Horsham District Council

Mrs Alex Jones
Stantec UK Limited
7 Soho Square
London
W1D 3QB

Application Number: DC/24/0061

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

On behalf of: Mr Tom Davies, Legal & General (Strategic Land North Horsham) Limited

In pursuance of their powers under the above-mentioned Act and Order, the Council hereby notify their APPROVAL of the following application comprising:

Reserved matters application for the provision of landscaping and ecological enhancements to the Hillside pursuant to Condition 5 of approved outline application DC/16/1677 (Outline planning application with all matters reserved except access for a mixed use strategic development to include housing (up to 2,750 dwellings), business park (up to 46,450 m2), retail, community centre, leisure facilities, education facilities, public open space, landscaping and related infrastructure)

Land North of RM Area 1 and 2 Mowbray Hillside, Rusper Road, Horsham

to be carried out in accordance with Application No. DC/24/0061 submitted to the Council on 11/01/2024 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 05/09/2024

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

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Plans	Newt Ponds Landform	2898-5-2-DR-1002 S5-P1	02.04.2024
Plans	LANDSCAPE MASTERPLAN	DR-1001 REV S5-P10	15.07.2024
Plans	TREE PLANTING DETAILS	0002 REV S5-P5	11.01.2024

Location plan		02-688 REV 3	11.01.2024
Plans	TOPOGRAPHICAL SURVEY	02-689 REV 3	11.01.2024
Supporting Docs	PLANTING PALETTE	DR-1005 REV P2	02.04.2024
Supporting Docs	LANDSCAPE SPECIFICATION	SP1007 REV P1	11.01.2024

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

2 **Pre-Commencement Condition**: The ponds hereby permitted shall not be provided until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and remain in force thereafter.

Reason: To minimise potential danger to aircraft from bird hazards in accordance with Policy 33 of the Horsham District Planning Framework (2015).

3 **Pre-Occupation Condition**: Prior to the use of this area and notwithstanding the submitted Landscape and Ecological Management Plan (LEMP), a revised LEMP shall be submitted to for approval by the Local Planning Authority. The plan shall be implemented as approved and remain in force thereafter.

Reason: To ensure a satisfactory development in accordance with Policies SD6 & 33 of the Horsham District Planning Framework (2015).

4 **Pre-Occupation Condition**: All landscaping shall be carried out in accordance with the approved drawings unless details of an alternative scheme of landscaping have been submitted to and been approved in writing by the local planning authority prior to development commencing. The approved landscaping shall be carried out in the first planting and seeding season available, prior to the use of the area. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become, in the opinion of the Local Planning Authority, seriously damaged or diseased, shall be replaced with others of similar size and species.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and in accordance with Policy SD1, SD6 and 33 of the Horsham District Planning Framework (2015).

5 **Regulatory Condition**: The development hereby permitted shall be implemented fully in accordance with the approved Arboricultural Impact Assessment and Method Statement.

Reason: To ensure the satisfactory protection of trees in the interests of amenity and nature conservation and in accordance with Policy SD1, SD6 and 31 of the Horsham District Planning Framework (2015).

6 **Regulatory Condition**: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Mitigation and Management Plan (EMMP) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy SD6 and 31 of the Horsham Development Framework.

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

ADDITIONAL INFORMATION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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