Horsham District Council

Alicia Privett
Nexus Planning
Holmes House
4 Pear Place
SE1 8BT

Land North of Little Potters Potters Green Station Road Cowfold
Development of the site to create 35 new dwellings including associated landscaping and parking, with provision of additional parking facilities associated with St Peters Church of England School and provision of public open space with 9 allotments.

Your application DC/24/0982 has now been determined and I enclose the decision notice. The decision notice contains important information. Please take a moment to read it as further action may be required.

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

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.

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

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

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

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

Yours Sincerely,
Development Management

Horsham District Council

Alicia Privett
Nexus Planning
Holmes House
4 Pear Place
SE1 8BT

Application Number: DC/24/0982

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

On behalf of: - Devine Homes

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:

Development of the site to create 35 new dwellings including associated landscaping and parking, with provision of additional parking facilities associated with St Peters Church of England School and provision of public open space with 9 allotments.

Land North of Little Potters Potters Green Station Road Cowfold

to be carried out in accordance with Application No. DC/24/0982 submitted to the Council on 22/07/2024 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 30/01/2026

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

SCHEDULE OF PLANS/DOCUMENTS

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	Flood Risk Assessment and Drainage Strategy	none REV D	05.12.2024
Supporting Docs	Arboricultural Impact Assessment and Method Statement	none	04.12.2024
Supporting Statement	Water Neutrality	none	29.10.2024
Location plan		S101 REV D	28.06.2024
Supporting Statement	TPA Technical Note	2101- 031/TN/01 A	18.10.2024
Layout plan	Proposed Site Access and TrafFic Calming Arrangements	SK03 REV D	18.10.2024

Layout plan	Proposed Footway Alterations	SK04 REV A	18.10.2024
Layout plan	Coloured Site Layout	18071 / C101 REV G	04.12.2024
Section plan	Coloured Street Scenes	18071 / C105 REV C	04.12.2024
Layout plan	Proposed	P101 REV Z	16.01.2025
Layout plan	Proposed Building Materials	P102 REV K	04.12.2024
Layout plan	Proposed Surface Materials	P103 REV E	28.06.2024
Layout plan	Proposed Boundary Materials	P104 REV G	28.06.2024
Elevation & Floor plan	(Proposed Plans and Elevations) Plots 1 & 2	P110 REV E	04.12.2024
Elevation & Floor plan	(Proposed Plans and Elevations) Plots 3, 4, 7, 8, 31, 32, 33 & 34	P111 REV F	04.12.2024
Elevation & Floor plan	(Proposed Plans and Elevations) Plots 5 & 6	P112 REV E	04.12.2024
Elevation & Floor plan	(Proposed Plans and Elevations) Plots 9 & 10	P113 REV E	04.12.2024
Elevation & Floor plan	(Proposed Plans and Elevations) Plots 11 & 14	P114 REV D	04.12.2024
Elevation & Floor plan	(Proposed Plans and Elevations) Plots 15 & 16	P115 REV C	04.12.2024
Elevation & Floor plan	(Proposed Plans and Elevations) Plots 17 & 18	P116 REV F	04.12.2024
Elevation & Floor plan	(Proposed Plans and Elevations) Plots 19, 20 & 30	P117 REV E	04.12.2024
Elevation & Floor plan	(Proposed Plans and Elevations) Plot 21	P118 REV E	04.12.2024
Elevation & Floor plan	(Proposed Plans and Elevations) Plots 22 & 27	P119 REV F	04.12.2024
Elevation & Floor plan	(Proposed Plans and Elevations) Plots 23 & 24	P120 REV E	04.12.2024
Elevation & Floor plan	(Proposed Plans and Elevations) Plot 25	P121 REV E	04.12.2024
Elevation & Floor plan	(Proposed Plans and Elevations) Plot 26	P122 REVE	04.12.2024
Elevation & Floor plan	(Proposed Plans and Elevations) Plots 28 & 29	P123 REV F	04.12.2024
Elevation & Floor plan	(Proposed Plans and Elevations) Plot 35	P124 REV G	04.12.2024
Elevation & Floor plan	Ancillary Buildings Plan	P130 REV D	04.12.2024
Elevation & Floor plan	Allotment Communal Shed Plan	P131	04.12.2024
Supporting Statement	Flood Risk Assessment and Drainage Strategy	none REV D	05.12.2024
Supporting Statement	Air Quality Assessment	J10/12154B/10/1 F3	22.01.2025
Supporting Statement	Preliminary Ecological Appraisal	none	28.06.2024

