Horsham District Council

Gladman Developments Ltd
Gladman House
Alexandria Way
Congleton
CW12 1LB

Application Number: DC/24/0428

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

On behalf of: Gladman Developments Ltd

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

Outline planning application for the erection of up to 120 dwellings with public open space, landscaping, and sustainable drainage system (SuDS) with vehicular access point with all matters to be reserved except access.

Land North of Shermanbury Road, Partridge Green, RH13 8EU

to be carried out in accordance with Application No. DC/24/0428 submitted to the Council on 19/03/2024 and subject to compliance with the plans/documents and conditions specified hereunder.

Biodiversity Net Gain Condition
Please note the requirement within the Environment Act 2021 for development to deliver a minimum of 10% net gain in biodiversity may be applicable to your development. In the event your development is required to achieve a minimum 10% net gain in biodiversity then a Biodiversity Net Gain Condition (separate to the main list of conditions) will appear on your decision notice requiring the submission of a Biodiversity Gain Plan for approval prior to development commencing.

Emma Parkes
Head of Development and Building Control

Date: 05/11/2025

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
Location plan		7476-L-01 REV C	19.03.2024
Layout plan	Proposed junction	4746/46/03 REV B	19.03.2024

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

2 **Standard Time Condition:**
(a) Approval of the details of the layout of the development, the scale of each building, the appearance of each building, and the landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

(b) Plans and particulars of the reserved matters referred to in condition (a) above, relating to the layout of the development, the scale of each building, the appearance of each building, and the landscaping of the development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

(c) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

(d) The development hereby permitted shall begin either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.

3 **Pre-Commencement Condition**: The development hereby approved shall not commence unless and until a detailed surface water drainage. The surface water drainage scheme shall take account of the recommendations of the Flood Risk Assessment with Outline Drainage Strategy (Lees Roxburgh Consulting Engineers, ref: 6177/R5, Dated February 2024) in addition to the published response to the Lead Local Flood Authority (Lees Roxburgh, no reference, received 20th June 2024). The drainage scheme shall include technical specifications, calculations and drawings of the drainage network supporting the approved development demonstrating the intended management of surface water within the development site. The approved scheme shall be implemented in full prior to the first occupation of any dwelling.

Reason: To ensure that surface water is appropriately addressed by the approved development, that flood-risk is not increased elsewhere, that the design of a drainage network is coordinated with matters of landscaping, layout and scale and in accordance with the provisions of Policy 38 to the Horsham District Planning Framework (2015).

4 **Pre-Commencement Condition**: The development hereby approved shall not commence until the following demolition and construction details have been submitted to and approved in writing by the Local Planning Authority. The details shall be limited to the following measures:
i. Details of site management contact details and responsibilities;
ii. A plan detailing the site logistics arrangements on a phase-by-phase basis (as applicable), including:
    a. location of site compound,

b. location for the loading, unloading and storage of plant and materials (including any stripped topsoil),
c. site offices (including location, height, size and appearance),
d. location of site access points for construction vehicles,
e. location of on-site parking,
f. locations and details for the provision of wheel washing facilities and dust suppression facilities (with particular regard to the recommendations of the submitted Emissions Mitigation Assessment (GEM air quality, ref: AQ2404) at Table 10.
g. The arrangements for public consultation and liaison prior to and during the demolition and construction works - newsletters, fliers etc, to include site management contact details for residents;
h. Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination

iii. Identification of biodiversity protection zones and associated protection fencing, exclusion zones and/or barriers;
iv. Practical measures (both physical and working practices) to avoid and minimise ecological impacts during construction;
v. The location and timing of sensitive works to avoid harm to biodiversity features and protected species;
vi. Times when overseeing ecologists need to be present on site to oversee works and the roles and responsibilities of an ecological clerk of works or similarly competent person;
vii. A methodology for the identification, protection and translocation of reptiles, as addressed at Sections 6.25 and 6.26 of the Ecological Appraisal (FPCR Environment and Design Ltd, no reference, dated February 2024);
viii. Measures for the control, containment and removal of any invasive non-native species;

All ecological mitigations shall demonstrate accordance with the recommendations of the Ecological Appraisal (FPCR Environment and Design Ltd, no reference, dated February 2024) inclusive of its recommendations at Appendix C.

