



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0912

Rushfields, High Bar Lane, Thakeham, West Sussex

DESCRIPTION:

Variation of condition 3 of previously approved application reference DC/20/2577 (Demolition of existing buildings and erection of 25 residential dwellings including vehicular access, landscaping, parking and other related works) amending the wording to vary water usage limit.

SITE AND SURROUNDINGS

This is unchanged from the details previously set out in the 10th March 2025 committee papers, and for the sake of brevity is not repeated here.

RELEVANT PLANNING HISTORY:

DC/20/2577	Demolition of existing buildings and erection of 25 residential dwellings including vehicular access, landscaping, parking and other related works.	Permitted 29.07.2025
DC/25/1284	Non Material Amendment to previously approved application DC/20/2577 (Demolition of existing buildings and erection of 25 residential dwellings including vehicular access, landscaping, parking and other related works) to correct inconsistencies between the approved site plan and the individual plot plans.	Permitted 26.08.2025

DESCRIPTION OF THE APPLICATION

Planning Application DC/20/2577 was permitted on 29th July 2025. This allowed permission for the demolition of existing buildings and erection of 25 residential dwellings including vehicular access, landscaping, parking and other related works on land at Rushfields, Thakeham. This permission was varied under non-material amendment DC/25/1284 to correct inconsistencies between the approved site plan and the individual plot plans.

This application is made under Section 73 of the Town and Country Planning Act seeking to vary condition 3 relating to the permission granted under DC/20/2577 to secure amendment to the water usage limit.

Condition 3 currently reads:

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 Water Certification Scheme (formerly the Sussex North Offsetting Water Scheme or SNOWS); 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.

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).

This application seeks to change this condition wording to the standard condition requiring compliance with the Building Regulations Part G Optional Technical Standard (110 litres per person per day).

All other details remain the same as previously approved and amended under NMA DC/25/1284.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF):

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 9 - Employment Development
Policy 10 – Rural Economic Development
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 30 – Protected Landscapes
Policy 31 – Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 3 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

Thakeham Parish Neighbourhood Plan (Jan 2017)

Thakeham1 A Spatial Plan for the Parish
Thakeham5 Employment Sites
Thakeham6 Design
Thakeham9 Development in the Countryside
Thakeham10 Green infrastructure & Valued Landscapes
Thakeham11 Local Green Spaces
Thakeham12 Community Facilities
Thakeham13 Broadband and Mobile Communications
Thakeham14 Soils

Horsham District Local Plan (2023-40) (awaiting examination)

Policy 1: Sustainable Development
Policy 2: Development Hierarchy
Policy 3: Settlement Expansion
Policy 6: Climate Change
Policy 7: Appropriate Energy Use
Policy 8: Sustainable Design and Construction
Policy 9: Water Neutrality
Policy 10: Flooding
Policy 11: Environmental Protection
Policy 12: Air Quality
Policy 13: The Natural Environment and Landscape Character
Policy 14: Countryside Protection
Policy 15: Settlement Coalescence
Policy 17: Green Infrastructure and Biodiversity
Policy 19: Development Quality
Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Policy 23: Infrastructure Provision
Policy 24: Sustainable Transport
Policy 25: Parking
Policy 27: Inclusive Communities, Health and Wellbeing
Policy 37: Housing Provision
Policy 38: Meeting Local Housing Needs
Policy 39: Affordable Housing
Policy 40: Improving Housing Standards in the District

West Sussex Joint Minerals Local Plan (2018)

Policy M9 - Safeguarding Minerals

South Downs Local Plan (Adopted 2 July 2019 (2014-33))

Strategic Policy SD4: Landscape Character
Strategic Policy SD6: Safeguarding Views
Strategic Policy SD8: Dark Night Skies

Supplementary Planning Guidance:

Planning Obligations and Affordable Housing SPD (HDC, September 2017)
Community Infrastructure Levy (CIL) Charging Schedule (HDC, 2017)
SPG (2003 as amended Sep 2020) - revised county parking standards and transport contributions methodology

Other Guidance:

HDC Sports, Open Space and Recreation Assessment (2014)
The Horsham District Council Open Space, Sport and Recreation Study (June, 2021)
Air Quality and Emissions Mitigation Guidance for Sussex (2020)
Planning Advice Note: Biodiversity and Green infrastructure (2022)
Planning Advice Note: Facilitating Appropriate Development (2022)
The South Downs National Park: View Characterisation and Analysis (LUC, November 2015)

