprint, and thus not leading to any impact. Externally, the care home maintains the same height and massing, along with the same proportions and materials as the consented scheme.

As such, the principle of the proposed development is considered to accord to national and local planning policies relating to the development of sites within established BUAB, and making efficient use of land.

Residential Amenity:
Where the revised footprint results in a shifted position of first-floor windows closer to the residential amenity areas (gardens) of Linmead House (south) and Fernbank Cottage (north), these are to be obscure-glazed and fixed shut to a height of 1.7m above internal floor level.

New external first-floor balconies to the resident dining rooms and lounges are noted to the eastern side and to the north-east and north-west corners, which would be some 9m off the site's northern boundary with residential properties 87 and 99 Sycarmore Avenue. These would be obscure-glazed up to a height of 1.8m to prevent any overlooking towards Sycamore Avenue, to be secured by condition.

The new first-floor rear balcony for residents set to the eastern elevation would achieve a separating distance of some 25m to the rear of properties 63 – 75 Sycamore Avenue. In addition, there is an intervening tree screen which is set to be retained. Notwithstanding this intervening tree screen, a condition is advised to secure obscure glazing to the east-facing side of the balcony as per the other stated screening to the new balconies to be introduced under the s73 application.

Neighbour consultation of these amendments has taken place.

Trees
The proposals would not impact on the rooting environment of retained trees over and above the consented scheme under DC/24/1010.

Highways
The proposals doe not change the vehicular access to the site from Crawley Road, nor do they interfere with the circulation spaces within the site or parking area to the southern side of the site.

Habitat Sites – Water Neutrality
The application site falls within the Sussex North Water Supply Zone where mains water is supplied by way of groundwater abstraction within the Arun Valley. The Local Planning Authority received a 'Position Statement' from Natural England in September 2021, advising that the effects of existing groundwater abstraction cannot be objectively demonstrated to be compatible with the conservation objectives of a number of habitat sites. The habitat sites named within the Natural England position statement include the Arun Valley SAC, SPA and Ramsar sites.

Within its Position Statement of September 2021, Natural England advise that decisions on planning applications should await the development of a water-neutrality strategy on a strategic basis. In the current absence of a strategic solution to achieving water-neutrality, Natural England advise that individual plans and projects, where it is critical that these proceed, must demonstrate net-neutrality in respect of the use of mains-water such as to avoid contribution to the known adverse effect upon the integrity of Arun Valley habitat sites by reason of water-use.

As part of the approved development under DC/24/1010, the Water Neutrality Statement (Arc Engineers, 24016-01, Feb 2024), took account of the previous water use of the care home site, referencing water bills of both buildings across a 4 year period up until the site's closure, evidencing 'existing' water use of 13,557 litres / day. The agreed water demand assumed 125l/p/d for the

prospective residents (125 l/p/d x 80 = 10,000 l/d), and a staffing use of 62.5 l/p/d, but using a ratio of 40 staff, which arrived at an overall daily water demand of **12,500l/d.**

Officers used a robust water demand calculation of 13,000 l/d, which was less than the existing water bills evidenced for the pre-existing care home facility, which therefore established a water neutral position, with a small amount of headroom. The Authority conducted an appropriate assessment in respect of application DC/24/1010, with Natural England concurring with the findings subject to the mitigations being suitably secured by way of planning conditions.

It is therefore concluded that the proposed s73 amendment would not increase bed-spaces or staffing levels across the consented development, and would therefore continue to achieve a water neutral development in accordance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017. Subject to conditions being replicated to secure the measures set out within the previously approved WNS, there is no clear or compelling evidence to suggest that the proposal would result in an adverse impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. The grant of planning permission would not therefore adversely affect the integrity of these sites or otherwise conflict with policy 31 of the HDPF, NPPF paragraph 193, or the Council's obligations under the Conservation of Habitats and Species Regulations 2017

Conclusions:
The proposed amendment to Condition 1 of the consented development would result in a form and scale of development that remains broadly as per that already considered and permitted under DC/24/1010, and does not affect or change the operational part of the development.

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. The developer can then opt which consent to implement.

Officers therefore consider that the conditions stated above can be varied, and added, thus exercising the right to apply conditions of differing wording on the permission for the proposed amendments to DC/24/1010 under Section 73(2)(a) of the TCPA.

Recommendation: Application Permitted

Conditions:

2 **Standard Time Condition**: The development hereby permitted must be commenced by the 08/04/2028.