All demolition, mitigation and construction activities shall thereafter be carried out in accordance with the details and measures approved.

Reason: In order to ensure that the approved development does not result in unacceptable effects upon the living conditions of nearby occupiers/users of land, upon existing habitats and species and/or highway safety during construction and in accordance with Policies 31, 33 and 40 of the Horsham District Planning Framework (2015).

5 **Pre-Commencement Condition**: With the exception of works of demolition, no development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the Local Planning Authority:

a) A site investigation scheme, following the recommendations of the Phase 1 Geoenvironmental Assessment at Section 5 (ref: 6117/R1, Lees Roxburgh Consulting Engineers, Dated April 2024) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site;
b) Full details of any remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (a) and an options appraisal;
c) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

The scheme shall be implemented as approved. Any changes to these components require the consent of the local planning authority.
Reason: 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 contamination is appropriately addressed in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

6 **Pre-Commencement Condition**: No development shall commence 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 Offsetting Water 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-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 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.

or

iv) Evidence has been submitted to and been approved in writing by the Local Planning Authority that a water neutrality mitigation scheme is not required.

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).

7 **Pre-Commencement Condition**: No development shall commence until either:

i) A mitigation strategy in respect of Great Crested Newt has been submitted to and approved in writing by the Local Planning Authority. The mitigation strategy shall address necessary measures to avoid and/or lessen effects upon Great Crested Newt through both construction and occupation phases including any requirement for a European Protected Species licence. The mitigation strategy shall thereafter be implemented as approved.;

or

ii) Up-to-date surveys for Great Crested Newt have been submitted to the Authority prior to the commencement of development and the Authority subsequently confirms in writing that no specific mitigation measures are necessary.

Reason: In order to safeguard against potential harm to protected and priority species and with specific regard to the 'out-of-date' nature of Great Crested Newt surveys provided in support of this application, to satisfy the provisions of Policy 25 of the Horsham District Planning Framework (2015), and to enable the Authority to discharge its duties pursuant to the Protection of Habitats and Species Regulations (2017).

8 **Pre-Occupation Condition**: No dwelling hereby approved shall be occupied unless and until a Biodiversity Enhancement Layout for protected and priority species, as recommended within the Ecological Appraisal (FPCR Environment and Design Ltd, no reference, dated February 2024) at Sections 6.15 and 6.36, has been submitted to and approved by the Local Planning Authority in writing. The approved works shall, thereafter, be implemented as approved.

Reason: To ensure that the proposed development provides opportunities for ecological enhancement and mitigates the loss of suitable habitat for reptiles in accordance with Policy 31 of the Horsham District Planning Framework (2015)

9 **Pre-Occupation Condition**: Prior to the first occupation of any dwelling hereby approved a Wildlife Sensitive Lighting Design Scheme shall be submitted to the Authority for its written approval. The Lighting Design Scheme shall identify features on site which are sensitive for bats, including routes used for foraging, and include details of the positions, heights and orientations of external lighting, luminaire types and lighting contour plans. The Lighting Design Scheme shall, thereafter, be implemented as approved in advance of the first occupation of any dwelling hereby approved.

Reason: In order to demonstrate that external lighting has been designed to take account of the ecological sensitivities of the site and with regard to the recommendations of the Ecological Appraisal (FPCR Environment and Design Ltd, no reference, Dated February 2024) at sections 6.24 and 6.25 in accordance with Policy 31 of the Horsham District Planning Framework (2015).

