Horsham District Council

Miss Emily Comber
tor&co
23 Heddon Street
London
W1B 4BQ

Application Number: DC/24/0543

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

On behalf of: Mr Nick Fry, Care South

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

Variation of condition 1 of previously approved application reference DC/22/2372 (Full planning application for the conversion and redevelopment of existing buildings to create a 42-bedroom care home, 14 assisted care units, 23 close care apartments, ancillary accommodation (all within Use Class C2) with associated external works and landscape including new car parking.) Variation sought to demolish and rebuild Sussexdown House.

Sussexdown, Washington Road, Storrington, West Sussex

to be carried out in accordance with Application No. DC/24/0543 submitted to the Council on 08/04/2024 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 08/07/2024

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
Floor plan	Care Home - Proposed Ground Floor Plan	311 REV B	08.04.2024
Floor plan	Care Home - Proposed Lower Ground Floor Plan	310 REV B	08.04.2024
Supporting Statement	WATER NEUTRALITY STATEMENT	03	16.02.2023

Supporting Statement	AIR QUALITY ASSESSMENT APPENDIX A: KEY POLLUTANTS APPENDIX B: MITIGATION MEASURES FOR CONSTRUCTION IMPACTS	02	31.05.2023
Details plan	Tree protection plan	21124-5	23.12.2022
Supporting Statement	Arboricultural Assessment and Method Statement	21124-AA4-CA	23.12.2022
Supporting Statement	FLOOD RISK AND DRAINAGE STATEMENT		23.12.2022
Supporting Statement	Biodiversity Report		23.12.2022
Supporting Statement	Biodiversity Net Gain Report		23.12.2022
Supporting Statement	Energy Statement		23.12.2022
Supporting Statement	I-TRANSPORT TECHNICAL NOTE		23.12.2022
Supporting Statement	GEOTECHNICAL AND ENVIRONMENTAL ASSESSMENT: PHASE 1 DESK STUDY PHASE 2 SITE INVESTIGATION REPORT APPENDICES		23.12.2022
Location plan		000 REV A	08.04.2024
Site plan	Existing	103 REV D	08.04.2024
Site plan	Proposed	104	08.04.2024
Site plan	Site Plan - Proposed sub Ground Floor	301 REV F	08.04.2024
Site plan	Site Plan - Proposed Lower Ground Floor	302 REV F	08.04.2024
Site plan	Site Plan - Proposed Ground Floor	303 REV G	08.04.2024
Site plan	Site Plan - Proposed First Floor	304 REV F	08.04.2024
Site plan	Site Plan - Proposed roof plan	305 REV F	08.04.2024
Details plan	Fire Services Plan	307 REV A	08.04.2024
Floor plan	Care Home - Proposed First Floor Plan	312 REV B	08.04.2024
Roof plan	Care Home - Proposed Roof Plan	313 REV B	08.04.2024
Floor plan	Close Care - Proposed Sub Ground Floor Plan	314 REV D	08.04.2024
Floor plan	Close Care - Proposed Lower Ground Floor Plan	315 REV D	08.04.2024
Floor plan	Close Care - Proposed Ground Floor Plan	316 REV D	08.04.2024
Floor plan	Close Care - Proposed First Floor Plan	317 REV D	08.04.2024
Floor plan	Close Care - Proposed Roof Plan	318 REV D	08.04.2024

Floor plan	Assisted Care - Proposed Lower Ground Floor Plan (Ground Floor SDH)	319 REV F	08.04.2024
Floor plan	Assisted Care - Proposed Ground Floor Plan (First Floor SDH)	320 REV F	08.04.2024
Floor plan	Assisted Care - Proposed First Floor Plan (Second Floor SDH)	321 REV F	08.04.2024
Roof plan	Assisted Care - Proposed Roof Plan	322 REV F	08.04.2024
Elevation plan	Proposed Site Sections - Sheet 1	323 REV F	08.04.2024
Elevation plan	Proposed Site Sections - Sheet 2	324 REV E	08.04.2024
Elevation plan	Proposed Site Sections - Sheet 3	325 REV C	08.04.2024
Elevation plan	Proposed Site Sections - Sheet 4	326 REV E	08.04.2024
Details plan	Fire Services Plan	328 REV A	08.04.2024
Details plan	Landscape	LANDP001 008	08.04.2024
Details plan	Planting Plan	PP001 007	08.04.2024
Details plan	Planting Plan	PP002 007	08.04.2024
Supporting Docs	Cover Letter	234706	08.04.2024

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

2 **Regulatory (Time) Condition**: The development hereby permitted shall be begun before the 28.07.2026.