Supporting Statement	Ecological Impact Assessment	none	28.06.2024
Supporting Statement	Ecological Impact Assessment	none	24.01.2025
Layout plan	Landscape 1 of 7	M384-201 REV P4	06.01.2025
Site plan	Landscape Masterplan	M384-100 REV P2	11.07.2024
Layout plan	Landscape 2 of 7	M384-202 REV P4	06.01.2025
Layout plan	Landscape 3 of 7	M384-203 REV P4	06.01.2025
Layout plan	Landscape 4 of 7	M384-204 REV P4	06.01.2025
Layout plan	Landscape 5 of 7	M384-205 REV P4	06.01.2025
Layout plan	Landscape 6 of 7	M384-206 REV P4	06.01.2025
Layout plan	Landscape 7 of 7	M384-206 REV P4	06.01.2025
Layout plan	Landscape Plan Sheet 7 of 7	M384-207 REV P3	06.01.2025
Supporting Statement	Noise Impact Assessment Issue 2	none REV 2	04.12.2024

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

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

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

3 **Pre-Commencement Condition:**: The development hereby approved shall not commence until the following construction details have been submitted to and approved in writing by the Local Planning Authority. The details shall be limited to the following measures:

(a) Details of site management contact details and responsibilities;

(b) A plan detailing the site logistics arrangements on a phase-by-phase basis (as applicable), including:

i. location of site compound,

ii. location for the loading, unloading and storage of plant and materials (including any stripped topsoil),

iii. site offices (including location, height, size and appearance),

iv. location of site access points for construction vehicles,

v. location of on-site parking,

vi. locations and details for the provision of wheel washing facilities and dust suppression facilities

(c) 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;

(d) Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination

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

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).

4 **Pre-Commencement Condition:** Prior to the commencement of the development hereby permitted, a Construction Environmental Management Plan (CEMP: Biodiversity) shall be

submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
a) Risk assessment of potentially damaging construction activities.
b) Identification of "biodiversity protection zones".
c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
d) The location and timing of sensitive works to avoid harm to biodiversity features.
e) The times during construction when specialist ecologists need to be present on site to oversee works.
f) Responsible persons and lines of communication.
g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
h) Use of protective fences, exclusion barriers and warning signs.
i) Containment, control and removal of any Invasive non-native species present on site.
k) Dust Risk Assessment and Management Plan, including on-sites measures to improve air quality at the construction phase.
The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To conserve 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 (as amended).

5 **Pre-Commencement Condition:** Prior to the commencement of development, construction drawings of the surface water drainage network including topographical plans and cross sections, associated sustainable drainage components and flow control mechanisms, including inlet and outlet elements, a construction method statement, and a planting proposal shall be submitted and agreed in writing by the Local Planning Authority. The scheme shall include the detailed design for a suitably landscaped attenuation basin. The scheme shall then be constructed as per the agreed Flood Risk Assessment and Drainage Strategy Rev D (dated 5th November 2024) and remain in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with NPPF and Policy 38 in Horsham District Planning Framework.

6 **Pre-Commencement Condition:**

(a) No development shall take place until a programme of archaeological work has been secured in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.

(b) The development hereby permitted shall not be commenced until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [i] and that provision for analysis, publication and dissemination of results and archive deposition has been secured and approved by the Local Planning Authority in writing.

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

7 **Pre-Commencement Condition:** No development 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. This includes all new residential dwellings to have a finished floor level raised a minimum of 150 mm above the surrounding proposed ground level. 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).

