Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/0878
Highwood Land East of A24 Worthing Road Horsham RH12 1EJ

DESCRIPTION:
Variation of Condition 1 (Approved Docs) to previously approved application DC/17/0164 (Variation of Condition 1 to previously approved application DC/15/0499 (Erection of 208 No. dwellings (southern site Phase 1) with associated access, parking and landscape works pursuant to outline planning permission DC/09/2138 (as amended by DC/11/2004) (Approval of Reserved Matters)) Updated housetype drawings), to allow the submission of water neutrality information to be secured under Condition 1 to demonstrate Phase 9 is water neutral.

RELEVANT PLANNING HISTORY:

DC/17/0164	Variation of Condition 1 to previously approved application DC/15/0499 (Erection of 208 No. dwellings (southern site Phase 1) with associated access, parking and landscape works pursuant to outline planning permission DC/09/2138 (as amended by DC/11/2004) (Approval of Reserved Matters)) Updated housetype drawings	Permitted 30/03/2017
DISC/17/0242	Approval of Details reserved by conditions 4, 6, 12, 13 and 17 to approved application DC/17/0164 (southern site Phase 1)	Approved 25/02/2019
DC/17/2594	Non-Material Amendment to previously approved application DC/17/0164 (Variation of Condition 1 to previously approved application DC/15/0499 (Erection of 208 No. dwellings (southern site Phase 1) with associated access, parking and landscape works pursuant to outline planning permission DC/09/2138 (as amended by DC/11/2004) (Approval of Reserved Matters)) Updated housetype drawings). Variation to condition 2: approved sub-phasing plan.	Permitted 20/12/2017
DISC/17/0466	Approval of details reserved by condition 3 and 20 on DC/17/0164	Approved 24/04/2018
DISC/19/0058	Approval of details reserved by condition 7 to approved application DC/17/0164	Approved 02/04/2019
DISC/22/0113	Approval of details reserved by conditions 4, 12, 13 and 17 on application DC/17/0164.	Approved 09/08/2024
DC/22/0563	Non Material Amendment to previously approved application DC/17/0164 (Variation of Condition 1 to previously approved application DC/15/0499 (Erection of 208 No. dwellings (southern site Phase 1) with associated access, parking and landscape works pursuant to outline planning permission DC/09/2138 (as amended by DC/11/2004) (Approval of Reserved Matters)) Updated house type drawings) Amendments to Phase 9.	Permitted 05/05/2022

In relation to Phases 8 and 10 -13

DC/24/1996	Variation of Conditions 1 (Approved Plans), 7 (underground services), 8 (foul and surface water drainage), 12 (finished ground floor slab levels), and 18 (schedule of materials and samples) of previously approved application DC/15/1702 (Erection of 300 dwellings, 2 x football pitches, MUGA and NEAP with associated access, parking and landscape works pursuant to outline planning permission DC/09/2138 (as amended by DC/11/2004) (Approval of Reserved Matters)), to allow the submission of water neutrality information to be secured under Condition 1 to demonstrate Phases 8, 10, 11, 12 and 13 are water neutral, and Variation of Conditions 7, 8, 12, and 18 to enable details pertaining to those conditions to be secured associated to Phase 8.	Permitted 07/08/2025

SITE AND SURROUNDS

The application site relates to the Berkeley Homes' Highwood Village development in Horsham and Southern Site of Highwood Village, which is defined by reserved matters consent DC/17/0164.

There have been multiple non-material amendments, as listed in the above site history, which have subsequently changed the mix and quantum of homes in the reserved matters area.

DETAILED DESCRIPTION

Construction phases 5, 6, and 7 are in the reserved matters area. Phases 5, 6, and 7 have been constructed in the reserved matters area, leaving Phase 9 the remaining reserved matters phase. It is proposed to implement Phase 9 (47 homes) of this permission.

Condition 1

Condition 1 of DC/17/0164 currently reads:

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule below. Schedule of plans/documents.

