Horsham District Council

Mr Chris Barker
ECE Planning Limited
64-68 Brighton Road
Worthing
West Sussex
BN11 2EN

Application Number: DC/25/0739

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

On behalf of: Vistry South East

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:

**Non Material Amendment to application DC/21/2233 (Outline for up to 265 dwellings, demolition of No. 37 Kings Barn Lane, and provision of vehicular access from the A283 Steyning by-pass), to allow delivery of approved access roundabout off the Steyning Bypass (A283) as first phase of the development in line with Condition 10 of the Outline Planning Permission.**

**Land North of Glebe Farm and Kings Barn Lane, Kings Barn Lane, Steyning, West Sussex**

to be carried out in accordance with Application No. PP-13973070 as amended by application No. DC/25/0739 submitted to the Council on 04/05/2025 (as modified by relevant conditions, if any) and subject to compliance with the plans/documents and conditions specified.

Emma Parkes
Head of Development and Building Control

Date: 03/06/2025

1 **Plans Condition**: The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule below.

Schedule of plans/documents:

| Plan Type | Description | Drawing Number | Received Date |
|---|---|---|---|
| Supporting Docs | REF: KB/Let/P2185i COVER LETTER by ECE Planning Dated 25 April 2025 | | 04.05.2025 |
| Plans | Phasing Plan | BR31285 JNP XX XX DR C 2007 REV P02 | 04.05.2025 |

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|---|---|---|---|
| Supporting Docs | HDC email dated 30/05/2025 10:47am to ECE Planning (Planning Agent) Subject: DC/25/0739 NMA Glebe Farm Condition 9 Alternative wording | | 30.05.2025 |
| Supporting Docs | ECE Planning email dated 30/05/2025 14:39pm to HDC Subject: DC/25/0739 NMA Glebe Farm. HDC alternative wording to Condition 9 (archaeology) agreed. | | 30.05.2025 |

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

Amended Condition 3 (Parameters)

**Submission of Reserved Matters:**

(a) The submission of reserved matters applications pursuant to this outline approval shall demonstrate substantial compliance with the following Parameter, Phasing, and Open Space Strategy plans submitted as part of the Outline approval to fix the development principles:
Drawing P20-2253_13 Rev C: Land Use Parameters
Drawing P20-2253_14 Rev D: Building Heights Parameters
Drawing P20-2253_15 Rev E: Green and Blue Infrastructure Parameters
Drawing BR31285 JNP XX XX DR C 2007 P02: Phasing Plan
Drawing P20-2253_010 REV G Plan 2 - Open Space Strategy

(b) The submission of reserved matters applications pursuant to the outline approval shall demonstrate substantial compliance with the Design and Access Statement and Outline Design Code P20-2253 REV C submitted as part of the Outline approval to fix the development principles.

Reason: To enable the Local Planning Authority to control the development in detail to ensure Reserved Matters compliance with development principles fixed at outline and to comply with Section 92 of the Town and Country Planning Act 1990

Amended Condition 8 (Finished Floor)

**Pre-commencement Condition:** No development of phases 2 - 4 inclusive (as shown on BR31285 JNP XX XX DR C 2007 P02 Phasing Plan) shall commence until precise details (to include details shown on a plan) of the existing and proposed finished floor levels and external ground levels of the development in relation to nearby datum points adjoining the application site have been submitted to, and approved in writing by, the Local Planning Authority for that dwelling. 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 setting of the South Downs National Park in accordance with Policies 25, 30, 33 of the Horsham District Planning Framework (2015) and Policy 2 of the Steyning Neighbourhood Development Plan (2022).