8 **Pre-Commencement Condition:** No development shall commence until full details of underground services, including locations, dimensions and depths of all service facilities and required ground excavations, 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. 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 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) An intrusive site investigation scheme, based on the Phase 1 Desk Study 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 the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation and a verification plan providing details of what data will be collected in order to demonstrate that the remedial works are complete.

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 pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

10 **Pre-Commencement (Slab Level) Condition**: No development above ground floor slab level of any part of the development hereby permitted shall take place until a scheme of noise mitigation has been submitted to and approved in writing by the Local Planning Authority. The mitigation measures shall be in broad accordance with the recommendations in the Noise Impact Assessment Issue 2 (dated 04.12.24) and shall demonstrate that they are sufficient to prevent overheating. The development shall thereafter be carried out in accordance with the approved details.

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).

11 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a detailed lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be in accordance with the Institute of Lighting Professional's Guidance notes (including Guidance Note: 08/23) for the reduction of obstructive light and shall have been designed by a suitably qualified person in accordance with the recommendations. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. The scheme shall be implemented in accordance with the approved scheme and thereafter retained as such. No other external lighting or floodlighting shall be installed other than with the permission of the Local Planning Authority by way of formal application.

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 (as amended) and Policy 31 of the Horsham Development Framework, and to safeguard the amenities of the site and surrounds in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

12 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of hard surfacing, including for open space footways, has been submitted to and approved by the Local Planning Authority in writing and all surfacing 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).

13 **Pre-Occupation Condition:** The development hereby approved shall not be first occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

i. a timetable for its implementation,
ii. details of SuDS features and connecting drainage structures and maintenance requirement for each aspect,
iii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policy 38 in Horsham District Planning Framework.

14 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until details of all boundary walls and/or fences have been submitted to and approved in

writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied (or use hereby permitted commenced) until the boundary treatments associated with that dwelling (or use) have been implemented as approved. The boundary treatments shall thereafter be maintained in accordance with the approved details.

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

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

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

16 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a Biodiversity Enhancement Layout for biodiversity enhancements listed in the Ecological Impact Assessment (The Ecology Partnership, January 2025) has been submitted to and approved in writing by the local planning authority.
The content of the Biodiversity Enhancement Layout shall include the following:
a) detailed designs or product descriptions for biodiversity enhancements; and
b) locations, orientations and heights for biodiversity enhancements on appropriate drawings.
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: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under paragraph 187d of the NPPF 2024 and s40 of the NERC Act 2006 (as amended).

17 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until provision for the storage of refuse and recycling has been provided within the garage or side or rear garden for that dwelling in accordance with approved drawing number P101 Rev Z Proposed Site Layout. The facilities shall thereafter be retained for use at all times.

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

18 **Pre-Occupation Condition:** No dwelling shall be first occupied until the parking, turning and access facilities necessary to serve that dwelling and the vehicular access, footway, and gateway features on the A272 serving the development has been constructed in accordance with the details shown on the drawings titled Proposed Site Access and Traffic Calming Arrangement and numbered SK03 revision D and Proposed Footway Alterations drawing SK04 revision A as included within the TPA Technical Note, reference 2101- 031/TN/01A dated October 2024 and shall be thereafter retained as such.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

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

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

20 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a survey and verification report from an independent surveyor demonstrating that the SuDS drainage system has been constructed in accordance with the approved design drawings has been submitted to and approved by the Local Planning Authority. The development shall be maintained in accordance with the approved report. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

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).

21 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a fire hydrant(s) to BS 750 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(s) or stored water supply shall thereafter be retained as such.

The fire hydrant shall thereafter bmaintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner / occupier if the installation is retained as a private network.

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

22 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied 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).

23 **Pre-Occupation Condition:** No dwelling shall be first occupied until an air quality mitigation plan has been submitted to and approved in writing by the Local Planning Authority. The air quality mitigation plan should contain measures to a minimum value of £5,729.81 as the calculated environmental damage cost and include (but not be limited to) the measures detailed in Section 9 of the Air Quality Assessment (Air Quality Consultants Ltd, Jan 2025) and a timetable for their delivery. The air quality mitigation plan shall also include a timetable for delivery of the measures. The measures shall thereafter be provided in accordance with the approved mitigation plan and timetable.