As set out in the accompanying S73 Water Neutrality Strategy Highwood, Phase 9 V.4 Updated Final 16.05.2025 by Hodkinson Consultancy, the current s73 application seeks to demonstrate water neutrality and permission to vary Condition 1 of DC/17/0164 to secure appropriate on site water efficiencies/restrictions to limit the water use per home and access to The Sussex North Water Certification Scheme (SNWCS), (formerly the Sussex North Offsetting Water Scheme or SNOWS), a water certification initiative led by the Sussex North authorities, to offset the forecast water usage of the 47 homes in Phase 9 to enable development to commence on site in the short term.

Phases 8 and 10 - 13 of the development of reserved matters DC/15/1702 will be subject to their own water neutrality solution (via SNWCS) which have been secured by condition under separate s73 application DC/24/1996.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (HDPF 2015)
Policy 15 - Strategic Policy: Housing Provision
Policy 32 - Strategic Policy: The Quality of New Development
Policy 31 - Green Infrastructure and Biodiversity
Policy 33 - Development Principles
Policy 38 - Strategic Policy: Flooding

RELEVANT NEIGHBOURHOOD PLAN
The Horsham Blueprint Neighbourhood Plan (December 2022).
Policy HB3: Character of development
Policy HB4: Design of development
Policy HB10: Green and blue infrastructure and delivering biodiversity net gain
Policy HB12: Encouraging sustainable movement

Supplementary Planning Document (SPD):
Horsham Town Design Statement (2008)

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

Other Guidance:
Good by Design (Horsham Society)

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:
INTERNAL CONSULTATIONS

SNOWS: Added application to the queue for SNOWS access

HDC Archaeology: No objection

HDC Ecology: No objection
Do not consider that there will be any additional ecological implications.

OUTSIDE AGENCIES

Southern Water: No objection.

Sussex Police: No comments from a crime prevention perspective.

WSCC Highways: Advice.
Does not have any highways or transport consequences. No further comments offered.

WSCC Public Rights of Way: Objection
Area of land subject to agreement to dedicate a new route under S.25 of the Highways Act 1980 subject to historical extinguishment and creation of permissive path whilst development being built out and new route dedicated being accommodated. Proposed s.25 route historically agreed does not appear available therefore would like to lodge a holding objection and would appreciate further engagement to make sure this route is suitably accommodated.

Consultation responses received to DC/24/1996:

Natural England: No Objection
[Summary] Subject to appropriate mitigation being secured

WSCC Local Lead Flood Authority: This application involves no alterations to the surface water drainage, therefore no objection

Parish Comments:
Horsham Denne Neighbourhood Council: Neither supports or objects

Leave it to Case Officer to decide if Water Neutrality measures sufficient but pleased if building work could continue as soon as possible.

Representations:
None received

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

The main considerations material to this application are those that relate to the variations and details pursuant to amendment to the conditions sought.

Ecology

Water Neutrality

The site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

The applicant has undertaken a water neutrality assessment (included within the submitted S73 Water Neutrality Strategy Highwood, Phase 9 V.4 Updated Final 16.05.2025 by Hodkinson Consultancy), which demonstrates that the existing water use is zero litres per day and the proposed water use will be 11,560 litres per day, following the implementation of water efficient fixtures and fittings**,** as tabled:

Table 3: Total Consumption

House Type	Total occupancy	Daily internal consumption (litres/person/day)	Daily total consumption (litres/person/day)	Total (litres/day)	Total (roundup)
2 bed unit	7.52	85	90	676.80	677.00
3 bed unit	24.7	85	90	2,223.00	2,223.00
4 bed unit	71.5	85	90	6,435.00	6,435.00
5 bed unit	24.72	85	90	2,224.80	2,225.00
Total	128.44	-	-	**11,559.60**	**11,560.00**

The above occupancy figures are based on Horsham District census as outlined in the Council's guidance. Water consumption within the proposed development will be reduced by installing water-efficient fixtures and fittings. This will result in a water consumption of 85 litres/per person/per day. Rainwater buts will be installed for the houses to discount the water need for external use. For the avoidance of doubt due to the difficulties in quantifying occupier take up in the use of water butts, the additional of water butts have not been factored into the calculations of forecast water demand. A 5

litre/per person/per day allowance for external water use has thus been assigned to the offsetting calculation for houses.