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

3 **Pre-Commencement Condition**: All demolition and construction activities shall be carried out in accordance with the details and measures set out in the CEMP and approved under DISC/25/0248 (dated 25.09.2025), unless otherwise agreed in writing by the local planning authority.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers and highway safety during construction and in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

4 **Pre-Commencement Condition**: No development shall commence within any phase, 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:

o All trees on the site shown for retention on approved drawing numbers [Arboricultural Impact Assessment/Method Statement / Tree Protection Plan, PJC/6593/24-01, by PJC Consultants Ltd, dated 18.06.2024, received 03.07.2024] 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).

o 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.

o 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 within a specific phase 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 **Pre-Commencement Condition**: The CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the details approved under DISC/25/0249 (dated 26.09.2025), unless otherwise agreed in writing by the local planning authority.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended) and Policy 31 of the Horsham Development Framework.

6 **Pre-Commencement Condition**: No development shall commence, excluding demolition, until construction drawings of the surface water drainage network, associated sustainable drainage components, flow control mechanisms and a construction method statement has been submitted and agreed in writing by the Local Planning Authority. This shall be supported by further winter groundwater monitoring. The scheme shall then be constructed as per the agreed drawings, Sustainable Drainage Strategy Report by Arc Engineers, June 2024, revision P3 and remain in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with paragraphs 181 and 182 of the NPPF (2024), and Policy 38 of the Horsham Development Framework (2015).

7 **Pre-Commencement Condition**: Notwithstanding the preliminary details shown on drawings DR-D-5001-P2 1of 2 and 2 of 2, no development shall commence, excluding demolition, until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. Consideration needs to be given to the provision of suitable grease traps to the commercial kitchen. The development shall be carried out in accordance with the approved scheme.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

8 **Pre-Commencement Condition**: No development, including demolition, which has the potential to impact on the breeding / resting place of Bats, shall commence until the Local Planning Authority has been provided with either:

a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or

b) evidence of site registration by an individual registered to use a Bat Mitigation Class Licence; or
c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To conserve protected species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998, and in in accordance with Policy 31 of the Horsham District Planning Framework (2015).

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

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

10 **Pre-Commencement (Slab Level) Condition**: The Biodiversity Enhancement measures shall be implemented in accordance with the details approved under DISC/25/0250 (dated 26.09.2025), and shall be implemented prior to occupation. 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).

11 **Pre-Occupation / Use Condition**: Notwithstanding the details shown on drawing 12586-FPCR-XX-XX-DR-L-0001 Rev P03 -General Arrangement Plan, the development hereby approved shall not be occupied until full details of all hard and soft landscaping works, including boundary treatments, have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained, showing accordance with the approved Arboricultural Impact Assessment/Method Statement / Tree Protection Plan, PJC/6593/24-01, by PJC Consultants Ltd, dated 18.06.2024
- Details of all proposed trees and planting, including schedules specifying species, planting size, girth and canopy spread, densities, plant numbers and tree pit details
- Details of all hard surfacing materials and finishes, as well as fixed features such as benches, shelters, pergola structures and raised planters, sheds and greenhouses, and retaining walls
- Details of all boundary treatments - specifying the siting, design, height and materials of the screen walls/fences to be constructed or erected and/or the species, spacing and height of hedging to be retained and / or planted together with a programme of implementation
- Consideration of the suggestions made by the Council's Landscape Consultant (dated 26/07/24)

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

Reason: To ensure a satisfactory development that is sympathetic to the landscape and 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).

12 **Pre-Occupation / Use Condition**: Pre-Occupation Condition: Notwithstanding the details shown on drawing 12586-FPCR-XX-XX-DR-L-0001 Rev P03 -General Arrangement Plan, the development hereby approved shall not be occupied until a landscape management plan (LMP) for all communal landscape areas has been submitted to and approved in writing by the Local Planning Authority. A Written Specification and accompanying plan shall include details of:
i. All operation and procedures for soft landscape areas; inspection, watering, pruning, cutting, mowing, clearance and removal of arisings and litter, removal of temporary items (fencing, guards and stakes) and replacement of failed planting.
ii. All operations and procedures for hard landscape areas; inspection, sweeping, clearing of accumulated vegetative material and litter, maintaining edges, and painted or finished surfaces.
iii. Furniture (Bins, Benches and Signage).
iv. All operations and procedures for surface water drainage system; inspection of linear drains and swales, removal of unwanted vegetative material and litter.
v. Maintenance task table which explains the maintenance duties across the site in both chronological and systematic order.

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).

13 **Pre-Occupation / Use Condition**: The development hereby approved shall not be occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:
I. a timetable for its implementation,
II. details of SuDS features and connecting drainage structures and maintenance requirement for each aspect
III. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with paragraphs 181 and 182 of the NPPF (2024), and Policy 38 of the Horsham Development Framework (2015).

14 **Pre-Occupation / Use Condition**: The development hereby approved shall not be occupied until a lighting design scheme for biodiversity based on Guidance Note: 08/23 has been submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended, s40 of the NERC Act 2006 (as amended) and Policy 31 of the Horsham Development Framework.

