

### Consolidated Decision Notice

This version incorporates all amendments to conditions approved under application DC/19/0984.

**This is not a formal decision notice.**



**Horsham  
District  
Council**

Mr Geoff Smith  
DMH Stallard LLP  
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Pegler Way  
Crawley  
RH11 7FZ

Application Number: DC/16/1677

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

On behalf of: Mr Derek Lloyd Liberty Property Trust UK Limited

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

**Outline planning application 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 Horsham Horsham West Sussex**

to be carried out in accordance with Application No. DC/16/1677 submitted to the Council on 04/08/2016 and subject to compliance with the plans/documents and conditions specified hereunder.

Dr Chris Lyons  
Director of Planning, Economic Development & Property

Date: 01/03/2018

- 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	Drawing Number	Date Received
Location Plan	2153A-01L	06.03.2017
Phasing Plan	2153A – 507E	07.02.2018
Topographic Survey	S1411/1 rev D	09.01.2018
Highway Mitigation Scheme, Old Holbrook Crossroads	25216/5506/007 Rev B	25.07.2016
Highway Mitigation Scheme, Wimland Road Emergency Access	25216/5506/012 Rev B	25.07.2016
Highway Mitigation Scheme, Great Daux	25216/5506/013 Rev A	25.07.2016
Highway Mitigation Scheme, Moorhead	25216/5506/014 Rev E	06.03.2017
Highway Mitigation Scheme, Faygate Roundabout and Park Road / A264 Priority Junction	25216/5506/015 Rev B	06.03.2017
Highway Mitigation Scheme, Hop Oast	25216/5506/016 Rev A	25.07.2017
Highway Mitigation Scheme, Rusper Road / Lemmington Way	25216/5506/017 Rev B	25.07.2017
Highway Mitigation Scheme, Rusper Road / Crawley Road	25216/5506/018 Rev A	25.07.2017
Highway Mitigation Scheme, M23 Junction 11	25216/5506/019 Rev D	25.07.2017
Highway Mitigation Scheme, Bewbush Manor	25216/5506/021 Rev A	25.07.2017
Highway Mitigation Scheme, Pondtail Drive / Pondtail Road Roundabout	25216/5506/022	25.07.2017
Highway Mitigation Scheme, Western A264 / Langhurstwood Road Access	25216/5506/026 Rev B	17.05.2017
Highway Mitigation Scheme, Central A264 / Rusper Road Access	25216/5506/027 Rev B	17.05.2017
Highway Mitigation Scheme, A264 Left-in, Left-out Access	25216/5506/028	25.07.2016
Highway Mitigation Scheme, Rusper Road Roundabout	25216/5506/029 Rev B	17.05.2017
Highway Mitigation Scheme, Western A264 / Langhurstwood Access Geometric Design Review	25216/5506/100/001 Rev G	17.05.2017
Highway Mitigation Scheme, Central A264 / Rusper Road Access	25216/5506/100/002 Rev D	17.05.2017
A264 Left-in, Left Out Access	25216-5506/100/010 Rev A	25.07.2016
Proposed Footbridge & Footway Improvements	25216/5506/100/013 Rev C	25.07.2016
Highway Mitigation Scheme, Langhurstwood Road & Pondtail Road Bus Gate	25216/5506/100/020 Rev C	17.05.2017

Highway Mitigation Scheme, Rusper Road Roundabout Geometric Design Review	25216/5506/100/021 Rev F	17.05.2017
Highway Mitigation Scheme, Rusper Road Roundabout Vehicle Swept Paths	25216/5506/100/023 Rev C	06.03.2017
Highway Mitigation Scheme, A264 / Langhurstwood Road Swept Path Analysis	25216/5506/100/024 Rev B	06.03.2017
Highway Mitigation Scheme, A264 / Rusper Road Roundabout Swept Path Analysis	25216/5506/100/025	06.03.2017
Highway Mitigation Scheme, A264 Left-in, Left-out Access Swept Path Analysis	25216/5506/100/026	06.03.2017
Highway Mitigation Scheme, A264 / Rusper Road Roundabout Concept Vertical Alignment	25216/5506/100/028	06.03.2017
Highway Mitigation Scheme, A264 Left-in, Left-out Access Concept Vertical Alignment	25216/5506/100/029	06.03.2017
Highway Mitigation Scheme, Rusper Road Roundabout Concept Vertical Alignment	25216/5506/100/031 Rev A	06.03.2017
Highway Mitigation Scheme, Rusper Road Traffic Calming Geometric Design Review	25216/5506/100/032	06.03.2017
Highway Mitigation Scheme, Langhurstwood Road Roundabout	25216/5506/100/033 Rev A	12.05.2017
Highway Mitigation Scheme, Langhurstwood Road Roundabout Concept Vertical Alignment	25216/5506/100/034	06.03.2017
Highway Mitigation Scheme, Langhurstwood Road Roundabout Vehicle Swept Path Analysis	25216/5506/100/035	06.03.2017

- 2 **Plans Condition:** The detailed design of the development proposed through Reserved Matters applications pursuant to this outline planning permission shall have regard to, and broadly accord with, the principles set out on the following parameter plans and supporting documents:

Plan	Drawing Number	Date Received
Parameter Plan: Land Use	2153A-100N	07.02.2018
Parameter Plan: Density	2153A-101N	07.02.2018
Parameter Plan: Buildings Height	2153A-102P	07.02.2018
Parameter Plan: Movement and Access ( <i>Proposed north / south road through the Bush Copse Ancient Woodland not approved</i> )	2153A-103P	06.03.2017
Parameter Plan: Green Infrastructure	2153A-105M	06.03.2017

Reason: As the LPA has had regard to these drawings in determining whether the amount of development proposed can be accommodated within the site in an acceptable way in accordance with Policy SD1 of the Horsham District Planning Framework (2015).