Parish Design Statement:

Thakeham Parish Design Statement (2002)

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:

Natural England (standing advice): No objection

Representations:

Three letters from two addresses have been received objecting to this application raising the following:

- West Sussex is an area of serious water stress, so it makes no sense to weaken or alter a planning condition that was put in place to limit water use.
- Environmental safeguards should be strengthened, not watered down to suit developers.
- Changing the existing water usage condition could increase pressure on our local water resources and the environment.
- Weakening or changing that safeguard without compelling evidence would be contrary to the public interest.
- West Sussex is recognised as an area under severe water stress, and the Arun Valley has well-documented water neutrality concerns due to the impact of abstraction on internationally protected habitats.
- Any increase in water consumption from this development risks adding to existing pressure unless the applicant can demonstrate beyond reasonable doubt that there will be no additional impact.
- The cumulative impact of multiple developments on drainage, infrastructure and water issue needs to be considered.

Thakeham Parish Council Comments:

None received.

Member Comments:

None received

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

The National Planning Policy Framework 2024 and relevant Planning Practice Guidance (updated) states within the Flexible Options for Planning Permissions chapter (March 2014), that an application can be made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. Whilst a consent under S73 of the Act creates a new planning permission for the site, government guidance set out in the PPG is clear that only the matters being amended are to be considered. It is not the purpose or function of a S73 consent to revisit the principle of development on the site.

Accordingly, the principle of development on this site remains settled and acceptable, along with all other matters not subject to these proposed amendments, and there are no relevant material planning considerations that would indicate otherwise after approval of the original planning permission DC/20/2577. This includes:

- Progress on the emerging Horsham District Local Plan and adoption of the Shaping Development in Horsham District advice note (Sept 2025) which replaces Facilitating Appropriate Development Advice Note (2022)
- Updates to the Environment Agency flood risk mapping and the Council's 5YHLS (the latter set out in Council's Authority Monitoring Report 2024/25) and the district housing need register; and consultation on the draft National Planning Policy Framework (Dec 2025)).

Advice Note

The principles of the Shaping Development advice note (2025) largely follows Facilitating Appropriate Development Advice Note (2022) applicable to this development proposal, and therefore its substitution does alter the conclusions and planning balance exercise previously undertaken.

Update to Flood risk Mapping

The Environment Agency's latest flood mapping for surface water now identifies an area at the far north of the site at risk of surface water between 2061 to 2125 taking account of future climate change to a depth of less than 150 millimetres. The introduction of this level of risk would not endanger human health (as the area at risk is garden plot and communal landscaping and does not impinge access) and does not materially alter the delivery of the previously approved site-specific Flood Risk Assessment and allied drainage strategy.

Update to housing need register

Although the Council's housing need register has altered since approval, with increased need for affordable family homes in the application site ward, the proposed housing scheme mix (affordable v market and tenure and type) remains sufficiently compliant with the SHMA, which remains the Council's most up to date planning policy evidence to housing need in the district.

Therefore, the main considerations are whether the variation of conditions sought is acceptable having regard to the development and all other relevant material planning considerations.

Material Planning Considerations:

Water Neutrality

As set out in the April 2022 committee report, Horsham District is situated in an area of serious water stress, as identified by the Environment Agency. In September 2021, Natural England released a Position Statement which advised all local authorities within the Sussex North Water Supply Zone that it cannot be concluded that existing water abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites near Pulborough. The Position Statement advised the affected local authorities that developments within the Sussex North Supply Zone must not therefore add to this impact, and to achieve this, all proposals must demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.

On 31st October 2025 Natural England formally withdrew the 2021 Position Statement, citing a package of measures that they were satisfied would safeguard the Arun Valley sites. Principal amongst these measures is a reduction in the Southern Water abstraction licence 'by March 2026'. Given the licence change has not yet taken place Horsham District Council, as competent authority under the Habitats Regulations, cannot yet be certain that new development will not result in adverse impacts on the Arun Valley sites. It is though recognised that Southern Water have separately made significant water savings in 2024/25 through a programme of leakage reduction which has generated some 3,240,000 litres per day of water savings that can now be attributed to new development without increasing water abstraction in the Arun Valley beyond baseline.

Officers have undertaken a new Appropriate Assessment which demonstrates that the anticipated mains water consumption from this development (without mitigation the total proposed water usage for 52 occupants is calculated as 6074.2 litres per day), alongside all other development granted since the 31st October 2025, will not exceed 3,240,000 litres per day. This is based on all new residential development achieving the Building Regulations Part G Optional Technical Standard of 110 litres per person per day, as required under Policy 37 of the HDPF.