15 **Pre-Occupation / Use Condition**: No part of the development hereby permitted shall be occupied until a survey and report from an independent surveyor has been submitted to and approved in writing by the Local Planning Authority, upon completion of the surface water drainage system, including any SuDS features. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition 13. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with paragraphs 181 and 182 of the NPPF (2024), and Policy 38 and Policy 38 of the Horsham Development Framework (2015).

16 **Pre-Occupation / Use Condition**: The development hereby approved shall not be occupied until provision for the storage of refuse and recycling has been made for the development in accordance with drawing number [12586-FPCR-XX-XX-DR-L-0001 Rev P03 -General Arrangement Plan]. These facilities shall thereafter be retained for use at all times.

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

17 **Pre-Occupation / Use Condition**: The development hereby approved shall not be occupied until 6No. charge EV points (or 3 x double/twin EV charge points) have been provided within the parking bays at the site, in accordance with drawing (A-1031 05 Rev F - Kingsmead Block Plan). The EV charge points 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).

18 **Pre-Occupation / Use Condition**: The development hereby approved shall not be occupied until the vehicle parking spaces and turning and access facilities have been provided in accordance with the plans hereby approved (Site Layout Plan - 1031 01 PL rev F). The vehicle parking spaces, turning and access facilities shall thereafter be retained solely for that purpose and solely in connection with the development.

Reason: To ensure adequate car parking, turning and access facilities are available to serve the development in accordance with Policies 40 and 41 of the Horsham District Planning Framework (2015).

19 **Pre-Occupation / Use Condition**: The development hereby approved shall not be occupied until details of secure and covered cycle parking facilities for staff and visitors, and mobility scooter parking for residents, have been submitted to and approved in writing by the Local Planning Authority. The approved cycle and mobility scooter parking facilities shall be fully implemented and made available for use prior to occupation and thereafter be retained for use at all times.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies in accordance with Policies 40 and 41 of the Horsham District Planning Framework (2015).

20 **Pre-Occupation / Use Condition**: The development hereby approved shall not be occupied until a scheme for sound attenuation against external noise has been submitted to and approved by the Local Planning Authority, arising as a result from building plant and / or machinery, such as refrigeration, air conditioning, ventilation / extract). The approved sound attenuation works shall be completed before the development is occupied and be retained thereafter. No additional building plant and/or machinery to be installed without prior approval from the Planning Authority.

Reason: As this matter is fundamental in the interests of neighbouring and prospective residential amenities by ensuring an acceptable noise level in accordance with Policy 33 of the Horsham District Planning Framework (2015).

21 **Pre-Occupation / Use Condition**: The development hereby approved shall not be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of a minimum 30 megabits 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).

22 **Pre-Occupation / Use Condition**: The development hereby approved shall not be occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority to demonstrate that the approved Water Neutrality Strategy (by Arc Engineers, dated February 2024, received 03.07.2024) for the development has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), 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).

23 **Pre-Occupation / Use Condition**: In the event that a Grey Water Harvesting system is implemented as part of the Water Neutrality Strategy, for external use and irrigation purposes only, then the development hereby approved shall not be occupied until a management and maintenance plan for the greywater harvesting system has been submitted to and approved in writing by the Local Planning Authority. The management and maintenance plan shall include the following details, as relevant to the proposed use:

o Details, including a plan or schematic, showing the supply - storage tanks, treatment etc, and means to record the total water consumption of each unit
o Detail on what type of treatment that will be installed and how the water is to be utilised for external and irrigation purposes only
o Details on how the external irrigation system would avoid sprinkler use or other above-ground irrigation means, so as to avoid aerosol dispersal.

The management and maintenance plan shall be operated in full at all times. No alterations or revisions to the approved management plan shall be implemented without the written approval 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), 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).

24 **Regulatory Condition**: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Bat DNA Analysis Letter Report (PJC Consultancy, dated May 2024, received 03.07.2024), Bat Survey Report (CSA/6252/01, by CSA Environmental, dated October 2022, received 03.07.2024) and Preliminary Ecological Appraisal (4959E/22/02, by PJC Consultancy, dated September 2022, received 03.07.2024), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the non-licensed Precautionary Method Statement for Hazel Dormouse in Section 4.3.18 and the Precautionary Method Statement for mobile protected species in Sections 4.3.28 and 4.3.29 of the Preliminary Ecological Appraisal (4959E/22/02, by PJC Consultancy, dated September 2022, received 03.07.2024). This avoids impacts on European Protected Species and protected species.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham Development Framework.

25 **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).

26 **Regulatory Condition**: All works shall be executed in full accordance with the submitted Arboricultural Impact Assessment/Method Statement / Tree Protection Plan [PJC/6593/24-01, by PJC Consultants Ltd, received 03.07.2024].

Reason: To ensure the successful and satisfactory protection of important trees, shrubs and hedges on the site in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).