- 3 **Time Condition:** Applications for the approval of all of the Reserved Matters for all Phases of the development shall be made to the Local Planning Authority before the expiration of 12 years from the date of this permission and shall be made in respect of the following phases before the expiration of the following timescales:
- The first 400 dwellings within Phase 1 within 2 ½ years of the date of this permission
  - The next 400 dwellings within the development within 5 years of the date of this permission
  - The remainder of Phases 1 and 2 within 9 years from the date of this permission
  - Phase 3: within 12 years from the date of this permission

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

- 4 **Time Condition:** Development within each Reserved Matters Area shall be begun within 2 years of the date of approval of the last Reserved Matter for that Reserved Matters Area.

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

- 5 **Pre-Commencement Condition:** Details relating to the layout, scale, appearance, means of access (save for the accesses approved pursuant to Condition 1) and landscaping associated therewith (hereafter called the Reserved Matters) for each Area of the site as shown on the Reserved Matters Area Plan approved pursuant to condition 7 of this permission shall be submitted to and approved by the Local Planning Authority before development of that Reserved Matters Area is commenced.

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

- 6 **Pre-Commencement Condition:** The approved scheme of landscaping for the Landscape Buffer Areas shall be implemented in accordance with the Strategic Buffers Plan (drawing no.2153A-210D) and in accordance with the following time scales:
- Station Buffer: Prior to occupation of the first employment unit adjacent this buffer.
  - Sub-Phase 2C Buffer: Prior to commencement of development within Sub-Phase 2C.
  - Sub-Phase 2A Buffer: Prior to occupation of 50% of the units within Sub-Phase 2A.
  - Sub-Phase 1B Buffer: Prior to completion of 50% of the units within Sub-Phase 1B.
  - Sub-Phase 1D Buffer: Prior to commencement of Sub-Phase 1D.
  - Sub-Phase 3D Buffer: In the first planting season following the completion of the new road through Phase 3D.

- Sub-Phase 3B Buffer: Prior to completion of 50% of the units within Sub-Phase 3B.
- Sub-Phase 3A Buffer: Prior to completion of 50% of the units within Sub-Phase 3A.

The Landscape Buffer areas shall thereafter be managed and maintained in accordance with the Landscape and Ecological Management and Maintenance Plans.

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.

7. **Pre-Commencement Condition:** No later than the submission of the first application for approval of Reserved Matters for any Phase, save for the Principal Access Works as identified on drawing 25216/2001/SK020 Rev E, a Reserved Matters Areas Plan covering the entirety of that Phase and demarking the extent of the areas to come forward as individual applications for approval of Reserved Matters (hereafter referred to as Reserved Matters Areas) shall be submitted to and subsequently approved in writing by the Local Planning Authority. Thereafter the applications for approval of Reserved Matters shall be submitted broadly in accordance with the approved Reserved Matters Areas Plan, or such updated Reserved Matters Areas Plan as may be subsequently agreed in writing with the Local Planning Authority. For clarity, the entirety of any Phase shall mean including all areas of open space and landscape buffers in addition to developable areas within that phase.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

8. **Pre-Commencement Condition:** No later than the submission of the first application for approval of Reserved Matters within a Phase, a Phase Wide Design and Landscape Strategy for that Phase, setting out details of any principles relevant to that Phase, shall be submitted to and subsequently approved, in writing, by the Local Planning Authority. The Phase Wide Design and Landscape Strategy shall demonstrate how the development will comply with the design principles set out in the Design and Access Statement (prepared by Liberty, March 2017) and the mitigation measures set out in the Landscape and Visual Impact Assessment and how these principles are to be applied and followed throughout the development, including:
- i. details of individual character areas,
  - ii. placemaking objectives,
  - iii. indicative layout,
  - iv. development mix
  - v. hardsurfacing and external finish materials for residential, commercial and community use areas
  - vi. sustainable landscape construction principles, including an outline Phase wide soil resource plan in accordance with codes of landscape best practice;
  - vii. provide principles, approximate heights, materials and acoustic expectations of all bunds;
  - viii. the landscape strategy for the Phase including:
    - a) Landscape design principles for green corridors, open spaces, streets, mews and lanes, squares and car parking areas;

- b) A general arrangement plan indicating location and size of hard and soft landscape areas including landscape buffers, open spaces SuDS, car park areas, other vehicle and pedestrian access and circulation areas, children's play areas, exercise trails, noise reduction measures, earth mounding, etc.,
- c) Design principles and themes for planting including street trees, amenity areas, naturalistic and native species, structural planting and wildflower seeding;
- d) Design principles for Sustainable Drainage Systems (SuDS) including ponds, swales and basins to ensure that these are of a naturalistic appearance well integrated into the landscape, designed to be beneficial to wildlife and ecology and having regard to the Airport Operators Association Safeguarding Advice Note 3: Wildlife Hazards Around Aerodromes (August 2016).
- e) Hard landscape palette for surfacing, fencing, walls, street furniture, lighting columns/ lanterns;
- f) A Play Strategy detailing the location of different types of play area, appropriate buffer zones to each play area, target age group for each play area, illustrative play equipment for each equipped area and design themes for each play area.
- g) The timing of provision of strategic open spaces.

Reason: As these matters are fundamental to deliver the high quality, locally distinctive and unique urban and landscape design, to ensure a satisfactory development in the interests of visual amenity and nature conservation, to avoid endangering the safe movement of aircraft and the operation of Gatwick Airport through the attraction of birds and the increase of bird hazard risk at the application site and to accord with and in accordance with Policies SD1 and 33 of the Horsham District Planning Framework (2015).