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

3 **Pre-Commencement Condition:** Prior to commencement of any development at the site a phasing plan shall be submitted and agreed with the local planning authority, to include for a phased car and cycle parking plan. The development shall be constructed in accordance with the agreed phasing plan unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the development is constructed in an appropriate manner in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4 **Pre-Commencement Condition:** No development shall commence within any phase, until a Construction Environmental Management Plan (CEMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of the following relevant measures:

i. An introduction consisting of a demolition and construction phase environmental management plan, definitions and abbreviations and project description and location;
ii. A description of management responsibilities including complaint recording and management;
iii. A description of the demolition and construction programme which identifies activities likely to cause high levels of noise or dust;
iv. Site working hours and a named person for residents to contact;
v. Detailed Site logistics arrangements including provision of a suitable booking system for HGV deliveries;
vi. Details regarding parking, deliveries, and storage;
vii. A scheme of dust and noise mitigation measures to be deployed including identification of sensitive receptors, The scheme shall be developed by suitably qualified persons and shall

include suitable targets and management actions in accordance with BS5228 Code of Practice for Noise and Vibration control and the IAQM "Guidance on the assessment of dust from demolition and construction" and provision of monitoring results to the Local Planning Authority;

viii. Details of hours of work, site delivery hours and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network; and

ix. Communication procedures with the local planning authority and local community regarding key construction issues - newsletters, fliers etc.

The construction of each phase shall thereafter be carried out in accordance with the details and measures approved in the CEMP.

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

5 **Pre-Commencement Condition:** No relevant development which will impact bat roosts, shall in in any circumstances commence unless the local planning authority has been provided with either:

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

b) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To conserve Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 33 of the Horsham District Planning Framework and Policies 14 and 15 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

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

- All trees on the site shown for retention on approved drawing numbers [Arboricultural Assessment and Method Statement ref: 21124-AA4-CA, by Barrell Tree Consultancy, and Tree Protection Plan ref : 21124-5], 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 within a specific phase which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

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

7 **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. The development shall be carried out in accordance with the approved scheme.

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

8 **Pre-Commencement Condition:** No development shall commence within a phase until full details of underground services, including locations, dimensions and depths of all service facilities and required ground excavations for that phase, have been submitted to and approved by the Local Planning Authority in writing. The submitted details shall show accordance with the landscaping proposals and Arboricultural Method Statement, complete with root barriers if needed. The development shall thereafter be carried out in accordance with the approved details.

Reason: As this matter is fundamental to the acceptable delivery of this permission, to ensure the underground services do not conflict with satisfactory landscaping in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

9 **Pre-Commencement Condition:** No development within a phase 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 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).

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

11 **Pre-Commencement (Slab Level) Condition:** No development above ground level shall commence until a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Biodiversity Survey (LC Ecological Services, June 2022) has been submitted to and approved in writing by the local planning authority. The enhancement measures shall be implemented in accordance with the approved details prior to occupation 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) and Policies 14 and 15 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

12 **Pre-Commencement (Slab Level) Condition:** No development above ground level of any phase of the development shall commence until a scheme providing full specifications of internal and external plant, flues, extraction and filtration equipment (including elevational drawings), with ongoing maintenance plan (where relevant to that phase) has been submitted to and approved by the Local Planning Authority. The scheme shall also include a tabulated schedule of all plant, and the associated noise data. All flues, ducting and other equipment shall be installed in accordance with the approved details prior to the use commencing on site and shall thereafter be maintained in accordance with the approved details and the manufacturer's recommendations.

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

13 **Pre-Occupation Condition:** No phase of the development hereby permitted shall be first occupied, or the operation of any building services plant within that phase, until an assessment of the cumulative acoustic impact arising from the operation of all internally and externally located plant has been submitted to and approved in writing by the local planning authority. The assessment of the acoustic impact shall be undertaken in accordance with BS 4142: 2014 (or subsequent superseding equivalent) and other relevant measures and shall include a scheme of attenuation measures to ensure the cumulative rating level of noise emitted from the proposed building services plant is 10 dBA less than background.

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

14 **Pre-Occupation Condition:** No phase of the development hereby permitted shall be first occupied, or the operation of any building services plant within that phase, until a post-installation noise assessment has been carried out, including suitable measurements to confirm compliance with the approved noise criteria, and submitted to and approved undertake by the planning authority. The scheme shall be implemented in accordance with the approved details and attenuation measures, and they shall be permanently retained and maintained in working order for the duration of the use and their operation.

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

15 **Pre-Occupation Condition:** No phase of the development hereby permitted shall be first occupied until full details of all soft landscaping works for that phase 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
- Tree Pit details including root barriers

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

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

16 **Pre-Occupation Condition:** No phase of the development hereby permitted shall be first occupied until full details of a hard landscaping scheme for that phase have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels and contours showing earthworks and mounding (where appropriate); retaining walls (where present); surfacing materials; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulations areas; hard surfacing materials; minor artefacts and structures (for example refuse and / or other storage units, lighting and similar features) and proposed and existing functional services above and below ground (for example drainage, power, communications cables and pipelines, indicating lines, manholes, supports and other technical features).

The scheme shall be implemented prior to the occupation of any part of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority).

