Horsham District Council

Mr Sam Sykes
ECE Planning Limited
ECE Planning
Brooklyn Chambers
11 Goring Road
Worthing
BN12 4AP

Angell Sand Pit, Washington Road, Storrington, West Sussex
A phased development for the erection of 6no detached houses (of which up to 4no. are to be self-build) with associated landscaping, drainage and access improvements to Heather Way at Angell Sandpit, Storrington

Your application DC/21/0057 has now been determined and I enclose the decision notice. The decision notice contains important information. Please take a moment to read it as further action may be required.

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

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

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

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

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

Yours Sincerely,
Development Management

Horsham District Council

Mr Sam Sykes
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Brooklyn Chambers
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Worthing
BN12 4AP

Application Number: DC/21/0057

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

On behalf of: Refer to Company Name, MiBri Ltd

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

A phased development for the erection of 6no detached houses (of which up to 4no. are to be self-build) with associated landscaping, drainage and access improvements to Heather Way at Angell Sandpit, Storrington

Angell Sand Pit, Washington Road, Storrington, West Sussex

to be carried out in accordance with Application No. DC/21/0057 submitted to the Council on 11/01/2021 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 24/09/2021

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
Elevation & Floor plan	Proposed Elevations and Section Plots 5 - 6	109-01 P1	04.06.2021
Design & Access Statement		NONE	11.01.2021
Block plan		002	11.01.2021
Block plan		101 P2	11.01.2021
Location plan		001	11.01.2021

Plans	Phasing	NONE	11.01.2021
Elevation plan	and Sections Plot 1	102 P1	11.01.2021
Elevation plan	and Sections Plot 2	104 P2	11.01.2021
Elevation plan	and Sections Plot 3	106 P2	11.01.2021
Elevation plan	and Sections Plot 4	108 P2	11.01.2021
Elevation & Floor plan	Proposed Elevations and Section Plot 5	109 P4	04.06.2021
Floor plan	and Roof Plot 2	103 P2	11.01.2021
Floor plan	and Roof Plot 4	107 P2	11.01.2021
Floor plan	and Roof Plot 3	105 P2	11.01.2021
Site plan		100 P5	11.01.2021
Elevation plan	Site Proposed	110 P2	11.01.2021
Tree plan	Topographical Survey	NONE	11.01.2021
Tree plan	Topographical Survey	S2233	11.01.2021
Tree plan	Tree Constraints Sheet 02	LLD1280-ARB-DWG-001 01	11.01.2021
Tree plan	Tree Retention and Protection	LLD1280-ARB-DWG-001 01	
Tree plan	Tree Retention and Protection Sheet 02	LLD1280-ARB-DWG-002	
Tree plan	Tree Retention and Protection Sheet 02	LLD1280-ARB-DWG-002	
Tree plan	Tree Retention and Protection Sheet 02	LLD1280-ARB-DWG-002	
Supporting Docs	Arboricultural Impact Assessment and Method Statement	NONE	
Supporting Docs	Ecological Impact Assessment	NONE	
Supporting Docs	Energy and Sustainability Statement	NONE	
Supporting Docs	Existing Tree Schedule	NONE	
Supporting Docs	Flood risk Assessment and Drainage Strategy	NONE	
Supporting Docs	Ground Condition Assessment	NONE	
Supporting Docs	Ground Gas Assessment	NONE	
Supporting Statement	Heritage	NONE	
Supporting Statement	Planning and Affordable Housing	NONE	
Supporting Statement	Community Involvement	NONE	
Supporting Docs	Transport Report	NONE	

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

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

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

3 **Pre-Commencement Condition:** Notwithstanding the submitted phasing plan, no development shall take place, including any ground works within the site, until a detailed phasing plan has been submitted to, and approved in writing by, the Local Planning Authority. The phasing shall include, but no be limited to, access works and implementation, ground remediation and stability, development up to slab level and subsequent individual plot development. The development shall be completed in accordance with the approved details.

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

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

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

5 **Pre-Commencement Condition:** No development shall take place, including any ground works, until the following construction site set-up details have been submitted to, and approved in writing by, the Local Planning Authority.

i. An introduction consisting of a description of the construction programme, definitions and abbreviations and project description and location;

ii. Details of how residents will be advised of site management contact details and responsibilities;

iii. Detailed site logistics arrangements (to include details shown on a plan), including location of site compounds, location for the loading and unloading of plant and materials, site offices (including height and scale), and storage of plant and materials (including any stripped topsoil);

iv. Details regarding parking or site operatives and visitors, deliveries, and storage (to include details shown on a plan);

v. The method of access to and from the construction site;

vi. The arrangements for public consultation and liaison prior to and during the demolition and construction works - newsletters, fliers etc;

vii. Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination;

viii. Locations and details for the provision of wheel washing facilities and dust suppression facilities (to include details shown on a plan).

The approved details shall be adhered to throughout the construction period.

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

6 **Pre-Commencement Condition:** No development, other than ground investigation and remediation works, shall commence until precise details (to include details shown on a plan) of

the proposed slab levels, and existing and proposed external ground levels of the development in relation to nearby datum points adjoining the application site have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details.

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

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

- All trees on the site shown for retention on approved drawing numbers [LLD1280-ARB-DWG-001 rev 01 and LLD1280-ARB-DWG-002 rev 00, Sheet 01 and Sheet 02], as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).
- Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.
- Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

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

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

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

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

9 **Pre-Commencement Condition:** No development shall take place until a Reptile Mitigation Strategy addressing the mitigation and translocation of reptiles has been submitted to and approved in writing by the local planning authority. The Reptile Mitigation Strategy shall include the following;

a) Purpose and conservation objectives for the proposed works.
b) Review of site potential and constraints.
c) Detailed design(s) and/or working method(s) to achieve stated objectives.
d) Extent and location/area of proposed works on appropriate scale maps and plans.

e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
g) Persons responsible for implementing the works.
h) Details of initial aftercare and long-term maintenance of the Receptor area(s).
i) Details for monitoring and remedial measures.
j) Details for disposal of any wastes arising from works.