In the context of access to the Council's water credit trading system, the development known as 'Highwood' satisfies each of the SNWCS access prioritisation criteria, as 'in principle', it is a housing allocated site in the adopted Local Plan with a policy compliant planning permission (outline and Reserved Matters).

As competent Authority, the Council has undertaken a Habitats Regulations Assessment (HRA) Screening and Appropriate Assessment (HRA AA) on that basis and consulted Natural England on this.

Whilst the Natural England consultation response is awaited, Natural England (NE) were satisfied that the conclusions and mitigation measures to offsetting via access to SNWCS was sufficient to rule out an adverse effect on the integrity of the Arun Valley sites in relation to phases 8 and 10 - 13 of the development of reserved matters DC/15/1702 and supported the Council's decision in apply Grampian-style conditions to secure it. This has been secured by condition under separate s73 application DC/24/1996.

Given this, the Council is satisfied it is not considered necessary to withhold permission on the basis of this being awaited, given NE's satisfaction with the HRA AA issued in relation to Phases 8 and 10 – 13 and that NE has agreed and produced with the Council, a template HRA AA for applicants with eligible developments to be able to receive SNWCS certification covering the planned water use of their new developments, following taking steps to reduce the water use of their developments in line with relevant planning policies, and subject to the scheme having available capacity. SNWCS will launch in autumn this year so there is certainty to available capacity and credit.

In summary, Horsham District Council concludes that, the project will not have a Likely Significant Effect on the designated features of the Arun Valley SAC/ SPA /Ramsar site, either alone or in combination with other plan and projects. Having prepared an HRA Screening and Appropriate Assessment of the implications of the project for the Arun Valley SAC/ SPA /Ramsar site in view of those sites' conservation objectives, the authority can agree to the project under regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

S.73 Process

As this permission has been made under s.73 of the Town and Country Planning Act, this decision is a reissue of the original planning permission DC/15/1702 which still stands. Since planning approval was permitted additional other material planning considerations have arisen, set out below.

Other Material Considerations

Policy Framework for decision-making
The Horsham Business Blueprint Neighbourhood Plan (HBBNP, 2022) was adopted in 2022, and the National Planning Policy Framework (NPPF) was revised on 12 December 2024, which sets out the government's planning policies for England and how these are expected to be applied. The Horsham District Local Plan 2023 - 2040 (HDLP) had progressed to public hearing sessions, On 22 April 2025 the Council published the Inspector's subsequent Interim Findings Letter which has recommended that the Plan be withdrawn, due to his view that the Council has failed to satisfactorily comply with the legal Duty to Co-operate. The Council is considering its position in response to this Letter.

It is judged that the revised policy framework for decision-making has not fundamentally changed the basis of acceptance of the development by which the application was previously considered, with limited weight afforded to the HDLP given its circumstance at Examination and no fundamental policy conflict arising with the HBBNP, 2022.

Housing Mix
Whilst the district housing need register have been updated since 2017, the basis of unmet need and demand in the district has not changed in the intervening time to such an extent as to render the

previously permitted mix (market and affordable) unacceptable or lessen the weighted benefits of its provision to meeting local housing need.

Flood Risk
Since permission was granted, the Environment Agency has updated national flood risk mapping and there has been change in national plan policy/planning practice guidance to how flood risk and allied drainage considerations are applied in decision-making. Updated Environment Agency dataset mapping (March 2025) identifies only areas of a flow route of 1 in 1000 surface water flood risk within the net developable area of Phase 9 (thereby negating the need to undertake a sequential test for Phase 9), and in consultation on the recent s73 DC/24/1996 to Phase 8, the Local Lead Flood Authority was satisfied that the previously approved wider drainage strategy across the multi-phased development, including Phases 8 and 9, remains adequate to address good practice and national policy in regards to drainage and treatment of surface water flood risk.