10 **Pre-Occupation Condition**: Prior to the first occupation of any dwelling hereby approved a written statement, inclusive of calculations performed pursuant to Part G of the Building Regulations, confirming specific measures by which the approved dwellings will achieve the 85 litre/person/day standard committed to within the Water Neutrality Statement (Daedalus Environmental, no reference, dated: March 2024) at section 2.2.1, shall be submitted to the Authority for its approval in writing. The statement shall include a calculation specific to each type/size of dwelling proposed on the site and shall additionally include a rainwater yield calculation pursuant to the methodology prescribed at section 6.1.2 of BS EN 16941-1:2018 (On Site Non-Potable Water Systems) in respect of each type/size of dwelling in the event that a future development seeks to rely on rainwater collection.

The approved measures shall be implemented in advance of the first occupation of the development hereby approved and shall be maintained to an equivalent, or superior, standard of efficiency thereafter.

Reason: To ensure that the approved development is water neutral, thus avoiding contribution to the possible adverse effect upon the integrity of the Arun Valley Special Area of Conservation, Special Protection Area and Ramsar designations addressed by the Natural England Position Statement of September 2021 and to satisfy the Authority's duties pursuant to the Protection of Habitats and Species Regulations 2017 (as amended) at Regulation 63.

11 **Pre-Occupation Condition**: No dwelling hereby permitted shall be occupied unless and until the approved vehicular access onto Shermanbury Road, together with associated visibility splays, has been completed and made ready for use as detailed on the approved 'Proposed Junction Layout' plan, (ref: 4746/46/03 B).

Reason: To ensure that future occupiers are provided with a safe and convenient means of vehicular access in accordance with Policy 40 of the Horsham District Planning Framework (2015)

12 **Pre-Occupation Condition**: No dwelling hereby permitted shall be occupied unless and until the completion of the following off-site highway works:-

a) The provision of an uncontrolled pedestrian crossing across Shermanbury Road to the south of Dunstan's Farm;
b) The restoration of the existing footpath to its full width to the north of Shermanbury Road between the uncontrolled pedestrian crossing addressed at (a) and the approved vehicular access,

As respectively detailed on the approved 'Proposed Junction Layout' plan, (ref: 4746/46/03 B.)

Reason: To satisfy the recommendations of the Road Safety Audit conducted in support of the development proposals and to ensure that future occupiers are afforded a safe and convenient means of pedestrian access to the site in accordance with Policy 40 of the Horsham District Planning Framework (2015).

13 **Pre-Occupation Condition**: Prior to the first use of the approved access onto Shermanbury Road, as detailed on the approved 'Proposed Junction Layout' plan (ref: 4746/46/03 B), full details of street lighting necessary to serve the new junction shall be submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include details of the positions of individual lighting columns, the heights of lighting columns and luminaire specifications, and shall be coordinated with the Wildlife Lighting Design Scheme subject of Condition 7.

Reason: To satisfy the recommendations of the Road Safety Audit conducted in support of the development proposals and to ensure that the approved development is provided with a safe and convenient means of access suitable for future occupiers and road users in accordance with Policy 40 of the Horsham District Planning Framework (2015).

14 **Pre-Occupation Condition**: Prior to the first occupation of the development hereby permitted a schedule of on-site air-quality mitigations shall be submitted to and approved in writing by the Local Planning Authority. The air quality mitigation measures to be submitted shall be sufficient to offset the expected damage cost calculation set-out within section 6.2.9 of the Air Quality Screening and Mitigation Assessment (Wardell Armstrong LLP, ref: GM 13184 001, dated March 2024). The agreed mitigations shall be implemented in advance of the first occupation of any approved dwelling and maintained as such thereafter.

Reason: To ensure that the proposed development adequately mitigates against its expected adverse air-quality effects and to avoid duplication where mitigations are otherwise required by compliance with alternative regulatory regimes in accordance with Policy 24 of the Horsham District Planning Framework (2015).