9. **Pre-Commencement Condition:** Prior to the commencement of development (other than the accesses hereby permitted) on any Phase of development or part thereof a Construction Environment Management Plan covering that Phase or part thereof shall be submitted to and approved by the Local Planning Authority. The Phase-Wide CEMP shall include, but not be limited to, the following details:

- a) the phased programme of demolition and construction works
- b) routing of vehicles to and from the site during construction
- c) erection and maintenance of security hoarding
- d) the provision of road sweepers, wheel washing facilities and the type, details of operation and location of other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- e) details of public engagement both prior to and during construction works, including a named person to be appointed by the applicant to deal with complaints who shall be available on site and contact details made known to all relevant parties
- f) measures to reduce air pollution during construction including turning off vehicle engines when not in use, plant servicing and transport reduction,
- g) waste management including prohibiting burning of construction waste,
- h) measures to prevent the discharge of water or other substances to ground or surface waters without the prior written approval of the Environment Agency

Thereafter the approved CEMP shall be implemented and adhered to throughout the entire construction period of the relevant Phase.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of the surrounding environment and residents during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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**Pre-Commencement Condition:** Prior to the commencement of each of the accesses hereby permitted, a detailed Construction Environment Management Plan document, specific to that access, shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details including, but not limited to:

- a) the phased programme of demolition and construction works;
- b) the anticipated number, frequency and types of vehicles used during construction,
- c) the location of access, including details (location, construction, visibility splays) of any temporary accesses during construction
- d) the routing of vehicles to and from the site during construction
- e) the provision made for the parking of vehicles by contractors, site operatives and visitors during construction,
- f) the loading and unloading of plant, materials and waste associated with construction,
- g) the storage of plant and materials used in construction of the development,
- h) the erection and maintenance of security hoarding,
- i) the location of any site operatives compounds including huts/cabins/offices,
- j) the provision of road sweepers, wheel washing facilities and the type, details of operation and location of other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- k) details of public engagement both prior to and during construction works, including a named person to be appointed by the applicant to deal with complaints who shall be available on site and contact details made known to all relevant parties,
- l) measures to control the emission of dust and dirt during construction, to include where relevant sheeting of loads, covering and dampening down stockpiles and restriction of vehicle speeds on haul roads. A dust management plan must form part of the CEMP which includes routine dust monitoring at the site boundaries with actions to be taken when conducting dust generating activities if weather conditions are adverse
- m) measures to control the emission of noise during construction, including hours of noisy works
- n) details of all proposed external lighting to be used during construction and measures used to limit the disturbance of any lighting required. Lighting shall be used only for security and safety,
- o) appropriate storage of fuel and chemicals, in bunded tanks or suitably paved areas,
- p) measures to reduce air pollution during construction including turning off vehicle engines when not in use, plant servicing and transport reduction,
- q) waste management including prohibiting burning of construction waste,
- r) measures to prevent the discharge of water or other substances to ground or surface waters without the prior written approval of the Environment Agency,
- s) measures to be taken in the event of emergency spillages.

Thereafter the approved CEMP shall be implemented and adhered to throughout the entire construction period of the accesses hereby permitted.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of the surrounding environment and residents during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

11. **Pre-Commencement Condition:** Prior to the commencement of each of the accesses hereby permitted, an Ecological Mitigation and Management Plan (EMMP) relating to the construction of each of the accesses shall be submitted to and approved in writing by the Local Planning Authority. The EMMP for the accesses shall incorporate the recommendations of Chapter 12 of the Environmental Statement dated July 2016 and its appendices, including the Outline Ecological Mitigation and Management Plan (dated December 2016), and Chapter 12 of the addendum to the Environmental Statement dated March 2017 as well as the updated Appendix 12.19c Bat Survey Report, dated July 2017 submitted with the application and any additional or amended recommendations arising from the up to date Ecological Surveys relevant to the relevant access, and shall include details of habitat protection for retained habitats and avoidance measures with regards to the protected and notable species, and shall build upon any new survey information provided pursuant to this permission. The EMMP for the accesses shall include details of pre-works, during works and post-works measures including any on-going management and maintenance necessary to ensure the effectiveness of the mitigation and enhancement measures. The construction of the accesses shall thereafter be carried out in accordance with the approved details.

Reason: As this matter is fundamental to safeguard and enhance the ecology and biodiversity of the area in accordance with Policy SD6 and Policy 31 of the Horsham District Planning Framework (2015), the Wildlife and Countryside Act 1981 (as amended), Conservation of Habitats and Species Regulations 2010 (as amended), The Badger Act 1992, NERC Act 2006 and the NPPF.

12. **Pre-Commencement Condition:** Prior to the commencement of the development (other than construction of the accesses hereby permitted) within any Phase or part thereof, an Ecological Mitigation and Management Plan (EMMP) for that Phase or part thereof (hereafter called the 'Phase-Wide EMMP') shall be submitted to and approved in writing by the Local Planning Authority. The Phase Wide EMMP shall incorporate the recommendations of Chapter 12 of the Environmental Statement dated July 2016 and its appendices, including the Outline Ecological Mitigation and Management Plan (dated December 2016), and Chapter 12 of the addendum to the Environmental Statement dated March 2017, as well as the updated Appendix 12.19c Bat Survey Report, dated July 2017 submitted with the application and any additional or amended recommendations arising from the up to date Ecological Surveys relevant to that Phase, and shall include details of protection of retained habitat and avoidance measures with regards to protected and notable species. The EMMP shall include details of pre-works, during works and post-works measures including any on-going management and maintenance necessary to ensure the effectiveness of the mitigation and enhancement measures. The development shall thereafter be carried out in accordance with the approved details.