Natural England has been consulted on this approach of using the 2024/25 Southern Water efficiency savings to offset new development. In response, Natural England have provided standing advice which confirms that they consider the 3,240,000 litres per day of water savings made by Southern Water to be reliable such that they have no objection to his capacity being used to offset development proposals.

Accordingly, subject to the imposition of a condition requiring the development to meet the Building Regulations Part G Optional Technical Standard of 110 l/p/d water consumption, the proposed development will not have an Adverse Effect on the Integrity of the Arun Valley Site, either alone or in combination with other plan and projects, thereby complying with Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

Section 106 Agreement

This section 73 application remains subject to the s106 legal agreement completed with the original planning permission DC/20/2577.

Conclusions:

The proposed variation of the conditions sought due to the withdrawal of the 2021 Natural England Position Statement is considered acceptable, with the weighting of the benefits of the development proposals against harms in the overall planning balance, similarly as assessed and undertaken in approval of the original planning permission DC/20/2577 (whilst taking account of all new relevant material planning considerations that have arisen subsequently), not leading to a different conclusion to the acceptability of the proposals.

Officers therefore recommend this application be approved.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017. It is considered that this development constitutes CIL liable development. In the case of outline applications, the CIL charge has been calculated as part of DC/20/2577.

Recommendation: Application Permitted

Conditions:

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

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 expiration of three years from 29th July 2025 (the date of permission ref: DC/20/2577).

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

3. **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), and 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), Paragraph 193 of the National Planning Policy Framework (2024), and to allow 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).

- 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 iii. 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; iv. Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination All demolition and 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).

- 5. 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. The dwelling unit building identified as plot 11 in the Addendum Flood Risk Assessment (RSK ref: 681761-R1(0) 25th April 2025 by LDE) shall have a raised finished floor level (FFL) of no less than 150mm Above Ordnance Datum. The development shall be completed in accordance with the approved details prior to occupation. The Finished Floor Level of plot 11 shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and to reduce the risk of flooding to the proposed development and future occupants in accordance with Policies 33 and 38 of the Horsham District Planning Framework (2015).

- 6. 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).

- 7. Pre-Commencement Condition :** No development shall commence until a drainage strategy detailing the proposed means of foul 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 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 preliminary risk assessment which has identified: - all previous uses - potential contaminants associated with those uses - a conceptual model of the site indicating sources, pathways and receptors - Potentially unacceptable risks arising from contamination at the site. The following aspects (b) - (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required. b) An intrusive site investigation scheme, based on (a) 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. c) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (b) and an options appraisal. d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) 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 pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 9. Pre-Commencement Condition :** No development shall commence until 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. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To conserve protected and Priority species and allow the Local Planning Authority 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 (2015).

- 10. Pre-Commencement Condition :** Prior to the commencement of development, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted and agreed in writing by the Local Planning Authority. The scheme shall then be constructed as per the agreed drawings, method statement, Flood Risk Assessment & Drainage Strategy by LDE, 9th September 2024, issue R1 (04) and Drawing 10-01 Drainage Strategy by RSK, 6th September 2024, revision P6 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 the National Planning Policy Framework and Policy 38 of the Horsham District Planning Framework (2015).

- 11. Pre-Commencement Condition :** Prior to the commencement of development, a Precautionary Method Statement for reptiles shall be submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to reptiles during the construction phase. The measures and/works shall be carried out strictly in accordance with the approved Details and shall be retained in that manner thereafter.

Reason: To conserve protected and Priority species and allow the Local Planning Authority 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 to accord with Policy 31 of the Horsham District Planning Framework (2015).

- 12. Pre-Commencement Condition :** Prior to the commencement of the construction of the dwelling on Plot 8, full and final details of the house type, layout, scale, form, design and hard and soft landscaping of the plot, together with the materials to be used in the construction for that plot shall be submitted to and approved by the Local Planning Authority. The dwelling for that plot shall be constructed strictly in accordance with the approved details.

Reason: The plot is a custom build unit and therefore the details cannot be agreed at this stage but need to be approved before construction in the interests of the visual and residential amenities of the area in accordance with policies 32 and 33 of the Horsham District Planning Framework (2015) and Policies THAKEHAM6 and THAKEHAM10 of the Thakeham Parish Neighbourhood Plan (2017).

