



Mr Michael Maskew
Elivia Homes
6 Alexander Grove
Kings Hill
West Malling
Kent
ME19 4XR

Application Number: DC/26/0221

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

On behalf of: Elivia 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:

Variation of Condition 1 of previously approved application DC/24/1081 (Variation of condition 1 of previously approved application reference DC/22/0372 (Demolition of existing buildings and erection of 74 dwellings with associated parking and landscaping) amendment to the affordable housing plans and to the approved site layout to include a sub-station) to amend the plans relating to affordable housing.

Chanctonbury Nurseries, Rectory Lane, Ashington, Pulborough

to be carried out in accordance with Application No. DC/26/0221 submitted to the Council on 09/02/2026 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 01/07/2026

- 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
Floor plan	FLAT FIRST - PLOTS 12,13,14,19,20,21	PL-58 REV C	09.02.2026
Floor plan	FLAT GROUND - PLOTS 9, 10, 11, 16, 17,18	PL-57 REV B	09.02.2026

Floor plan	FLAT SECOND FLOOR - PLOTS 15 AND 22	PL-59 REV B	09.02.2026
Layout plan	Proposed Site	PL-03 REV H	09.02.2026
Floor plan	TYPES 2 AND 3 - PLOTS 67-69	PL-23 REV B	09.02.2026
Elevation plan	TYPES 2 AND 3 - PLOTS 67-69	PL-24 REV C	09.02.2026
Elevation plan	TYPES 2 AND 5 - PLOTS 23-26	PL-30 REV B	09.02.2026
Floor plan	TYPES 2 AND 5 - PLOTS 23-26	PL-29 REV B	09.02.2026
Floor plan	TYPE 5 - PLOTS 32-35	PL-40 REV B	09.02.2026
Elevation plan	TYPE 5 - PLOTS 32-35	PL-41 REV B	09.02.2026
Elevation & Floor plan	TYPE 11 - PLOT 27	PL-49 REV D	09.02.2026
Supporting Statement		NONE	09.02.2026

Plans List for DC/24/1081 (not superseded):

Plan Type	Description	Drawing Number	Received Date
Plans	Proposed Substation	C9_23_46_PL_150 A	27.08.2024
Floor plan	Type 14 (plot 49-50), as proposed	7071-PL-55 B	02.02.2023
Elevation plan	Type 14 (plot 49-50), as proposed	7071-PL-56 B	02.02.2023
Elevation plan	Flats (plots 9-22), as proposed	7071-PL-60 B	02.02.2023
Elevation plan	Type 8B (plot 39), as proposed	7071-PL-61 A	09.02.2022
Elevation plan	Garage Type 1	7071-PL-62 A	09.02.2022
Elevation plan	Garage Type 2 and 3	7071-PL-63 A	09.02.2022
Elevation plan	Garage Type 4 and 5	7071-PL-64 A	02.02.2023
Plans	Indicative visual 1 (plots 3-8) main access, as proposed	7071-PL-70 A	09.02.2022
Plans	Indicative visual 2 (plots 61-64 and 70-72), as proposed	7071-PL-71 A	09.02.2022
Plans	Indicative visual 3 (plots 44-47) view from southern POS, as proposed	7071-PL-72 A	09.02.2022
Elevation plan	Street, sheet 1, as proposed	7071-PL-80 B	02.02.2023
Elevation plan	Street, sheet 2, as proposed	7071-PL-81 B	02.02.2023
Supporting Statement	Flood Risk Assessment	NONE	02.02.2023
Supporting Statement	Energy Statement	NONE	09.02.2022
Supporting Statement	Ecological Impact Assessment	NONE	09.02.2022
Supporting Statement	Biodiversity Impact Calculation	NONE	09.02.2022
Supporting Statement	Utilities and Drainage Assessment	NONE	09.02.2022
Supporting Statement	Transport Statement Report	NONE	09.02.2022
Supporting Statement	Phase 1 Geo-Environmental Investigation	NONE	09.02.2022
Supporting Statement	Travel Plan	NONE	09.02.2022