Reason: As this matter is fundamental to safeguard and enhance the ecology and biodiversity of the area in accordance with Policy SD6 and Policy 31 of the Horsham District Planning Framework (2015), the Wildlife and Countryside Act 1981 (as amended), Conservation of Habitats and Species Regulations 2010 (as amended), The Badger Act 1992, NERC Act 2006 and the NPPF.

13. **Pre-Commencement Condition:** Prior to the submission of a Phase-wide Ecological Mitigation and Management Plan (EMMP) for any Phase, or part thereof, up to date



ecological surveys shall be carried out to provide up to date information regarding the potential of that Phase to support protected and notable species and inform the future design of measures that will be required to avoid, mitigate or compensate for impacts and to inform the Ecological Mitigation and Management Plan for that Phase or part thereof. These surveys shall be completed by suitably qualified ecologist(s), recognised by a relevant professional body such as CIEEM, and in accordance with current survey guidelines. The scope of these surveys shall be agreed in advance with the LPA, and may include advanced surveys for rare bat species. The surveys shall be completed in accordance with the agreed scope prior to the submission of the Phase- Wide EMMP for that Phase, or part thereof, and the results and associated reports of the surveys appended to the EMMP for that Phase or part thereof.

Reason: As this matter is fundamental to safeguard and enhance the ecology and biodiversity of the area in accordance with Policy SD6 and Policy 31 of the Horsham District Planning Framework (2015), the Wildlife and Countryside Act 1981 (as amended), Conservation of Habitats and Species Regulations 2010 (as amended), The Badger Act 1992, NERC Act 2006 and the NPPF.

14. **Pre-Commencement Condition:** Prior to the submission of an Ecological Mitigation and Management Plan (EMMP) with an application seeking approval of Reserved Matters pursuant to the planning permission, up to date ecological surveys shall be carried out to provide up to date information regarding the potential of the area covered by the Reserved Matters application to support protected and notable species and inform the future design of measures that will be required to avoid, mitigate or compensate for impacts and to inform the Ecological Mitigation and Management Plan for that Reserved Matters application. These surveys shall be completed by suitably qualified ecologist(s), recognised by a relevant professional body such as CIEEM, and in accordance with current survey guidelines. The scope of these surveys shall be agreed in advance with the LPA, and may include advanced surveys for rare bat species. The surveys shall be completed in accordance with the agreed scope prior to the submission of the EMMP for that Reserved Matters area and the results and associated reports appended to the Ecological Mitigation and Management Plan for that Reserved Matters area.

Reason: As this matter is fundamental to safeguard and enhance the ecology and biodiversity of the area in accordance with Policy SD6 and Policy 31 of the Horsham District Planning Framework (2015), the Wildlife and Countryside Act 1981 (as amended), Conservation of Habitats and Species Regulations 2010 (as amended), The Badger Act 1992, NERC Act 2006 and the NPPF.

15. **Pre-Commencement Condition:** Prior to the commencement of any of the accesses hereby permitted, a detailed scheme of landscaping for each access including semi-mature tree planting and hedgerow planting shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the substantial completion of that access. Any plants, which within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To mitigate the loss of existing mature trees and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015)

- 16 **Pre-Commencement Condition:** No development shall commence within any Reserved Matters Area or on works to construct the accesses hereby approved, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the relevant part of the site, until the following preliminaries have been completed in the sequence set out below:
- a) A plan shall be submitted to show all trees on the relevant part of the site to be retained as well as those off-site whose root protection areas ingress into the relevant part of the site, such trees shall be fully protected by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).
  - b) Once installed, the fencing shall be maintained during the course of the development works for that phase or sub-phase and until all machinery and surplus materials have been removed from the site.
  - c) Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

Reason: As this matter is fundamental to ensure the successful and satisfactory retention of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 17 **Pre-Commencement Condition:** No later than the submission of the first application for approval of Reserved Matters, save for the Principal Access Works as identified on drawing 25216/2001/SK020 Rev E, details of an overarching scheme to demonstrate safe management of surface water, including critical storm water storage across the site up to the 1 in 100 year storm event, plus 20% climate change allowance, 40% exceedance as well as 45% allowance in relation to Chennells Brook, shall be submitted to and subsequently approved in writing, by the Local Planning Authority (hereafter referred to as the Site-Wide Surface Water Drainage Strategy). The Site-Wide Surface Water Drainage Strategy shall include the size and indicative location of Sustainable Drainage Systems (SuDS) features such as ponds, basins and swales, areas of the site to be served by surface water sewerage and catchment drawings to show those areas of the site served by the SuDS features and those served by surface water sewers, as well as timing of implementation of the scheme with reference to the phasing of construction works. The Strategy shall be implemented as approved or in accordance with an updated Strategy as may be subsequently agreed in writing with the Local Planning Authority.

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).

- 18 **Pre-Commencement Condition:** Prior to the commencement of development within each Reserved Matters Area the following components of a scheme to deal with the risks associated with the contamination of the relevant Reserved Matters Area shall be submitted to and approved, in writing, by the Local Planning Authority.
- a) A preliminary risk assessment which has identified:
    - i. All previous uses
    - ii. Potential contaminants associated with those uses

- iii. A conceptual model of the relevant Reserved Matters Area indicating sources, pathways and receptors
- iv. Potentially unacceptable risks arising from contamination within the relevant Reserved Matters Area
- b) A site investigation scheme based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected including those off site.
- c) An options appraisal and remediation strategy based on the site investigation results and the detailed risk assessment (a and b, above) and giving full details of the remediation measures required and how they are to be undertaken.
- 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.

The scheme shall be implemented in accordance with the approved details.