Public Right of Way
On the issue raised by West Sussex County Council Principal Rights of Way Officer (permissive path whilst the development being built out and the new route dedicated being accommodated), the current application is to be read in context with the conditions attached to the Outline planning permission DC/09/2138 and subsequently DC/11/2004, specifically the conditions attached to those permissions, and the obligations contained within the Legal Agreement dated 13th August 2010.

DC/09/2138 is subject to condition 35 that requires prior to the commencement of each phase of the development a construction environmental management plan (CEMP). This would allow control of a temporary route of a permissive path whilst the development is being built out.

Conclusions on other material planning considerations.
The scheme is unchanged in respect to all other material planning considerations beyond those listed above, including development layout, townscape design, residential amenities, accessibility and parking, and ecology matters separate of water neutrality.

Conditions
A decision notice describing the new permission made under section 73 should set out all of the conditions imposed on the new permission, and, for the purpose of clarity restate the conditions imposed on earlier permissions that continue to have effect.

DC/17/0164 was subject to a suite of conditions imposed to make the development acceptable by adequate provision of measures to deal with a host of environmental considerations, securing various mitigations and enhancements via prescriptive requirements. This relates to both the construction and operational phases of the development.

Regarding these, it continues to be that all conditions imposed other than those sought to be varied as set out in preceding paragraphs, continue to meet the statutory tests for re-imposing and this will be the case when planning permission is re-issued. The ordering of these will change from the original decision notice in reflection of the imposing of the new SNCWS access condition and subsequent approval of various details pursuant to imposed conditions in other application.

Amended/ updated condition list

Condition 1: Approved Plans and Docs
Updated to list the Water Neutrality Report and submitted plan for DC/25/0878 ONLY

Condition 2: carry out in accordance with sub-phasing plan
Updated to refer to sub-phasing plan approved under DC/17/2594

Condition 3: Materials and finishes
Reordered and Updated to Regulatory to reflect agreed materials and finishes under DISC/17/0466

Condition 4: Soft and Hard Landscaping

Reordered and Updated to Regulatory to reflect agreed landscaping under DISC/17/0242 and DISC/22/0113

Condition 6: Landscape Management and Maintenance Plan
Reordered and Updated to Regulatory to reflect agreed plan under DISC/17/0242

Condition 7: Public Art
Reordered and Updated to Regulatory to reflect agreed details under DISC/19/0058

Condition 12: Boundary treatments
Reordered and Updated to Regulatory to reflect agreed details under DISC/17/0242 and DISC/22/0113

Condition 13: Parking, turning, and access
Reordered and Updated to Regulatory to reflect agreed details under DISC/17/0242 and DISC/22/0113

Condition 16: Archaeological Investigation
Amended to refer to DC/17/0164

Condition 17: Finished Floor Plans
Reordered and updated to Regulatory to reflect agreed details under DISC/17/0242 and DISC/22/0113

Condition 18: Reptile translocation strategy
Amended to refer to DC/17/0164.

Condition 20: Water Reduction
Deleted. Substituted with Condition 5 (on-site water efficiencies fittings and fixtures).

Condition 22: Permitted development restrictions
Class AA added

New Conditions:
Pre-commencement: Access to SCWNS – Condition 2
Pre-Occupation: On site water efficiencies (fixtures and fittings) – Condition 5
Regulatory: Development carried out in accordance with approved plans listed on this decision notice and those listed on separate decision notices. Where there is conflict, the most recently determined decision notice shall prevail.

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. However, as Outline permission was issued prior to the adoption of the CIL Charging Schedule, the development is exempt.