Supporting Statement	Water Neutrality Statement	NONE	01.02.2022
Supporting Statement	Planning Statement	NONE	09.02.2022
Supporting Statement	Accommodation breakdown by plot	NONE	09.02.2022
Supporting Statement	Mineral Resource Assessment	NONE	09.02.2022
Supporting Statement	Existing Tree Constraints	NONE	09.02.2022
Supporting Statement	Existing Tree Schedule	NONE	09.02.2022
Supporting Statement	Archaeological Desk-Based Assessment	NONE	09.02.2022
Supporting Statement	Site Habitat Baseline Report	NONE	09.02.2022
Design & Access Statement		NONE	09.02.2022
Elevation plan	Type 4 and 6 (plots 59-60, 73-74), as proposed	7071-PL-36 A	09.02.2022
Elevation & Floor plan	Type 8 (plots 3, 36 and 39), as proposed	7071-PL-37 B	09.02.2022
Floor plan	Type 5 (plot 28-29), as proposed	7071-PL-38 A	02.02.2023
Elevation plan	Type 5 (plot 28-29), as proposed	7071-PL-39 A	09.02.2022
Floor plan	Type 4 and 5 (plot 46-47), as proposed	7071-PL-42 A	09.02.2022
Elevation plan	Type 4 and 5 (plot 46-47), as proposed	7071-PL-43 A	09.02.2022
Floor plan	Type 9 (plot 51, 54, 63, 64), as proposed	7071-PL-44 A	09.02.2022
Elevation plan	Type 9 (plot 51, 54, 63, 64), as proposed	7071-PL-45 A	09.02.2022
Floor plan	Type 10 (plot 1, 2, 44, 45, 58), as proposed	7071-PL-46 A	09.02.2022
Elevation plan	Type 10 (plot 1, 44, 58), as proposed	7071-PL-47 A	09.02.2022
Section plan	Type 10 (plot 2 and 45), as proposed	7071-PL-48 A	09.02.2022
Floor plan	Type 12 (plot 48 and 55), as proposed	7071-PL-50 B	09.02.2022
Elevation plan	Type 12 (plot 48 and 55), as proposed	7071-PL-51 B	02.02.2023
Floor plan	Type 13 (plot 56-57), as proposed	7071-PL-52 A	09.02.2022
Elevation plan	Type 13 (plot 56), as proposed	7071-PL-53 A	09.02.2022
Elevation plan	Type 13 (plot 57), as proposed	7071-PL-54 A	09.02.2022
Location plan		7071-PL-01	09.02.2022
Details plan	Site, sheet 1	7071-PL-04 A	09.02.2022
Materials	Key plan	7071-PL-06 A	09.02.2022
Block plan		7071-PL-02 A	09.02.2022
Materials	Site, sheet 2	7071-PL-05 A	09.02.2022

Floor plan	Landscape masterplan sheet 1	PJC-1072.001 B	06.07.2022
Floor plan	Landscape masterplan sheet 2	PJC-1072.001 B	06.07.2022
Elevation & Floor plan	Type 1, (plot 6), as proposed	7071-PL-20 B	09.02.2022
Floor plan	Type 2, (plots 37, 38, 52, and 53), as proposed	7071-PL-21 A	09.02.2022
Floor plan	Type 2, (plots 37, 38, 52 and 53), as proposed	7071-PL-22 A	09.02.2022
Elevation plan	Types 2 and 4 (plots 70-72), as proposed	7071-PL-25 A	09.02.2022
Elevation plan	Types 2 and 4 (plots 70-72), as proposed	7071-PL-26 A	09.02.2022
Floor plan	Types 2 and 5 (plots 4, 5, 40-43, 61, 62, 65, 66), as proposed	7071-PL-27 A	09.02.2022
Elevation plan	Types 2 and 5 (plots 4, 5, 40-43, 61, 62, 65, 66), as proposed	7071-PL-28 A	09.02.2022
Floor plan	Type 2 and 4 (plots 7 and 8), as proposed	7071-PL-31 A	09.02.2022
Floor plan	Type 6 and 7 (plots 30-31), as proposed	7071-PL-33 A	09.02.2022
Site plan	Proposed	PL-03 REV G	27.09.2024
Supporting Docs	Cover Letter	none	08.07.2024
Elevation plan	Type 2 and 4 (plots 7 and 8), as proposed	7071-PL-32 A	09.02.2022
Elevation plan	Type 6 and 7 (plots 30-31), as proposed	7071-PL-34 A	09.02.2022
Floor plan	Type 4 and 6 (plots 59-60, 73-74), as proposed	7071-PL-35 A	09.02.2022
Elevation plan	CYCLE STORES	7071-PL-65	02.02.2023

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

- 2 **Standard Time Condition:** The development hereby permitted shall begin before 4th September 2026.