Amended Condition 9 (Archaeological Works)

**Pre-commencement Condition:** No development, including enabling and groundworks, of each phase (phases 1 – 4 inclusive as shown on BR31285 JNP XX XX DR C 2007 P02 Phasing Plan) shall commence unless:
i) in accordance with the programme of archaeological work secured within the approved WRITTEN SCHEME OF INVESTIGATION FOR AN ARCHAEOLOGICAL EVALUATION BY RPS GROUP Ref: JAC01000 March 2025 Kings Barn Lane, Steyning, West Sussex Site Code: SGL25 (approved under HDC planning reference DISC/25/0083 refers); and
ii) An initial summary report will be provided following completion of each phase of onsite archaeological fieldwork; and

iii). Following the completion of the archaeological fieldwork for all phases of the site, a scheme of assessment reporting, analysis, publication and dissemination of results and archive deposition will be undertaken to a scope that is to be agreed in advance with the local planning authority and their archaeological advisors.

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

Amended Condition 10 (New Access)
**Pre-commencement Condition:** No development of phases 2 - 4 inclusive (as shown on BR31285 JNP XX XX DR C 2007 P02 Phasing Plan) shall commence until the construction of the access roundabout serving the development has been constructed for its operational use in accordance with the details shown on drawings T17583.017 REV D and T17583.019 (the latter showing a controlled pedestrian and cyclist toucan crossing on Steyning By-Pass).

Reason: In the interests of road safety and in accordance with Policy 40 of the Horsham District Planning Framework (2015)

Amended Condition 12 (Foul Drainage Disposal)
**Pre-commencement Condition:** No development of phases 2 - 4 inclusive (as shown on BR31285 JNP XX XX DR C 2007 P02 Phasing Plan) shall commence unless and until details of the proposed means of foul water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter all development shall be undertaken in accordance with the approved details and no occupation of any dwelling shall take place until the approved works required to facilitate that dwelling have been completed. The foul drainage system shall be retained as approved thereafter.

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).

Amended Condition 13 (Surface Water Drainage Strategy)
**Pre-commencement Condition:** No development of phases 2 - 4 inclusive (as shown on BR31285 JNP XX XX DR C 2007 P02 Phasing Plan) shall commence until a detailed construction phase surface water management plan for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be carried out in accordance with the approved details.

Reason: To ensure that the construction of the site does not result in any flooding both on and off site and that all Surface water Drainage features are adequately protected and to comply with Policy 38 of the Horsham District Planning Framework (2015).

Amended Condition 14 (Traffic Noise Mitigation Scheme)
**Pre-commencement Condition:** No development of phases 2 - 4 inclusive (as shown on BR31285 JNP XX XX DR C 2007 P02 Phasing Plan) shall commence until a scheme for protecting the proposed development from road traffic noise has been submitted to, and approved in writing by, the Local Planning Authority. The proposed scheme shall achieve the following noise levels:
i. Internal day time (0700 - 2300) noise levels shall not exceed 35dB LAeq, 16hr for habitable rooms (bedrooms and living rooms with windows open)
ii. Internal night time (2300 - 0700) noise levels shall not exceed 30dB LAeq with individual noise events not exceeding 45dB LAmax (bedrooms and living rooms with windows open).
iii. Garden/external amenity spaces should not exceed 55 dB LAeq, 16hr.

Reason: To preserve the amenity of the future residents of the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Amended Condition 23 (Contamination verification)
**Pre-occupation Condition:** The development in phases 2 - 4 inclusive (as shown on BR31285 JNP XX XX DR C 2007 P02 Phasing Plan) hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification that the contamination remediation scheme required and approved under the provisions of condition 4 above has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation).

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 4 above, unless otherwise agreed in writing by the Local Planning Authority.

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

Amended Condition 24 (Surface Water Drainage Verification)
**Pre-occupation Condition:** Prior to first use of phases 2 - 4 inclusive (as shown on BR31285 JNP XX XX DR C 2007 P02 Phasing Plan), a detailed verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme approved under the provisions of condition 5 above), must be submitted to and approved (in writing) by the Local Planning Authority. The verification report shall include a full set of "as built" drawings plus photographs of excavations (including soil profiles/horizons), any installation of any surface water drainage structures and control mechanisms.