27 **Regulatory Condition**: No deliveries and commercial waste collections shall take place outside of 08:00 hours to 19:00 hours Mondays to Fridays and 09:00 hours to 18:00 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).

28 **Pre-Occupation / Use Condition**: The development hereby approved shall not be occupied until details of the obscure glazed screens to the first-floor balconies to the eastern side, north-eastern corner and north-western corner, of the building, have been submitted to and approved by the Local Planning Authority. The approved balcony screening shall be completed before the development is occupied and be retained thereafter.

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

NOTE TO APPLICANT

Biodiversity Net Gain Condition

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission is Horsham District Council.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: Submit a biodiversity gain plan - GOV.UK (www.gov.uk).

Statutory exemptions and transitional arrangements
There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at https://www.gov.uk/guidance/biodiversity-net-gain.

Irreplaceable habitat
If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

NOTE TO APPLICANT
Please be advised that there are conditions on this notice that will require the submission of details to be submitted for approval to the Local Planning Authority. To approve these details, you will need to submit an "Application for approval of details reserved by condition" with an application form and pay the appropriate fee. Guidance and the forms can be found at planningportal.co.uk/planning/planning-applications

NOTE TO APPLICANT
The applicant is advised that under Part 1 of the Wildlife and Countryside Act 1981 disturbance to nesting birds, their nests and eggs is a criminal offence. The nesting season is normally taken as being from 1st March - 30th September. The developer should take appropriate steps to ensure nesting birds, their nests and eggs are not disturbed and are protected until such time as they have left the nest.

NOTE TO APPLICANT
The applicant is advised that it is an offence both to intentionally or recklessly destroy a bat roost, regardless of whether the bat is in the roost at the time of inspection. All trees should therefore be thoroughly checked for the existence of bat roosts prior to any works taking place. If in doubt, the applicant is advised to contact the Bat Conservation Trust at Quadrant House, 250 Kennington Lane, London, SE11 5RD, Tel: 0345 1300 228, email: equiries@bats.org.uk, http://www.bats.org.uk/.

NOTE TO APPLICANT
The applicant is advised to contact West Sussex County Council Highways, tel no: 01243 642105 or to visit https://www.westsussex.gov.uk/ for information on how to obtain formal approval from the highway authority to carry out works to the public highway. All necessary costs, the appropriate license and application fees for any works and any costs associated with the movement of any existing street furniture will have to be funded by the applicant. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed.

NOTE TO APPLICANT
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.

NOTE TO APPLICANT

The applicant is advised that full details of the hard and soft landscape works include the provision of, but shall not be necessarily limited to:

- Planting and seeding plans and schedules specifying species, planting size, densities and plant numbers
- Tree pit and staking/underground guying details
- A written hard and soft landscape specification (National Building Specification compliant), including ground preparation, cultivation and other operations associated with plant and grass establishment
- Hard surfacing materials - layout, colour, size, texture, coursing, levels
- Walls, steps, fencing, gates, railings or other supporting structures - location, type, heights and materials
- Minor artefacts and structures - location and type of street furniture, play equipment, refuse and other storage units, lighting columns and lanterns

NOTE TO APPLICANT

A licensed waste removal contractor should remove all clearance debris and construction waste from site. No burning of materials should take place on site.

NOTE TO APPLICANT

A Surface Water Drainage Statement is a site-specific drainage strategy that demonstrates that the drainage scheme proposed is in compliance with the National Planning Policy Framework and the Non-Statutory Technical Standards for Sustainable Drainage Systems. An Advice Note and a proforma for the statement can be found using the following link https://www.horsham.gov.uk/planning/development-management.

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/25/1170

(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
Supporting Docs	Cover Letter	NONE	16.07.2025
Supporting Statement	Design	A-1031	16.07.2025
Section plan	Sheet 1	A-1031 20 REV E	16.07.2025
Section plan	Sheet 2	A-1031 21 REV E	16.07.2025
Elevation plan	Sheet 1	A-1031 30 REV E	16.07.2025
Elevation plan	Sheet 2	A-1031 31 REV E	16.07.2025
Elevation plan	Sheet 3	A-1031 32 REV E	16.07.2025
Plans	General Arrangement	12586-FPCR-XX-XX-DR-L-0001 REV P06	16.07.2025
Layout plan	Site	A-1031 01 REV H	16.07.2025
Location plan		A-1031 04 REV E	16.07.2025
Block plan		A-1031 05 REV H	16.07.2025

Floor plan	Ground	A-1031 15 REV G	16.07.2025
Floor plan	First	A-1031 16 REV G	16.07.2025
Floor plan	Second	A-1031 17 REV G	16.07.2025
Roof plan		A-1031 18 REV G	16.07.2025

DELEGATED

Case Officer sign/initial Nicola Pettifer Date: 29.09.2025

Authorising Officer sign/initial J Hawkes Date: 03.10.2025