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

- 3 **Pre-Commencement Condition:** The development hereby approved shall be carried out strictly in accordance with the Phase II Site Investigation Report and Remediation Method Statement, and associated plans and documents as approved under DISC/24/0298 on 07.04.2025.

No development shall commence until a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the approved Phase II Site Investigation Report and Remediation Method Statement are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required, has been submitted to and approved, 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) and policy ASH10(xi) of the Ashington Neighbourhood Plan.

- 4 **Pre-Commencement Condition:** The development hereby approved shall be carried out in accordance with the details and measures approved in the CEMP under DISC/24/0135 (as approved on 29.08.2024). The approved CEMP shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the local planning authority.

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:** The development hereby approved shall be carried out strictly in accordance with the approved CEMP: Biodiversity, under DISC/24/0121 (as approved on 22.07.2024). The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the local planning authority

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 (Priority habitats & species).

- 6 **Pre-Commencement Condition:** The development shall be completed in accordance with the approved finished floor levels under DISC/24/0135 (as approved on 29.08.2024), unless otherwise agreed in writing by the local planning authority.

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)

- 7 **Pre-Commencement Condition:** The development hereby approved shall be carried out strictly in accordance with the approved Arboriculture method Statement and Tree Protection Drawing under DISC/24/0309 (as approved on 25.04.2025). Development shall be carried out in accordance with the approved details and no trees or hedges shown to be retained 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.

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 policy ASH5(B) of the Ashington Neighbourhood Plan.

- 8 **Pre-Commencement Condition:** The development hereby approved shall be carried out strictly in accordance with the approved Drainage Strategy under DISC/24/0309 (as approved on 25.04.2025). The drainage scheme shall subsequently be implemented prior to first occupation in accordance with the approved details and thereafter retained as such.

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)

- 9 **Pre-Commencement Condition:** The development hereby approved shall be carried out strictly in accordance with the approved Services Layout Plan under DISC/24/0304 (approved on 19.03.2025). These details shall coordinate with the landscape scheme pursuant to condition 14, and with existing trees on the site. All such underground services shall be installed in accordance with the approved details.

Reason: As the matter is fundamental to protect roots of important existing trees and hedgerows on the site and future trees identified in the approved landscaping strategy in accordance with Policies 25, 32, 33 & 34 of the Horsham District Planning Framework (2015) and policy ASH5(B) of the Ashington Neighbourhood Plan.

- 10 **Pre-Commencement Condition:** The development hereby approved shall be carried out strictly in accordance with the Hazel Dormouse licence issued by Natural England on 7th October 2024 (valid until 31st Dec 2027), as approved under DISC/24/0259, as well as the work schedule.

Reason: To conserve protected 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 s17 Crime & Disorder Act 1998, and in accordance with Policy 31 of the Horsham District Planning Framework (2015).

- 11 **Pre-Commencement (Slab Level) Condition:** The development hereby approved shall be carried out strictly in accordance with the approved Biodiversity Enhancement Strategy for Protected and Priority species, under DISC/24/0121 (as approved on 22.07.2024). The approved Biodiversity Enhancement Strategy for Protected and Priority species shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the local planning authority.

Reason: To conserve protected 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 s17 Crime & Disorder Act 1998, and in accordance with Policy 31 of the Horsham District Planning Framework (2015).

- 12 **Pre-Commencement (Slab Level) Condition:** The development hereby approved shall be carried out strictly in accordance with the approved Materials Schedule and Key Plan approved under DISC/25/0195 on 10.09.2025. All materials and details 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 policy ASH10(iv) of the Ashington Neighbourhood Plan.

- 13 **Pre-Commencement (Slab Level) Condition:** The development hereby approved shall be carried out strictly in accordance with the approved details under DISC/25/0136 approved on 23.05.2025. The specified units shall be provided and retained permanently thereafter.