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

24 **Pre-Occupation Condition:** The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification that the remediation scheme required and approved under the provisions of condition 10b) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 10b), unless otherwise agreed in writing by the Local Planning Authority.

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

25 **Pre-Occupation Condition:** No dwelling shall be first occupied until a final verification report shall be submitted to and approved in writing by the local Planning authority which confirms that all the works which form part of the scheme for protecting the proposed development from road traffic noise as approved by the Local Planning Authority under condition 11 above have been completed. All work must be carried out by suitably qualified person and the approved noise, vibration attenuation and ventilation measures shall thereafter be retained and maintained in working order for the duration of the use in accordance with the approved details.

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).

26 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on drawing ref: P102 Rev K Proposed Building Materials Layout unless detail of alternative materials have been submitted and approved in writing by the Local Planning Authority prior to development above ground floor slab level commencing.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

27 **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).

28 **Regulatory Condition:** All works shall be executed in full accordance with the submitted Arboricultural Impact Assessment and Method Statement dated November 2024, including the Tree Protection Plan at Appendix 2.

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

Reason: To ensure the successful and satisfactory protection of important trees, shrubs and hedges on the site in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).

29 **Regulatory Condition:** The approved landscaping scheme shall be fully implemented in accordance with the approved soft landscaping details set out in drawings ref: m384-100 RevP2 Landscape Masterplan, ref: m384-201 RevP4 Landscape Plan Sheet 1 of 7, ref: m384-202 RevP4 Landscape Plan Sheet 2 of 7, ref: m384-203 RevP4 Landscape Plan Sheet 3 of 7, ref: m384-204 RevP4 Landscape Plan Sheet 4 of 7, ref: m384-205 RevP4 Landscape Plan Sheet 5 of 7, ref: m384-206 RevP4 Landscape Plan Sheet 6 of 7, and ref: m384-207 RevP4 Landscape Plan Sheet 7 of 7, 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).

30 **Regulatory Condition:** The development hereby permitted shall be undertaken in strict accordance with the ecological mitigation and enhancement measures set out in the Ecological Impact Assessment (The Ecology Partnership, January 2025), Ecological Impact Assessment (The Ecology Partnership, June 2024) and Preliminary Ecological Appraisal (The Ecology Partnership, May 2024). This includes the non-licensed Precautionary Method Statement for Hazel Dormouse in Section 5.10, the reptile mitigation strategy in Sections 5.14 to 5.19 and 7.4 and the Precautionary Method Statement for mobile protected species in Section 5.13 of the Ecological Impact Assessment (The Ecology Partnership, January 2025). 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: 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).

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

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

32 **Regulatory Condition:** The dwelling(s) hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to no more than 110 litres per person per day. The subsequently installed water limiting measures shall thereafter be retained.

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

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
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.

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 to contact West Sussex County Council Highways, tel no: 01243 642105 or to visit https://www.westsussex.gov.uk/ for information on how to obtain formal approval from the highway authority to carry out works to the public highway. All necessary costs, the appropriate license and application fees for any works and any costs associated with the movement of any existing street furniture will have to be funded by the applicant. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed.

Note to Applicant
To request that the developer works with the Parish Council and West Sussex County Council to seek to reduce the speed limit and move the speed limit further west via a Traffic Regulation Order.

Note to Applicant
A Surface Water Drainage Statement is a site-specific drainage strategy that demonstrates that the drainage scheme proposed is in compliance with the National Planning Policy Framework and the Non-Statutory Technical Standards for Sustainable Drainage Systems. An Advice Note and a proforma for the statement can be found using the following link https://www.horsham.gov.uk/planning/development-management.