15 **Regulatory Condition**: Except in respect of the indicated treatment of tree T7 and tree groups G4 and G8 (as categorised within the Arboricultural Assessment, Revision A, FPCR Environment and Design Ltd, dated January 2024 (the Arboricultural Assessment)) tree works to tree T3 and grouping G1 shall be implemented as set out within the Arboricultural Assessment. All other trees shall be retained on site and not subjected to any felling or reduction, unless the Local Planning Authority consents to specific tree works in conjunction with its approval of matters of landscaping and layout at reserved matters stage. Tree protection measures and mitigations, as set out within the Arboricultural Assessment, shall be implemented in advance of the commencement of construction operations and maintained for the duration of construction operations.

Reason: To ensure that the Council maintains control over the extent of arboricultural operations and that important trees and landscape features are preserved through construction operations in accordance with Policy 33 of the Horsham District Planning Framework (2015).

16 **Regulatory Condition**: In the event that the development hereby approved does not commence within three years of the date of this consent, ecological mitigation measures outlined within the Ecological Appraisal (FPCR Environment and Design Ltd, no reference, dated February 2024) and/or approved pursuant to Condition 9 to this consent, approved ecological mitigation measures for protected species shall be reviewed, and where necessary, amended and updated. The review shall be informed by further species-specific surveys to determine whether there have been any changes in the presence and/or abundance of bats, Hazel Dormouse, Badger and reptiles, and any new ecological impacts which might arise as a consequence of any change in the ecological context of the site.

Where species specific surveys indicate that changes have occurred, and which were not previously addressed by the approved development, the originally approved ecological measures will be revised and a schedule of amended measures, including a timetable for implementation, shall be submitted to and approved by the Local Planning Authority in writing. The development shall, subsequently, be implemented in accordance with the schedule of amended measures.

Reason: To ensure that the approved development incorporates appropriate mitigation in respect of protected and priority species, which correctly reflects the ecological sensitivity of the site at the time development works commence in accordance with Policy 31 of the Horsham District Planning Framework (2015).

17 **Regulatory Condition**: All works of demolition, construction, and ancillary activities, including deliveries and despatch, shall be restricted to 08:00-18:00 hours on Monday to Friday, from 08:00 to 13:00 hours on Saturdays and at no time on Sundays or Bank Holidays.

Reason: To ensure that nearby occupiers and users of land are not subjected to unreasonable levels of noise disturbance resulting from construction and demolition operations in accordance with the provisions of Policy 24 to the Horsham District Planning Framework (2015).

18 **Regulatory Condition**: Except in relation to tree-works approved in conjunction with the formation of the approved access (Tree T3 and grouping G1), and notwithstanding the Arboricultural Assessment (FPCR Environment and Design, Rev A, dated February 2024) considered in relation to this outline approval, a tree survey, tree-protection plan and schedule of arboricultural works shall be provided in conjunction with reserved matters application(s) addressing matters of landscaping, scale and layout. The details to be submitted shall, additionally, include any written details of arboricultural protections and/or mitigation measures designed to preserve the health of retained trees. No trees within the site shall be felled and/or subject to reduction except as approved.

Reason: To ensure that any arboricultural effects associated with future matters of landscaping, layout and scale are fully considered, and to ensure that no unnecessary tree works are undertaken within the application site in the event that details of landscaping, scale and layout diverge from the indicative details provided in association with this outline approval necessitating alternative arboricultural operations to those presently detailed in the Arboricultural Assessment.

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

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

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

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

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

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

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

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. In the case of outline applications the CIL charge will be calculated at the relevant reserved matters stage.

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

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

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

Note to Applicant
The Planning Committee strongly recommends that the applicant seeks further discussion with the WSCC Local Highways Authority to explore reducing the speed limit outside the site to 30mph and to providing a safe pedestrian crossing to the footway on the opposite side of Shermanbury Road. The Committee considers that these measures will improve the safety and the accessibility of the site for non-car users.

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.