Reason: As this matter is fundamental to in order to improve the sustainability of the development and to ensure homes are fit for all ages in accordance with Policy 37 of the Horsham District Planning Framework (2015) and Policy ASH10(ii) of the Ashington Neighbourhood Plan

- 14 **Pre-Occupation Condition:** Notwithstanding the submitted plans, no part of the development hereby permitted shall be first occupied until full revised 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 as required under Condition 7
 - 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
 - Details of cycle storage provisions and refuse / recycling bin locations
 - Details of all boundary treatments
 - Ecological enhancement measures set out in (The Ecology Co-Op, December 2021)

- Co-ordination with the utilities layout as required under Condition 9
- Planting and screening details to the sub-station

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 policy ASH5(B) of the Ashington Neighbourhood Plan.

- 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, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility) for all communal landscape areas, including Public Open Spaces, provision of outdoor gym equipment and the buffer zone along the southern boundary, has been submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be provided, 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:** The development hereby approved shall be carried out strictly in accordance with the approved Landscape and Ecological Management Plan (LEMP), under DISC/24/0121 (as approved on 22.07.2024). The approved Landscape and Ecological Management Plan (LEMP) shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the local planning authority.

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 (Priority habitats & species).

- 17 **Pre-Occupation Condition:** The development hereby approved shall be carried out strictly in accordance with the approved Proposed Lighting Scheme Project ref: 24-034-1A Rev A (DW Windsor, January 2024) approved under DISC/25/0136 on 23.05.2025. 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 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 (Priority habitats & species).

- 18 **Pre-Occupation Condition:** Prior to the first occupation (or use) of each phase of the development hereby permitted, a verification report demonstrating that the SuDS drainage system for that phase has been constructed in accordance with the approved design drawings

shall be submitted to and approved by the Local Planning Authority. The development shall be maintained in accordance with the approved report.

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

- 19 **Pre-Occupation Condition:** The development hereby approved shall be carried out strictly in accordance with the EV charge spaces details approved under DISC/25/0136 on 23.05.2025. The development shall be implemented and maintained in accordance with the approved details.

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

- 20 **Pre-Occupation Condition:** Prior to the first occupation of each dwelling, the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabytes per second through full fibre broadband connection shall be 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).

- 21 **Pre-Occupation Condition:** The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (Design Stage Water Neutrality Report By Melin Rev E). No dwelling hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that dwelling has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures, including all water butt provision as detailed in the approved water neutrality strategy, shall be retained as such thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

- 22 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the car parking spaces and EV charging points (including garages and car-ports where applicable) necessary to serve it have been constructed and made available for use in accordance with approved drawing number [Proposed Site Layout 7071 PL-03 Rev G]. The car parking spaces permitted shall thereafter be retained as such for their designated use.

Reason: To provide car-parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 23 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling has been provided within the garage, car port, side or rear garden for that dwelling. 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).

- 24 **Pre-Occupation Condition:** The development hereby approved shall be carried out strictly in accordance with the details of refuse / recycling store and bicycle store to serve the flatted units 9-22 as approved under DISC/25/0136 on 23.05.2025. The approved facilities shall thereafter be implemented in accordance with the approved details and retained for the designated 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).

- 25 **Pre-Occupation Condition:** No dwelling hereby approved shall be first occupied until the cycle parking facilities serving it have been provided within the garage, car-port, 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).

- 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 Policy 33 of the Horsham District Planning Framework (2015).

- 27 **Pre-Occupation Condition:** The development hereby approved shall be carried out strictly in accordance with the EV charge spaces details approved under DISC/25/0136 on 23.05.2025. The means for charging electric vehicles shall be retained as such thereafter.

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

- 28 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled Proposed Site Access and numbered 104333-T- 001 rev D.

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

- 29 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the Applicant has implemented the measures incorporated within the approved travel plan. The Applicant shall thereafter monitor, report and subsequently revise the travel plan as specified within the approved document.

Reason: To encourage and promote sustainable transport and in accordance with Policy 40 of the Horsham District Planning Framework (2015)

- 30 **Regulatory Condition:** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (The Ecology Co-Op, December 2021) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance Protected and Priority species and allow the Local Planning Authority to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham District Planning Framework.

- 31 **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).

- 32 **Regulatory Condition:** 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.

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

- 33 **Regulatory Condition:** The first-floor east side windows to Plots 01 and first floor west side windows 66 shall be fitted with obscure glass and shall be retained as such thereafter.

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

- 34 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order no development falling within Class B of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of Plots 56-58, and 63-67 of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and due to potential increased and elevated overlooking of Chanctonbury House and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Note to Applicant – Community Infrastructure Levy (CIL):

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

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

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

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

Note to Applicant:

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>.