Reason: As this matter is fundamental to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 19 **Pre-Commencement Condition:** In general accordance with the Movement and Access Parameter Plan submitted with the application, a Site-Wide Cycling Strategy shall be submitted no later than the submission of the first application for approval of Reserved Matters, save for the Principal Access Works as identified on drawing 25216/2001/SK020 Rev E, and subsequently approved in writing by the Local Planning Authority no later than the first approval of Reserved Matters, save for the Principal Access Works as identified on drawing 25216/2001/SK020 Rev E. The Site-Wide Cycling Strategy shall include details of main cycle routes through the site and connections to the wider cycle route network in the area of the site, in particular to connect by bicycle to nearby services and facilities. The Site-Wide Cycling Strategy shall include, but not be limited to, details of:

- i. The hierarchy of cycle routes within the site
- ii. Links to off-site cycle network, including connectivity of the cycle link between Horsham and Crawley and improvements to cycle links between the site and Horsham crossing the A264
- iii. The design of cycleways, including surfacing and width, to meet current best practice guidelines at the time of approval
- iv. Phasing of provision of infrastructure for cycling
- v. The level of provision of cycle parking for the development, including per dwelling, commercial and community uses and in connection with public open spaces
- vi. Details of public engagement and involvement in the preparation of the Site-Wide Cycling Strategy

The development shall thereafter be carried out in accordance with the approved details.

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

- 20 **Pre-Commencement Condition:** Prior to the construction of the Wimland Road Access shown on drawing number 25216/5506/012B, details of the measures to restrict the use of the access by emergency services vehicles, pedestrians and cyclists only shall be submitted to and approved in writing by the Local Planning

Authority. The approved measures shall thereafter remain in place as approved and the Wimland Road access shall be used by emergency services, pedestrians and cyclists and for no other purpose (including construction and construction delivery vehicles).

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

- 21 **Pre-Commencement Condition:** No development within a Reserved Matters Area shall be commenced until details of how Public Rights of Way to be retained within that Reserved Matters Area shall be improved with regard to surfacing, drainage and lighting have been submitted to and approved in writing by the Local Planning Authority. The details shall include a timetable for the completion of the improvement works and any temporary diversions or closures during construction. Thereafter the development shall be carried out in accordance with the approved details and timetable.

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

- 22 **Pre-Commencement Condition:** No development within a Reserved Matters Area shall be commenced until a programme of archaeological work within the relevant Reserved Matters Area, following the principles set out in Chapter 13 of the Environmental Statement prepared by Liberty Property Trust and dated July 2016, has been secured in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved, in writing, by the Local Planning Authority.

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

- 23 **Pre-Commencement Condition:** No development shall be carried out within sub-phase 3B, as shown on Phasing Plan drawing no.2153A-507E received by the Local Planning Authority on 7th February 2018, until a Conservation Management Plan for Grayland Copse Scheduled Monument and interpretive material for the Scheduled Monument, including a timetable for the implementation of measures, has been submitted to and approved, in writing, by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and timetable.

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

- 24 **Pre-Commencement Condition:** Prior to the submission of the first Reserved Matters application within sub-phase 2A, as shown on Phasing Plan drawing no.2153A-507E received by the Local Planning Authority on 7th February 2018, a written Heritage Asset Mitigation Strategy for the 'Castle' moated site Scheduled Monument shall be submitted to and approved by the Local Planning Authority in writing. The strategy shall include details of the mitigation of the impact of the development on the Heritage Asset and enhancement of its setting, including but not limited to:

- a) Details of proposed measures for interpretation of the Scheduled Monument and enhancement of its setting; and
- b) A timetable for the implementation of measures.

Thereafter the development shall be carried out in accordance with the approved details and timetable.

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

- 25 **Pre-Commencement Condition:** Prior to the commencement of the construction of the footbridge and ancillary highway works adjacent the Motte and Bailey Castle Scheduled Monument (situated north of Chennells Brook Farm) a written Heritage Asset Mitigation Strategy for construction of the footbridge and ancillary highway works shall be submitted to and approved by the Local Planning Authority in writing. The strategy shall include details of the intended mitigation of the impact of the development on the Heritage Asset, including but not limited to:
- a) Details of proposed measures for interpretation of the Scheduled Monument;
  - b) Details of the proposed measures to protect the Scheduled Monument during construction
  - c) Details of measures to enhance the setting of the Scheduled Monument and
  - d) A timetable for the implementation of measures

Thereafter the development shall be carried out in accordance with the approved details and timetable.

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

- 26 **Pre-Commencement Condition:** No development shall commence within any Reserved Matters Area unless and until all legal and equitable interests in the land forming part of the relevant Reserved Matters Area, are bound by the provisions of the s106 Agreement entered into by all relevant owners relating and pursuant to this Planning Permission or by a deed made pursuant to section 106 of the Town and Country Planning Act 1990 (as amended) securing the same planning obligations as set out in the aforementioned s106 agreement.

Reason: To satisfactorily secure the necessary infrastructure and other S106 Agreement requirements for the development in accordance with the NPPF and Policies SD5, SD6, SD7, SD8, SD9 and 39 of the Horsham District Planning Framework (2015).

- 27 **Pre-Commencement Condition:** No development shall be implemented on any land that as at the date of this Planning Permission has not be bound already by the terms of a deed made pursuant to section 106 of the Town and Country Planning Act 1990 (as amended) (described for the purposes of this condition as "Third Party Land") unless and until all legal and equitable interests in the Third Party Land on which it is intended to undertake works to implement this Planning Permission have been bound by the planning obligations in and provisions of a deed pursuant to section 106 of the Town and Country Planning Act 1990 (as amended) in the relevant form attached at

Appendix 3 to the s106 Agreement pursuant to this Planning Permission in order to secure relevant and necessary mitigation for the Development.