Overall Conclusions:

No other amendments are proposed than those detailed above. Through amendment, the proposal has demonstrated water neutrality. The other changes to conditions simply reflect updates on details pursuant to the original condition suite have been approved, minor edits and schedule re-ordering. The re-consideration of the development applied for presents no material implications to any other material planning considerations. This includes drainage, environmental protection and amenity, and ecology matters (outside of water neutrality). It is therefore recommended the application be approved subject to the amended condition list set out below.

Recommendation: Application Permitted

Conditions:

1. **Approved Plans/Docs**

2. **{\b Pre-Commencement Condition}:** No development shall commence within Phase 9 until either:

i) Details have been submitted to and been approved in writing by the Local Planning Authority confirming that the necessary credits to achieve water neutrality have been secured via the Sussex North Water Certification Scheme;

or

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

iii) The development phase shall not be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority confirming that the approved site-specific water neutrality mitigation scheme has been fully implemented. The approved mitigation shall thereafter be retained, maintained and operated to the same or better water performance standard.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2024), and to enable the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species) and HB10 of the Horsham Blueprint Business Neighbourhood Plan (2022).

3. **{\b Pre-Occupation Condition}:** The development hereby permitted shall not be occupied unless and until the provision of facilities for the parking of cycles within that sub-phase, as identified on the plan approved pursuant to Condition 1 above, has been made within the site, in accordance with the plans hereby permitted, and retained as such thereafter.

Reason: To ensure there is adequate provision for the parking of cycles in accordance with Policy 41 of the Horsham District Planning Framework (2015) and HB12 of the Horsham Blueprint Business Neighbourhood Plan (2022).

4. **{\b Pre-Occupation Condition}:** The development hereby permitted shall not be occupied unless and until provision for the storage of refuse/recycling bins within that sub-phase, as identified on the plan approved pursuant to Condition 1 above, has been made within the site in accordance with the hereby approved plans and retained as such thereafter.

Reason: To ensure the adequate provision of refuse/recycling facilities in accordance with Policies 33 and 37 of the Horsham District Planning Framework (2015).

5. **{\b Pre-Occupation Condition}:** The development hereby permitted shall be undertaken in full accordance with the Water Neutrality Strategy (S73 Highwood, Phase 9 V.4 Updated Final 16.05.2025 by Hodkinson Consultancy), unless otherwise agreed in writing by the Local Planning Authority. No dwelling hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that dwelling 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, as detailed in the approved water neutrality strategy, shall be retained as such thereafter, unless otherwise agreed in writing by 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), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species) and HB10 of the Horsham Blueprint Business Neighbourhood Plan (2022).

6. **{\b Regulatory Condition}:** The development hereby permitted shall be carried out in accordance with the approved sub-phasing plan as agreed under application DC/17/2594.

   Reason: To enable the Local Planning Authority to control the development in detail and to ensure compliance with the National Planning Policy Framework.

7. **{\b Regulatory Condition}:** Materials and finishes, and colours to be used for external walls, and roofs of the buildings so approved under application DISC/17/0466 shall be used in the construction of the buildings.

   Reason: 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) and HB3 and HB4 of the Horsham Blueprint Business Neighbourhood Plan (2022).

8. **{\b Regulatory Condition}:** The approved hard and soft landscaping schemes for each sub-phase shall be implemented in full accordance with approved details, including timetabled planting to be carried out, under application references DISC/17/0242 and DISC/22/0113. Any plants which within a period of 5 years die, are removed or become 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 in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015) and HB4 of the Horsham Blueprint Business Neighbourhood Plan (2022).

9. **{\b Regulatory Condition}:** All underground trenching requirements for soakaways, service ducts, foul, grey and storm water systems and all other underground service facilities and ground excavations shall be carried out in accordance with the following plans approved under application DISC/15/0440: • Utility design sheet Drwg no. 2798-SA-INFRA-UD-101 A Received: 18.12.2015 • Utility design sheet Drwg no. 2798-SA-INFRA-UD-102 A Received: 18.12.2015 • Utility design sheet Drwg no. 2798-SA-INFRA-UD-103 A Received: 18.12.2015 • Utility design sheet Drwg no. 2798-SA-INFRA-UD-104 A Received: 18.12.2015.