- 13. Pre-Commencement Condition :** No development shall take place on site until a scheme for protecting the proposed dwellings from noise has been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall achieve the following noise levels: a) Internal day time (0700 - 2300) noise levels shall not exceed 35dB LAeq, 16hr for habitable rooms (bedrooms and living rooms with windows open) b) Internal night time (2300 - 0700) noise levels shall not exceed 30dB LAeq with individual noise events not exceeding 45dB LMax (windows open). c) Garden areas should not exceed 55 dB LAeq, 16hr If it is predicted that the internal noise levels specified above will not be met with windows open, the proposed mitigation scheme shall assume windows would be kept closed and will specify an alternative rapid/purge ventilation system, to reduce the need to open windows. As a minimum, this will usually consist of a mechanical heat recovery ventilation system with cool air by pass or equivalent.

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-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 materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) 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) and Policies THAKEHAM6 and THAKEHAM10 of the Thakeham Parish Neighbourhood Plan (2017).

- 15. Pre-Occupation Condition :** The development 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 the National Planning Policy Framework and Policy 38 in Horsham District Planning Framework.

- 16. Pre-Occupation Condition :** No part of the development hereby permitted shall be first occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. 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 • Details of all hard surfacing materials and finishes 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) and Policies THAKEHAM6 and THAKEHAM10 of the Thakeham Parish Neighbourhood Plan (2017).

- 17. 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, management prescriptions, 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) and Policies THAKEHAM6 and THAKEHAM10 of the Thakeham Parish Neighbourhood Plan (2017).

- 18. Pre-Occupation Condition :** No part of the development hereby permitted shall be occupied until the accesses and visibility splays for the access(es) serving the development (including details of any planting to be removed, dropped kerbs and tactile crossings, and footways at 2metre wide either side of the site access junction and extending to a new uncontrolled pedestrian crossing facility located east of the site access junction, to connect with the existing footway on the south side of High Bar Lane) have been provided subject to submission and approval in writing by the Local Planning Authority. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

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

- 19. 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) and Policy THAKEHAM13 of the Thakeham Parish Neighbourhood Plan (2017).

- 20. Pre-Occupation Condition** : Prior to occupation of the development a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Update Ecological Appraisal (Tetra Tech, April 2024), Update Ecological Appraisal (Tetra Tech, March 2024), Protected Species Report (WYG, December 2020), Walkover Survey Report (WYG, November 2020) and Ecological Appraisal (WYG, October 2018), shall be 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: To enhance protected and Priority species and allow the Local Planning Authority to discharge its duties under the s40 of the NERC Act 2006 (as amended) and Policy 31 of the Horsham District Planning Framework Policy and THAKEHAM10 of the Thakeham Parish Neighbourhood Plan (2017).

- 21. Pre-Occupation Condition** : Prior to occupation of the development a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to commencement of the development. 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 longterm 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 Local Planning Authority 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 District Planning Framework and Policies THAKEHAM6 and THAKEHAM10 of the Thakeham Parish Neighbourhood Plan (2017).

- 22. Pre-Occupation Condition** : Prior to occupation of the development a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. 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, 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. 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: To allow the Local Planning Authority 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 District Planning Framework and Policies THAKEHAM6 and THAKEHAM10 of the Thakeham Parish Neighbourhood Plan (2017).

- 23. Pre-Occupation Condition** : No dwelling shall be occupied until all the works which form part of the scheme for protecting the proposed dwellings from noise as approved by the Local Planning Authority under condition 13 (above) have been completed. All works which form part of the approved scheme shall be completed prior to first occupation. The approved scheme shall be thereafter maintained, unless otherwise agreed in writing by the Local Planning Authority.

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).

- 24. Pre-Occupation Condition** : No dwelling shall be occupied until a post completion noise survey has been undertaken by a suitably qualified acoustic consultant, and a report submitted to and approved in writing by the Local Planning Authority. The post completion testing shall assess performance of the noise mitigation measures against the noise levels as set in condition 13 (above). A method statement should be submitted to and approved by the Local Planning Authority prior to the survey being undertaken, unless otherwise agreed in writing by the Local Planning Authority.

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).

- 25. Pre-Occupation Condition** : Prior to occupation of the development and upon completion of the surface water drainage system, including any SuDS features, and prior to the first occupation of the development; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition 10 (above). 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 the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with the National Planning Policy Framework and Policy 38 in Horsham District Planning Framework (2015).