Reason: To satisfactorily secure the necessary infrastructure and other S106 requirements for the development in accordance with the NPPF and Policies SD5, SD6, SD7, SD8, SD9 and 39 of the Horsham District Planning Framework (2015).

- 28 **Pre-Commencement Condition:** No use of the school and other non-residential uses within the site shall commence until completion of the Central A264 Rusper Road Signalised Roundabout (as shown on drawing no. 2516/5506/100/002D) and the new footbridge (as shown on drawing number 25216/5506/100/13C) unless full details of interim safe alternative pedestrian, cycle and vehicle access, including timescale for completion of the approved works, is submitted to and approved in writing by the Local Planning Authority and implemented and completed prior to commencement of the use of the school or other non-residential and residential uses within the development hereby permitted.

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

- 29 **Pre-Commencement Condition:** The vehicular link between Phases 1 and 3 shall not be brought into use until the highway improvement works to the Old Holbrook Crossroads have been completed in accordance with the details shown on drawing no. 25216/5506/007B.

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

- 30 **Pre-Commencement Condition:** The alteration and re-timing of off-site traffic signals as detailed Transport Statement by Peter Brett Associates dated August 2015 shall be carried out in accordance with a detailed specification which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works to alter and re-time the traffic signals and in accordance with the following timetable:
- i. the Roffey Corner traffic signals shall be altered and retimed prior to the occupation of the 1,375th dwelling.
  - ii. the Horsham Gates Roundabout traffic signals shall be altered and retimed prior to the occupation of the 2,200th dwelling.

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

- 31 **Pre-Commencement Condition:** Notwithstanding the indicative off-site highway works drawings submitted with this application, prior to the commencement of the following off-site highway works, full details and specification of those works shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be completed in accordance with the following timetable:
- i. the highway improvements at the A264 Moorhead Roundabout as shown indicatively on drawing number 25216-5506-014E shall be completed prior to the occupation of the 1,292th dwelling.
  - ii. the highway improvements at the A24 Hop Oast Roundabout as shown indicatively on drawing number 25216-5506-016A shall be completed prior to the occupation of the 2,200th dwelling.

- v. the highway improvements at the Giblets Way Roundabout as shown indicatively on drawing number 25216-5506-017B shall be completed prior to the occupation of the 1,375th dwelling
- vi. the highway improvements at the Crawley Road Roundabout as shown indicatively on drawing number 25216-5506-018A shall be completed prior to the 2,200th dwelling.

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

- 32 **Pre-Commencement Slab Level Condition:** No development above ground floor slab level shall be carried out in any Reserved Matters Area hereby permitted until a scheme detailing the measures and timetable to install service ducts to facilitate the provision of high speed broadband internet connections to each dwelling, commercial unit and community building within the development have been submitted to and approved in writing by the local planning authority. The scheme for high speed broadband service ducts shall be implemented in accordance with the approved details.

Reason: As this matter is fundamental to ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning.

- 33 **Pre-Commencement Slab Level Condition:** No development above ground floor slab level of any dwelling hereby permitted located within a Reserved Matters Area adjacent to the A264 shall take place until a scheme of works in accordance with the recommendations in Chapter 16 of the Environmental Statement submitted with this application to reduce the intrusion of noise to all habitable rooms within that dwelling and all private outdoor amenity spaces associated with that dwelling has been submitted to and approved in writing by the Local Planning Authority. The scheme shall achieve the habitable room standards as detailed in BS8233:2014 and where appropriate, include provision of alternative ventilation to habitable rooms. The scheme shall ensure full integration with the approved scheme of landscaping for the development. The scheme as approved by the local planning authority shall be fully installed before the development is occupied.

Reason: In the interests of the amenity of the future occupiers of the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 34 **Pre-Occupation Condition:** Prior to the first occupation of any phase or use within the development, hereby permitted, a Phase Specific Travel Plan shall be submitted to and approved in writing by the Local Planning Authority that accords with the approved Site Wide Framework Travel Plan. The Phase Specific Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority. The Phase Specific Travel Plan once approved shall thereafter be implemented 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).

- 35 **Pre-Occupation Condition:** No part of the development hereby permitted within any sub-phase or part of the development shall be occupied until a Landscape and Ecological Management Plan (LEMP) detailing the long term management and maintenance principles including long term design objectives, management

responsibilities, a description of landscape components, management prescriptions and maintenance schedules for the landscape buffers and areas of strategic open space as shown on the Strategic Landscape Buffers Plan (drawing number no.2153A-210D) and within the appropriate sub-phase or part of the development has been submitted to and approved in writing by the Local Planning Authority. The development 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).

- 36 **Pre-Occupation Condition:** Prior to the initial occupation of any Reserved Matters Area, a detailed Reserved Matters Area-Specific Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The Reserved Matters Area-Specific LEMP shall include the following:

- a) Details of the landscape components of that Reserved Matters Area
- b) A description of existing and proposed ecological, drainage and landscape components within that Reserved Matters Area;
- c) Details of how each component will be managed and maintained;
- d) Details of maintenance operations including timing and frequency of when those measures will be carried out;
- e) Details of the parties / organisation who will manage and maintain the site, to include a plan delineating the areas that they will be responsible for;
- f) Coordination with the approved Ecological Mitigation and Management Plan for that Reserved Matters Area.

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).

- 37 **Pre-Occupation Condition:** Prior to the occupation of any building within the application site, a Verification Report demonstrating that the SuDS drainage system for the SuDS catchment area within which that building lies has been constructed in accordance with the approved design drawings for that particular catchment area shall be submitted to and approved, in writing, by the Local Planning Authority.