   Reason: To protect roots of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015) and HB10 of the Horsham Blueprint Business Neighbourhood Plan (2022).

10. **{\b Regulatory Condition}:** The Landscape Management and Maintenance plan approved under application DISC/17/0242 shall be implemented in full and in accordance with the agreed details and timings.

    Reason: To ensure a satisfactory development and in the interests of amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015) and HB3, HB4, and HB10 of the Horsham Blueprint Business Neighbourhood Plan (2022).

11. **{\b Regulatory Condition}:** The approved design and public art for the central open space approved under application DISC/19/0058 shall be implemented in full accordance with these details.

    Reason: To ensure a satisfactory development in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015) and HB3 and HB4 of the Horsham Blueprint Business Neighbourhood Plan (2022).

12. **{\b Regulatory Condition}:** No development, including works of any description, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, shall take place until the following preliminaries have been completed in the sequence set out below:

- All required arboricultural works within each sub-phase, as identified on the plan approved pursuant to Condition 2 above, including permitted tree felling and surgery operations and above ground vegetative clearance within such areas set out for development as indicated on the approved site layout drawing are to be completed and cleared away;
- All trees within each sub-phase and associated buffer, as identified on the plan approved pursuant to Condition 2 above, targeted for retention, as well as those off-site whose root protection areas ingress into the site, shall be fully protected by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012). Once installed, the fencing shall be maintained during the course of the development works for that sub-phase 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. No alterations or variations to the approved tree works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

Reason: To ensure the successful and satisfactory retention of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015) and HB3, HB4 and HB10 of the Horsham Blueprint Business Neighbourhood Plan (2022).

13. **{\b Regulatory Condition}:** No existing trees, hedges or shrubs on the site, other than those the Local Planning Authority has agreed to be removed as part of this permission, 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 herby permitted. Any trees, hedges or shrubs on the site, whether within the tree protective areas or not, which die or become damaged during the construction process shall be replaced with trees, hedging plants or shrubs of a type, size and in positions agreed by the Local Planning Authority.

Reason: To ensure the retention and maintenance of trees and vegetation on the site unsuitable for permanent protection by Tree Preservation Order for a limited period, in accordance with Policy 33 of the Horsham District Planning Framework (2015) and HB3, HB4 and HB10 of the Horsham Blueprint Business Neighbourhood Plan (2022).

14. **{\b Regulatory Condition}:** No trenches or pipe runs for services, drains, or any other reason shall be excavated anywhere within the root protection area of any tree or hedge targeted for retention on or off the site without the prior written approval of the Local Planning Authority.

Reason: To protect roots of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015) and HB3, HB4 and HB10 of the Horsham Blueprint Business Neighbourhood Plan (2022).

15. **{\b Regulatory Condition}:** The development hereby permitted shall be carried out in accordance with the following approved foul and surface water drainage and sewerage disposal plans, as approved under application DISC/15/0440:

- Slope gradients and section locations Drwg no. 2798/SA/D/109 C Received: 18.12.2015
- Proposed contours sheet Drwg no. 2798-SA-INFRA-RP-101 A Received: 18.12.2015
- Proposed contours sheet Drwg no. 2798-SA-INFRA-RP-102 A Received: 18.12.2015
- Proposed contours sheet Drwg no. 2798-SA-INFRA-RP-103 A Received: 18.12.2015
- Proposed contours sheet Drwg no. 2798-SA-INFRA-RP-104 A Received: 18.12.2015
- Longitudinal sections sheet 1 Drwg no. 2798-SA-INFRA-RP-106 A Received: 18.12.2015
- Details plan - Longitudinal sections sheet 2 Drwg no. 2798-SA-INFRA-RP-107 A Received: 18.12.2015
- Layout plan - drainage sheet Drwg no. 2798-SA-INFRA-D-101 B Received: 18.12.2015
- Layout plan - drainage sheet Drwg no. 2798-SA-INFRA-D-102 A Received: 18.12.2015
- Layout plan - drainage sheet Drwg no. 2798-SA-INFRA-D-103 B Received: 18.12.2015