Reason: To ensure a SuDS drainage system has been provided to an acceptable standard to the reduce risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015) and Policy 2 of the Steyning Neighbourhood Development Plan (2022).

Amended Condition 30 (Landscaping)
**Pre-occupation Condition:** The delivery of the hard and soft landscaping will be in accordance with the phases shown on drawing BR31285 JNP XX XX DR C 2007 P02 Phasing Plan. No part of phases 2 - 4 inclusive of the development hereby permitted shall be occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority for that phase. The details shall include plans and measures addressing the following:
i. Details of all existing trees and planting to be retained;
ii. Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details; and to adhere to the following specifications to tree sizes at key corridors/important links and to reinforce street hierarchy: CA1 Principal street with 30-35cm girth CA3 tree lined streets with 20- 25cm girth
iii. Details of all hard surfacing materials and finishes;
iv. Details of all boundary treatments;
v. Details of all external lighting;
vi. Ecological enhancement measures set out in the Tyler Grange Ecological Assessment (12345_R05a_RB_HM) dated 24 September 2021.

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 relevant phase. Notwithstanding this requirement, unless otherwise agreed in writing with the Local Planning Authority, no more than 75% of the dwellings shall be occupied until the Local Equipped Area of Play and the Open Amenity Space (as defined in the Section 106 Agreement) are ready for use.

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 character of the surroundings and setting of the South Downs National Park, and in the interests of visual amenity in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015) and Policies 1 and 2 of the Steyning Neighbourhood Development Plan (2022).

Amended Condition 37 (Access)
**Pre-occupation Condition:** No dwelling within Phases 3 and 4 of the development as shown on drawing BR31285 JNP XX XX DR C 2007 P02 Phasing Plan shall be first occupied until the works to provide only emergency, foot and cycle access onto Kings Barn Lane have been provided in accordance with the approved drawing T17583.018 REV A. The works shall be retained thereafter for these access purposes only, subject to complying with health and safety in terms of traffic management whilst part of the construction site as detailed in the agreed Construction Environmental Management Plan approved under condition 7 above.

Reason: To provides safe and suitable access in accordance with Policy 40 of the Horsham District Planning Framework (2015).

Amended Condition 38 (Pedestrian and Cycle Link)
**Pre-occupation Condition:** No dwelling within Phase 4 of the development as shown on drawing BR31285 JNP XX XX DR C 2007 P02 Phasing Plan shall be first occupied until a detailed scheme for the pedestrian/cycle link to Kings Barn Lane (east) as a connection to the Down Links Bridleway (NCN Route 223) has been submitted to and approved in writing by the Local Planning Authority, and provided in accordance with the approved details and retained thereafter.

Reason: To ensure that safe and suitable access onto the Public Right of Way network in accordance with Policy 40 of the Horsham District Planning Framework (2015).

Amended Condition 43 (Risk Assessment)
**Regulatory Condition:** The Reserved Matters application for housing development within Phase 4 as shown on drawing BR31285 JNP XX XX DR C 2007 P02 Phasing Plan shall be accompanied by a risk assessment to address any safety impacts that may arise from the BESS facility on Kings Barn Lane, east of the site.

Reason: To ensure safe occupation of the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

**Note to Applicant:**
This decision only relates to the non-material amendments sought and is not a reissue of the original planning permission, which still stands. The two documents should be read together.

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

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

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

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

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

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

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

**Right of Appeals**
There is no right of appeal against refusal of an application for a non-material amendment, or against conditions imposed. This is because non-material amendments are not covered the relevant legislation which sets out which types of application can be appealed (section 78 of the 1990 Town and Country Planning Act).

If you are aggrieved by the decision to refuse permission for your application, or to grant it subject to conditions, you would need to submit a planning application to seek approval for the proposed amendments. Please speak to your Case Officer for more details.