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

- 38 **Pre-Occupation Condition:** No building within the development shall be occupied until details demonstrating provision of adequate wastewater treatment facilities to serve that building, or the phase or Reserved Matters Area within which it lies, have been submitted to and approved, in writing, by the Local Planning Authority.

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).



- 39 **Pre-Occupation Condition:** A land remediation verification report shall be submitted to and approved, in writing, by the Local Planning Authority prior to the first occupation of any dwelling within a Reserved Matters Area within the development. The verification report shall:

- a) Demonstrate the completion of the works set out in the approved remediation strategy produced pursuant to Condition 18.
- b) Demonstrate the effectiveness of the remediation strategy.
- c) Include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.
- d) The plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action (i.e. a long-term monitoring and maintenance plan) as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: As this matter is fundamental to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 40 **Pre-Occupation Condition:** The works at Central A264 Rusper Road Signalised Roundabout shall be constructed in accordance with the details shown on drawing no. 2516/5506/100/002D and 25216/5506/027B prior to the occupation of the 200th dwelling within the development hereby permitted and no dwellings shall be occupied prior to commencement of those works.

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

- 41 **Pre-Occupation Condition:** The works at the Rusper Road Roundabout shall be constructed in accordance with the details shown on drawing number 25216/5506/100/021F prior to the occupation of the 50th dwelling within the development hereby permitted, or the commencement of any other non-residential use within the development hereby permitted, whichever is the sooner.

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

- 42 **Pre-Occupation Condition:** No commercial unit within the Commercial Area (as shown on drawing number 2153A-100N (Parameter Plan: Land Use) received by the LPA on 7th February 2018) shall be occupied until the access works at the A264 Eastern Signalised junction have been completed in accordance with the details shown on drawing no. 25216/5506/100/010A.

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

- 43 **Pre-Occupation Condition:** The access works at Wimland Road shall be completed in accordance with the details shown on drawing number 25216/5506/012B prior to occupation of 80% of the dwellings within Sub Phase 2C adjacent to the Wimland Road access.

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

- 44 **Pre-Occupation Condition:** No development within Phase 3 shall be occupied until the access works at the A264 Western Signalised Roundabout and Langhurstwood Road Roundabout have been completed in accordance with the details shown on drawing nos. 25216/5506/100/001G and 25216/5506/100/033A.

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

- 45 **Pre-Use Condition:** The Sports Hub (including playing pitches) shall not be brought into use until details of a scheme of monitoring and management to ensure lighting serving the same does not impact harmfully on the ability of the surrounding vegetation to provide ecological habitat, has been submitted to and approved, in writing, by the Local Planning Authority. The measures shall include;

- a. a programme of monitoring and reporting within the first year following the commencement of the use of the Sports Hub to establish whether the measures implemented pursuant to condition 63 below, are effective and to be carried out by a suitably qualified lighting engineer and ecologist and;
- b. full details of any additional measures necessary to obtain lighting levels do not impact harmfully on the ability of the surrounding vegetation to provide ecological habitat and ensure that light spill onto the surrounding mature trees is no greater than 1 lux or higher than the existing baseline light levels.

Thereafter the Sports Hub area (including playing pitches) shall be operated in accordance with the approved details and any additional mitigation measures implemented as approved.

Reason: As this matter is fundamental to safeguard and enhance the ecology and biodiversity of the area in accordance with Policy SD6 and Policy 31 of the Horsham District Planning Framework (2015), the Wildlife and Countryside Act 1981 (as amended), Conservation of Habitats and Species Regulations 2010 (as amended), The Badger Act 1992, NERC Act 2006 and the NPPF and in the interests of the character and appearance of the area in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 46 **Regulatory Condition:** The landscape details for the Landscape Buffers as shown on the Strategic Landscape Buffers Plan (drawing no.2153A-210D) shall be submitted with the first Reserved Matters application for each relevant Sub-Phase adjacent the buffers. The approved details shall be implemented in accordance with the provisions set out in condition 6.

Reason: To ensure the details for the landscape buffers are appropriate in accordance with Policy 32 of the Horsham District Planning Framework (2015).

- 47 **Regulatory Condition:** Any application for approval of Reserved Matters shall include detailed drawings of the main spine roads, pedestrian routes, cycle ways and associated verges and landscaping necessary to connect the Reserved Matters area to existing highways and public rights of way.

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).

- 48 **Regulatory Condition:** Each Reserved Matters application submitted pursuant to this planning permission shall be accompanied by a design document which demonstrates how the Reserved Matters application is in compliance with the

approved Design & Access Statement, Landscape & Visual Impact Assessment, Phase Wide Design and Landscape Strategy, Phase-Wide CEMP, Site-Wide Cycling Strategy, Site-Wide Surface Water Drainage Strategy, Phase-Wide Ecological Management and Mitigation Plan (hereafter called the Compliance Design Document).

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).

- 49 **Regulatory Condition:** Any application seeking approval of Reserved Matters pursuant to the planning permission shall be accompanied by a detailed Ecological Mitigation and Management Plan (EMMP), which shall be in accordance with the approved Phase-wide EMMP, shall incorporate any additional or amended recommendations arising from the up to date Ecological Surveys relevant to that Reserved Matters Area and shall include details of protection of retained habitat and avoidance measures with regards to protected and notable species. The EMMP shall include details of pre-works, during works and post-works measures including any on-going management and maintenance necessary to ensure the effectiveness of the mitigation and enhancement measures. Any application seeking approval of Reserved Matters which includes a Proposed Primary Road, as shown on the Parameter Plan: Movement and Access reference 2153A-103P received by the LPA on 6th March 2017 shall be accompanied by detailed design proposals for those road(s), including all ecological mitigation, such as dark corridors, underpasses and bridges and drawings including cross sections and details of associated fencing and landscaping to guide wildlife. The development shall thereafter be carried out in accordance with the approved details.