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

Reason: 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 Condition:** No development shall take place until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following;
a) Risk assessment of potentially damaging construction activities.
b) Identification of "biodiversity protection zones".
c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements). d) The location and timing of sensitive works to avoid harm to biodiversity features.
e) The times during construction when specialist ecologists need to be present on site to oversee works.
f) Responsible persons and lines of communication.
g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
h) Use of protective fences, exclusion barriers and warning signs.
i) Containment, control and removal of any Invasive non-native species present on site
The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

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

11 **Pre-Commencement Condition:** No development shall commence 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. As part of the details, no drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

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

District Planning Framework (2015) and paragraph 170 of the National Planning Policy Framework.

12 **Pre-Commencement Condition:** No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the entire development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

(1) A preliminary risk assessment which has identified:
- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from contamination at the site.

The following aspects (b) - (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.
(2) An intrusive site investigation scheme, based on (1) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.
(3) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (2) and an options appraisal.
(4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

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

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

13 **Pre-Commencement Condition:** No development shall take place until a scheme to deal with the risks from ground instability at the site to the proposed development has been submitted to and approved in writing by the local planning authority. The scheme shall be prepared by a competent and suitably experienced engineer and must include the following components:

i) a detailed assessment of the risk to all phases of the development that may be affected, including any risks to offsite receptors.
ii) An options appraisal of the potential impacts and the remedies that might be available including estimated cost
iii) full details of the measures required to prevent ground instability and how they are to be undertaken;
iv) Demonstration of how cumulative and reasonable worse case effects have been considered;

vi) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in iii) are complete and identifying any requirements for longer-term monitoring, maintenance and arrangements for contingency action.

All work shall be supervised the engineer in accordance with the mechanisms and procedures specified in the approved verification plan and a comprehensive non- technical summary document of the assessments provided and information submitted against (i) to (vi) of this condition. The scheme shall be implemented in accordance with the approved details and mitigation measures, and they shall be permanently retained and maintained in working order for the duration of the use and their operation.

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

14 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any plot of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, roofs and skylights of the approved building 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).

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

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

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

- Details of all existing trees and planting to be retained
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details, with a minimum suggested girth size of 20 - 25cm
- Details of all hard surfacing materials and finishes
- Details of all boundary treatments and fencing, including means to permanently enclose the Buffer Zone and prevent access / inclusion of this area into residential curtilages

The approved communal landscaping elements shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any

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

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

17 **Pre-Occupation Condition:** Prior to the occupation of any dwelling hereby permitted, a Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

a) Purpose and conservation objectives for the proposed enhancement measures, including the creation of the Buffer Zone;
b) detailed designs to achieve stated objectives;
c) locations of proposed enhancement measures by appropriate maps and plans;
d) persons responsible for implementing the enhancement measures;
e) details of initial aftercare and long-term maintenance (where relevant).

The Strategy shall be implemented in accordance with the approved details relative to the relevant phase of the development and shall be retained in that manner thereafter. The measures pursuant to each phase shall be implemented prior to first occupation of any dwelling within that phase and shall be retained as such thereafter.

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

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

Reason: As these matters are fundamental to enhance the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species), and in order to protect the Dark Night Skies of the adjacent South Downs National Park, as required under paras 174 and 176 of the NPPF (2021).

19 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a long-term landscape management and maintenance plan (including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility and fencing / means of demarcation for the Buffer Zone) for all communal landscape areas and for the Buffer Zone, has been submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.

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

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

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

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

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

22 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until the car parking spaces (including garages where applicable), turning and access facilities necessary to serve it have been constructed and made available for use in accordance with approved drawing numbers [6545 100 rev P5, 6545 101 rev P2, 6545 103 rev P2, 6545 105 rev P2, 6545 107 rev P2, 6545 109 rev P4 and 6545 109-01 rev P1]. The car parking spaces permitted shall thereafter be retained as such for their designated use.

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

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

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

24 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until a fast charge electric vehicle charging point for that dwelling has been installed. As a minimum, the

charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

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

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

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

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

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

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

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

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

Reason: As this development is on a historic landfill there is the potential that any piling activities could mobilise any contamination and risk impacting controlled waters. If the landfill is lined then piling also risks penetrating the liner and so the landfill design should also be considered in the piling risk assessment. To ensure that any proposed piling or other deep foundation does not harm groundwater in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015) and in line with paragraph 170 of the National Planning Policy Framework.

29 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order no development falling within Classes A, AA, B and E of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

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

30 **Regulatory Condition:** The dwelling(s) hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to 110 litres per person per day. The subsequently approved water limiting measures shall thereafter be retained.

Reason: To limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015).

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

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

32 **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).

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

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

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

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

Note to Applicant
The applicant's attention is drawn to the provisions of both the Wildlife and Countryside Act 1981 and the Protection of Badgers Act 1992. Under these Acts, it is an offence to intentionally or recklessly kill, disturb, damage or destroy a protected species or its habitat. This includes but is not limited to wild birds, bats, badgers, dormice, reptiles and great crested newts.

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 www.planningportal.co.uk/planning/applications/paperforms .

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 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.

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
Please note that Southern Water require a formal application for connection to the water supply in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire (tel: 0330 303 0119) or www.southernwater.co.uk .

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

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

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

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

ADDITIONAL INFORMATION

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

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

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

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

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

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

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

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

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

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

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

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

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