- 26. 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.

Reason: In accordance with fire and safety regulations in accordance with Policies 33 and 39 of the Horsham District Planning Framework (2015).

- 27. Pre-Occupation Condition** : No part of the development hereby permitted shall be occupied until details of all boundary walls and/or fences shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied until the boundary treatments associated with that dwelling 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) and Policy THAKEHAM6 of the Thakeham Parish Neighbourhood Plan (2017).

- 28. Pre-Occupation Condition :** No dwelling hereby permitted shall be occupied until the car parking spaces (including garages where applicable), turning and access facilities necessary to serve that dwelling have been constructed and made available for use in accordance with approved drawings. The car parking spaces permitted shall thereafter be retained as such for their designated use for the parking of vehicles incidental to the use of the properties as dwellings and for no other purposes.

Reason: To ensure that adequate access and car parking provisions are available in accordance with the requirements of Policies 40 and 41 of the Horsham District Planning Framework (2015).

- 29. Pre-Occupation Condition :** Notwithstanding the submitted details, no part of the development shall be first occupied until details of the internal road(s), footways, cycle ways and visitor car parking serving that part of the development have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

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

- 30. Pre-Occupation Condition :** No buildings containing flats or maisonettes shall be occupied until a strategy for the provision of electrical vehicle charging points to serve the flats or maisonettes within that building has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed prior to first occupation of the building containing the flats or maisonettes and shall thereafter remain as such.

Reason: To provide electric vehicle car charging space for the use in accordance with Policies 35 and 41 of the Horsham District Planning Framework (2015).

- 31. Pre-Occupation Condition :** No dwelling hereby permitted shall be occupied until the cycle parking facilities serving that dwelling have been constructed and made available for use in accordance with details to be submitted to and approved in writing by the Local Planning Authority. 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).

- 32. Pre-Occupation Condition :** No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling has been made for that dwelling in accordance with details submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be retained for use at all times.

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

33. N/A

- 34. Regulatory Condition:** All works shall be executed in full accordance with the submitted ARBORICULTURAL IMPACT ASSESSMENT and Method Statement by Lizard Rev 01 December 2020 Doc Ref: LLD1944-ARB-REP-001 and Tetra Tech Planning email 21-04-2021 re: measures to protect eastern boundary during construction.

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) and Policies THAKEHAM6 and THAKEHAM10 of the Thakeham Parish Neighbourhood Plan (2017).

- 35. Regulatory Condition:** All development shall be constructed in accordance with the submitted and approved Flood Risk Assessment (dated 9th September 2024), this includes all new residential dwellings to have a finished floor level raised a minimum of 150 mm above the surrounding proposed ground level unless otherwise first approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with the National Planning Policy Framework and Policy 38 in Horsham District Planning Framework (2015).

- 36. Regulatory Condition:** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Update Ecological Appraisal (Tetra Tech, April 2024), Update Ecological Appraisal (Tetra Tech, March 2024), Protected Species Report (WYG, December 2020), Walkover Survey Report (WYG, November 2020) and Ecological Appraisal (WYG, October 2018), and the Great Crested Newt Non-Licensed Mitigation Method Statement (Tetra Tech March 2021) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may 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 Local Planning Authority 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 District Planning Framework (2015).

- 37. Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or Orders amending or revoking and re-enacting the same, no windows or other openings (other than those shown on the plans hereby approved) shall be formed at first floor and above in the rear (west) elevation of the building of plots 24 and 25 without express planning consent from the Local Planning Authority first being obtained.

Reason: To protect the amenities of adjoining residential properties from loss of privacy and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 38. Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or Orders amending or revoking and re-enacting the same, no hard surface, gate, fence, wall or other means of enclosure shall be erected or constructed in front of the forward most part of any building which fronts onto a highway without express planning consent from the Local Planning Authority first being obtained.

Reason: In order to safeguard the character and visual amenities of the locality and/or highway safety and in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policy THAKEHAM6 of the Thakeham Parish Neighbourhood Plan (2017).

- 39. Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours (8am) to 18:00 hours (6pm) of the same day Mondays to Fridays and 08:00 hours (8am) to 13:00 hours (1pm) 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).