Reason: To ensure a satisfactory development that is sympathetic to the landscape character of the countryside and built form of the surroundings within the setting of the South Downs National Park, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policies 14 and 15 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

17 **Pre-Occupation Condition:** No part of the development hereby permitted shall be first occupied until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:

a) Description and evaluation of features to be managed.
b) Ecological trends and constraints on site that might influence management.
c) Aims and objectives of management.
d) Appropriate management options for achieving aims and objectives.
e) Prescriptions for management actions.
f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
g) Details of the body or organisation responsible for implementation of the plan.
h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

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

18 **Pre-Occupation Condition:** No phase of the development hereby permitted shall be first occupied until a lighting design scheme for that phase has been submitted to and approved in writing by the local planning authority. The following three elements shall clearly be set out within the lighting scheme:

1) Biodiversity / ecology principles: 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.
2) Reduction of obtrusive light: Details shall accord with the Institute of Lighting Professional's Guidance notes. The scheme must be designed by a suitably qualified person in accordance with the recommendations for environmental zone E2 in the ILP document "Guidance Notes for the Reduction of Obtrusive Light GN01-21.
3) International Dark Sky Reserve: Details shall accord with the SDNPs Dark Skies Technical Advice Note (TAN) 2021 and demonstrate that a sensitive lighting scheme would not lead to new and harmful light pollution on the intrinsically dark landscape setting.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area, 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), to safeguard the character and visual amenities of the locality, and to ensure the qualities and setting of a designated landscape are protected, in accordance with Policies 25, 30, 31 and 33 of the Horsham District Planning Framework (2015), Policies 14 and 15 of Storrington and Sullington and Washington Neighbourhood Plan (2019), and provisions of paras 180 and 186 of the NPPF (2023).

19 **Pre-Occupation Condition:** Prior to the first occupation (or use) of the development hereby permitted, a rapid charge EV point shall be provided within the visitor parking bays at the site. The rapid charge EV point shall thereafter remain as such.

Reason: To provide EVC charging points to support the use of electric vehicles in accordance with national sustainable transport policies and 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) and Policies 14 and 17 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

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

Reason: To ensure a SuDS drainage system has been provided to an acceptable standard to the reduce risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015) and Policies 14 and 15 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

21 **Pre-Occupation Condition:** The buildings hereby approved shall not be occupied until the vehicle parking spaces and turning and access facilities have been provided in accordance with the plans hereby approved (Site Plan: Fire Services Plan, ref: 307A) and any subsequently approved phasing plan. The vehicle parking spaces, turning and access facilities shall thereafter be retained solely for that purpose and solely in connection with the development.

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

Framework and Policies 14 and 17 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

22 **Pre-Occupation Condition:** The buildings hereby approved shall not be occupied (or brought into first use) until the cycle / mobility scooter parking facilities have been provided in accordance with the plans hereby approved (Site Plan: Fire Services Plan, ref: 307A, and Site Sections - Sheet 4, ref: 326E) and any subsequently approved phasing plan. Once provided the spaces shall thereafter be retained at all times for their designated purpose. At a minimum, 10no. cycle parking spaces shall be provided for the care home and each bungalow with its own cycle storage.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies in accordance with Policies 40 and 41 of the Horsham District Planning Framework and Policies 14 and 17 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

23 **Pre-Occupation Condition:** The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (Water Neutrality Statement Rev 3 received 16.02.2023). No part of the development hereby approved shall be occupied (or brought into first use) 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 shall be retained as such thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2023), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

24 **Pre-Occupation Condition:** No part of the development shall be first occupied (or brought into first use) until Electric Vehicle Charging spaces have been provided in with the plans hereby approved (Site Plan: Fire Services Plan, ref: 307A). The provision of EV chargers for the care home site shall be provided and retained at all times for their designated purpose.

Reason: To provide EVC charging points to support the use of electric vehicles in accordance with national sustainable transport policies and 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) and Policies 14 and 17 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

25 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied (or brought into first use) until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of a minimum 30 megabits per second through full fibre broadband connection has been provided to the premises.

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

26 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied (or brought into first use) until 1 no. fire hydrant to BS750 standards or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) has been installed, connected to a water supply with appropriate pressure and volume for firefighting, and made ready for use in consultation with the WSCC Fire and Rescue Service. The hydrant or stored water supply shall thereafter be retained as such.

Reason: In accordance with fire and safety regulations in accordance with Policy 33 of the Horsham District Planning Framework (2015).

27 **Regulatory Condition:** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Biodiversity Survey (LC Ecological Services, June 2022) and the Biodiversity Net Gain Report (LC Ecological Services, November 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This will 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: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham Development Framework.

28 **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).

29 **Regulatory Condition:** If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

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).

30 **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. Prior to the first occupation (or use) of any part of the development hereby permitted, a written verification report shall be submitted which demonstrates only soils suitable for the proposed use have been placed. The verification report shall be submitted 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).

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**.

If you have not received a Liability Notice from the Council within 1 month of the decision date please contact the CIL Team at cil@horsham.gov.uk

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

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

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

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

ADDITIONAL INFORMATION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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