- Layout plan - drainage sheet Drwg no. 2798-SA-INFRA-D-104 B Received: 18.12.2015
- Details plan - drainage profiles sheet Drwg no. 2798-SA-INFRA-D-108 A Received: 18.12.2015
- Details plan - Drainage profiles sheet Drwg no. 2798-SA-INFRA-D-109 A Received: 18.12.2015
- Details plan - Drainage profiles sheet Drwg no. 2798-SA-INFRA-D-110 A Received: 18.12.2015

Reason: To ensure a satisfactory development that is properly drained in the interests of amenity and to prevent the increased risk of flooding in accordance with Policies 33 and 38 of the Horsham District Planning Framework (2015) and HB3, HB4 and HB10 of the Horsham Blueprint Business Neighbourhood Plan (2022).

16. **{\b Regulatory Condition}:** The development shall be implemented in accordance with the approved details under application references DISC/17/0242 and DISC/22/0113 and no dwellings/flats shall be occupied until such boundary treatments associated with them have been erected. Thereafter, the boundary treatments shall be retained as approved and maintained in accordance with the approved details.

Reason: In the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015) and HB3, HB4 of the Horsham Blueprint Business Neighbourhood Plan (2022).

17. **{\b Regulatory Condition}:** The parking, turning and access facilities approved under application references DISC/17/0242 and DISC/22/0113 shall be provided and retained as such thereafter solely for that purpose in connection with the development.

Reason: To ensure adequate parking, turning and access is available to serve the development in accordance with Policies 40 and 41 of the Horsham District Planning Framework (2015) and HB12 of the Horsham Blueprint Business Neighbourhood Plan (2022).

18. **{\b Regulatory Condition}:** The development hereby permitted shall be carried out in full accordance with the approved ASE Written Scheme of Archaeological Investigation (dated February 2015) under application reference DC/17/0164 unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: In order to ensure that archaeological features, deposits and artefacts revealed are adequately recorded in accordance with Policy 34 of the Horsham District Planning Framework (2015).

19. **{\b Regulatory Condition}:** The finished floor levels of the development shall be completed in accordance with the approved details under applications references DISC/17/0242 and DISC/22/0113.

Reason: To control the development in detail in the interests of amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015) and HB3, HB4 of the Horsham Blueprint Business Neighbourhood Plan (2022).

20. **{\b Regulatory Condition}:** The development hereby permitted shall be carried out in accordance with the submitted ecological details and Reptile Translocation Strategy V2 from Derek Finnie Associates dated February 2015 and amended July 2015 under application reference DC/17/0164.

Reason: To safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015) and in accordance with the National Planning Policy Framework and HB10 of the Horsham Blueprint Business Neighbourhood Plan (2022).

21. **{\b Regulatory Condition}:** To avoid the risk of harm to potentially nesting birds, the removal of any buildings, trees and/or shrubs should be undertaken between September and the end of February when birds have ceased nesting. If this is not possible, and clearance is required between March and August, an Ecologist should check for active bird nests no more than seven days before works commence, and any active nests found should be protected as advised by the Ecologist until the birds have finished nesting.

Reason: To safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015) and in accordance with the National Planning Policy Framework and HB10 of the Horsham Blueprint Business Neighbourhood Plan (2022).

22. **{\b Regulatory Condition}:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and re-enacting that Order with or without modification), no fences, gate or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.

Reason: In order to safeguard the character and visual amenity of the locality in accordance with Policy 33 of the Horsham District Planning Framework (2015) and HB3, HB4 of the Horsham Blueprint Business Neighbourhood Plan (2022).