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

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

Note to Applicant
A. The granting of planning permission does not authorise obstruction of, interference to or moving of any Public Right of Way (PROW); this can only be done with the prior consent of West Sussex County Council (WSCC), as highway authority, and possibly also a legal Order process by the relevant local planning authority. Further advice can be provided on request.
B. Safe and convenient public access is to be available at all times across the full width of the PROW, which may be wider than the available and used route - advice on the legal width can be provided by the WSCC PROW Team.
C. The path is not to be obstructed by vehicles, plant, scaffolding or the temporary storage of materials and / or chemicals during any works. These will constitute an offence of obstruction under the Highways Act 1980.
D. No new structures, such as gates and stiles, are to be installed within the width of the PROW without the prior consent of the WSCC PROW Team. These will constitute an offence of obstruction under the Highways Act 1980.
E. Any down pipes or soakaways associated with the development should discharge into an existing or new drainage system and away from the surface of the PROW. No drainage system is to be installed through the surface of the path without the prior consent of the WSCC PROW Team.
F. Where the ground levels adjacent to the PROW are to be raised above existing ground levels, this could increase the potential to flood the path. A suitable drainage system must be installed adjacent to the path to a specification agreed with the WSCC PROW Team prior to development commencing.

G. Any alteration to or replacement of the existing boundary with the PROW, or the erection of new fence lines, must be done in consultation with the WSCC PROW Team to ensure the legal width of the path is not reduced and there is no unlawful encroachment.
H. Access along a PROW by contractors' vehicles, deliveries or plant is only lawful if the applicant can prove it has a vehicular right; without this an offence under the Road Traffic Act 1988 section 34(1) is being committed.
I. The applicant is advised that a public access right has precedence over a private access right. Where a PROW runs along a route also used for private access purposes, usually for private vehicle access, this shared use has the potential for accident or injury - the applicant must consider how access is managed so the public is not endangered or inconvenienced.
J. Some properties have private rights over them for the benefit of a particular individual or property; for example, a landowner may have the right to drive over a neighbour's track to gain access to property. This right of access is granted to individuals and / or properties only and does not extend to the public. The WSCC PROW Team does not hold records of private rights of access; the applicant is encouraged to check that no private access rights will be detrimentally affected by this proposal.
K. It is an offence to damage the surface of a PROW without the prior consent of the WSCC PROW Team. The applicant must supply a specification and secure the approval of the WSCC PROW Team before works affecting the PROW begin, even if the surface is to be improved. Where a PROW surface is damaged and there was no prior consent, the applicant will be liable and required to make good the surface to a standard satisfactory to the WSCC PROW Team.
L. Where it is necessary to undertake works within the legal width of a PROW, e.g. install utilities, (or for development works immediately adjacent to a PROW that can not reasonably be managed through different Health and Safety practice) the applicant must be advised to apply to WSCC PROW Team for a temporary path closure. The applicant must be advised there is no guarantee an application will be approved; that a minimum of 6 weeks is needed to consider an application.
M. Where it will be necessary to permanently divert or extinguish a path 'to enable development to take place' by means of a Public Path Order (PPO) (most often under Town & Country Planning Act 1990 s257), to be applied for by the developer through the Local Planning Authority prior to development, WSCC PROW Team is not able to grant a temporary path closure as a precursor to a PPO. In such circumstance, WSCC PROW Team will only consider an application for a temporary path closure once the Local Planning Authority has made and confirmed a PPO.
N. Consented development is often subject to various environmental requirements, which can impact on the availability of PROW. For example, Great Crested Newt fencing has often been known to be laid across a PROW, which is either subject to installation of unauthorised stiles or gates, or unlawfully diverted around the site edge. The applicant must be advised that any environmental licence, such as from Natural England, does not negate the need to provide the legal line of a PROW without additional structures.
O. If the development proposes shared use of a PROW with vehicles (and / or introduces a vehicle crossing point of a PROW), which may increase the risk of accident or injury to a PROW user, then the applicant is encouraged to introduce signage to advise vehicle drivers of the hazard and to act responsibly.

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

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

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

ADDITIONAL INFORMATION

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

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

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

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

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

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

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

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

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

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

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

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