NOTE TO APPLICANT

POSITIVE AND PROACTIVE STATEMENT

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

Plans list for: DC/26/0912

(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents approved:

Plan Type	Description	Drawing Number	Received Date
Plans	TREE CONSTRAINTS PLAN	LLD1944-ARBDWG-001 REV 01	22.12.2020
Plans	PLOT 14 PROPOSED FLOOR AND ELEVATIONS	P114 REV C	22.12.2020
Plans	TREE SHADOW PATTERNS PLAN	LLD1944-ARBDWG-002 REV 01	22.12.2020
Plans	PLOT 17 PROPOSED FLOOR AND ELEVATIONS	P124 REV C	22.12.2020
Plans	PLOTS 1,2,15 and 16 PROPOSED FLOOR AND ELEVATIONS	P110 REV C	22.12.2020
Plans	PLOT 8 PROPOSED FLOOR AND ELEVATIONS	P125 REV C	22.12.2020
Plans	PLOT 3 PROPOSED FLOOR AND ELEVATIONS	P111 REV C	22.12.2020
Plans	PLOT 10 PROPOSED FLOOR AND ELEVATIONS	P116 REV C	22.12.2020
Plans	LOCATION	S101 REV B	22.12.2020
Plans	PLOTS 4 and 5 PROPOSED FLOOR AND ELEVATIONS	P112 REV C	22.12.2020
Plans	PLOT 11 PROPOSED FLOOR AND ELEVATIONS	P117 REV D	07.08.2025
Plans	PLOTS 20 and 21 PROPOSED FLOOR AND ELEVATIONS	P121 REV D	07.08.2025
Supporting Docs	RSK ref: 681761-R1(0) FRA Addendum Dated 25th April 2025 by LDE		25.04.2025
Supporting Docs	Flood Risk Assessment & Drainage Strategy 680980-R1(04)-FRA 9TH September 2024		09.09.2024
Supporting Docs	ARBORICULTURAL IMPACT ASSESSMENT and Method Statement by Lizard Rev 01 December 2020 Doc Ref: LLD1944-ARB-REP-001		22.12.2020
Supporting Docs	Tetra Tech Planning email 21-04- 2021 re: measures to protect eastern boundary during construction		24.04.2021
Supporting Docs	Update Ecological Appraisal Date of Issue 16/04/2024 by Tetra Tech. Site Former Rushfields Nurseries. Job number 784-A109893.		03.05.2024
Supporting Docs	ECOLOGICAL WALKOVER SURVEY Letter Report by wyg 27 November 2020	A109893	22.12.2020
Supporting Docs	ECOLOGICAL APPRAISAL October 2018 by wyg	A1098993	22.12.2020
Supporting Docs	PROTECTED SPECIES REPORT by wyg 15 December 2020	Version 1 784-A109893	22.12.2020

Supporting Docs	NON LICENCED METHOD STATEMENT FOR GREAT CRESTED NEWT by Tetra Tech March 2021 REV 1 FINAL Date 31 March 2021	784-B025623-C1	08.04.2021
Plans	Proposed Site Plan (Roof Level)	P102 REV V	27.09.2024
Plans	Proposed Site Plan (Ground Floor Level)	P101 REV R	21.10.2021
Plans	Proposed Aerial View	P106 REV E	21.10.2021
Plans	SWEPT PATH ANALYSIS	20-T108 REV 04	09.04.2021
Plans	PROPOSED STREET ELEVATIONS	P104 REV F	07.08.2025
Plans	PLOTS 22 and 23 PROPOSED FLOOR AND ELEVATIONS	P115 REV C	22.12.2020
Plans	PLOTS 18 and 19 PROPOSED FLOOR AND ELEVATIONS	P123 REV C	22.12.2020
Plans	PLOT 9 PROPOSED FLOOR AND ELEVATIONS	P120 REV C	22.12.2020
Plans	TREE RETENTION PROTECTION PLAN	LLD1944-ARBDWG-003	22.12.2020
Plans	EXISTING SITE	S102 REV B	22.12.2020
Plans	PLOT 12 PROPOSED FLOOR AND ELEVATIONS	P118 REV C	22.12.2020
Plans	PLOTS 3 and 7 PROPOSED FLOOR AND ELEVATIONS	P113 REV C	22.12.2020
Plans	PLOTS 24 and 25 PROPOSED FLOOR AND ELEVATIONS	P122 REV E	07.08.2025
Plans	PLOT 13 PROPOSED FLOOR AND ELEVATIONS	P119 REV C	22.12.2020

DELEGATED

Case Officer sign/initial Stephanie Bryant Date: 15-07-2026

Authorising Officer sign/initial Matthew Porter Date: 15-07-2026