23. **{\b Regulatory Condition}:** Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and re-enacting that Order with or without modification) no development falling within Classes A, AA, B, C, D, E, F, G or H of Part 1 of Schedule 2 to the order shall be erected, constructed or placed within the curtilage(s) of the dwelling(s) hereby permitted so as to enlarge, improve or otherwise alter the appearance or setting of the dwelling(s) unless permission is granted by the Local Planning Authority pursuant to an application for the purpose.

Reason: In the interest of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015) and HB3, HB4 of the Horsham Blueprint Business Neighbourhood Plan (2022).

24. **{\b Regulatory Condition}:** The following windows shall at all times be glazed with obscured glass and shall be non-opening, unless the parts of the window which can be opened are more than 1.7m above the floor level of the room in which the window is installed:

- windows at first floor level in the southern elevation of the dwelling on plot 8;
- windows at first floor level in the southern elevation of the dwelling on plot 19;
- windows at first floor level or above in the eastern elevation of the dwelling on plot 21.
- windows at first floor level in the south western elevation of the dwelling on plot 30;
- windows at first floor level in the southern elevation of the dwelling on plot 37;
- windows at first floor level or above in the eastern elevation of the dwelling on plot 68;
- windows at first floor level or above in the eastern elevation of the dwelling on plot 82;
- windows at first floor level or above in the western elevation of the dwelling on plot 88;
- windows at first floor level in the eastern elevation of the dwelling on plot 94;
- windows at first floor level in the southern elevation of the dwelling on plot 117;
- windows at first floor level in the eastern elevation of the dwelling on plot 163;
- windows at first floor level or above in the eastern elevation of the dwelling on plot 173.
- windows at first floor level or above in the northern elevation of the dwelling on plot 204.

All plot numbers are those shown on the drawings approved under condition 1 above.

Reason: To protect the amenities and privacy of the adjoining properties and in accordance with Policy 33 of the Horsham District Planning Framework (2015) and HB3, HB4 of the Horsham Blueprint Business Neighbourhood Plan (2022).

25. **{\b Regulatory Condition}:** No work for the implementation of the development hereby permitted shall be undertaken on the site except between 08.00 hours and 18.00 hours on Mondays to Fridays inclusive and 08.00 hours and 13.00 hours on Saturdays, and no work shall be undertaken on Sundays, Bank and Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of nearby residents in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

26. **{\b Regulatory Condition}:** No burning of materials shall take place on the site.

Reason: In the interests of amenity and in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

27. **{\b Regulatory Condition}:** The development hereby permitted shall be carried out in accordance with the plans and details listed on this decision notice and those listed on separate decision notices set out below. Where there is conflict, the development approved under the most recently determined decision notice shall prevail.

DC/17/0164
DISC/17/0242
DC/17/2594
DISC/17/0466
DISC/19/0058
DISC/22/0113
DC/22/0563

Reason: In the interests of proper planning.

INFORMATIVE:

The applicant is advised of the comments below from West Sussex County Council Principal Rights of Way Officer

Having consulted the online documents it seems that this area of land is subject to an agreement to dedicate a new route under S.25 of the Highways Act 1980 subject to a historical extinguishment and creation of a permissive path whilst the development was being built out and the new route dedicated being accommodated.

Looking at the plan provided the proposed s.25 route historically agreed does not appear available therefore would like to lodge a holding objection and would appreciate further engagement to make sure that this route is suitably accommodated as part of this ongoing development.

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/25/0878
(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

Plans	Southern Site Masterplan Phase 9 Plan	S783/SSPP9	27.05.2025
Supporting Docs	S73 Water Neutrality Strategy Highwood, Phase 9 V.4 Updated Final 16.05.2025 by Hodkinson Consultancy	NONE	27.05.2025

DELEGATED

Case Officer sign/initial Matthew Porter Date: 26-08-2024

Authorising Officer sign/initial J Hawkes Date: 26.08.2025