Reason: As this matter is fundamental to safeguard and enhance the ecology and biodiversity of the area in accordance with Policy SD6 and Policy 31 of the Horsham District Planning Framework (2015), the Wildlife and Countryside Act 1981 (as amended), Conservation of Habitats and Species Regulations 2010 (as amended), The Badger Act 1992, NERC Act 2006 and the NPPF.

- 50 **Regulatory Condition:** Each Reserved Matters application shall be accompanied by a scheme of landscaping which shall be in accordance with principles established in the approved Phase-Wide Design and Landscape Strategy approved pursuant to this permission and shall include the following:
- a) Location of existing trees, hedges, shrubs and other vegetation and details of those to be retained and those to be removed;
  - b) Planting and seeding plans and schedules specifying species, planting sizes, densities and plant numbers
  - c) Tree pit and staking/underground guying details
  - d) A written hard and soft landscaping specification (National Building Specification compliant), including ground preparation, cultivation and other operations associated with plant and grass establishment
  - e) hard landscape features, including layout, colour, size, texture, coursing and levels
  - f) Location, height, type and materials for walls, steps, fencing, gates, railings or other supporting structures
  - g) Location and type of minor artefacts and structures such as street furniture, play equipment, refuse and other storage units, lighting columns and lanterns
  - h) Details of existing and proposed site levels and contours for all areas of landscaping and surfacing outside of a residential curtilage (including SuDS,

water features, walls, steps, mounds, acoustic bunds etc.), and such details to include representative cross/long-sections where necessary;

- i) Timing of provision of the landscape features set out in the points above. Thereafter the development shall be carried out in accordance with the approved details and timings.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation, to avoid endangering the safe movement of aircraft and the operation of Gatwick Airport through the attraction of birds and the increase of bird hazard risk at the application site and to accord with Policy 33 and 40 of the Horsham District Planning Framework (2015).

- 51 **Regulatory Condition:** Application for approval of Reserved Matters in relation to the footbridge & footway improvements shown on drawing number 25216/5506/100/013C received by the LPA on 9th January 2018 shall include, a detailed scheme of landscaping including a planting plan incorporating semi-mature tree planting and hedgerow to areas outside of the required visibility splay to mitigate the loss of the existing hedgerow and improve the amenity of users of the footways and full details including levels and cross sections of the proposed attenuation pond beneath the pedestrian bridge. Notwithstanding the illustrative details, full details of the appearance of the bridge including surfacing and external materials shall also be submitted for approval. The development shall thereafter be carried out in accordance with the approved details.

Reason: To mitigate the loss of existing hedgerow and improve the amenity of users of the footways in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 52 **Regulatory Condition:** Each application for Approval of Reserved Matters shall be accompanied by a Tree Survey and Arboricultural Implications and Method Statement relating to that the area covered by that Reserved Matters Application detailing measures to protect and retain trees to be retained on that site and adjacent to the site has been submitted to and approved in writing by the Local Planning Authority. This shall provide for the long-term retention of the trees. The development shall be implemented strictly in accordance with agreed details.

Reason: As this matter is fundamental to ensure the successful and satisfactory retention of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 53 **Regulatory Condition:** No trees, hedges or shrubs on the site, other than those the Local Planning Authority has agreed to be felled as part of this permission, shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the prior written consent of the Local Planning Authority until 5 years after completion of the development hereby permitted within that Reserved Matters Area. Any trees, hedges or shrubs on the site, whether within the tree protective areas or not, which die or become damaged during the construction process shall be replaced with trees, hedging plants or shrubs of a type, size and in positions agreed by the Local Planning Authority.

Reason: As this matter is fundamental to ensure the successful and satisfactory retention of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 54 **Regulatory Condition:** Each Reserved Matters application shall be accompanied by a Detailed Surface Water Strategy that and shall include details of all Sustainable Drainage Systems (SuDs) and their catchment areas and the location, size and appearance of all features such as ponds, basins and swales, details of critical stormwater storage, details of any surface water sewers, the timing of delivery of the infrastructure necessary to deliver the Detailed Surface Water Strategy and details of long-term management and maintenance of the surface water drainage systems, as well as any temporary measures necessary to facilitate development until the approved surface water drainage strategy is provided in full. Each Reserved Matters application, with the exception of the Principal Access Works, shall demonstrate how the principles established in the approved Site-Wide Surface Water Strategy will be achieved within the area covered by that Reserved Matters Application. The Detailed Surface Water Strategy for the Principal Access Works must demonstrate safe management of surface water, including critical storm water storage across the site up to the 1 in 100 year storm event, plus 20% climate change allowance, 40% exceedance as well as 45% allowance in relation to Chennells Brook. The development shall be implemented in accordance with the approved Detailed Surface Water Strategy and thereafter managed and maintained in accordance with the approved details.

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).

- 55 **Regulatory Condition:** Each Reserved Matters application shall be accompanied by a foul water drainage scheme (including implementation timetable) for that Reserved Matters Area. The approved foul water drainage scheme shall be implemented for each Reserved Matters Area as approved and no development in that Reserved Matters Area shall be occupied until the foul water drainage system has been completed in accordance with the approved details.

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).

- 56 **Regulatory Condition:** No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

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).

- 57 **Regulatory Condition:** Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: As this matter is fundamental to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 58 **Regulatory Condition:** In the event that unsuspected contamination is found at any time during development, and the investigation and risk assessment undertaken in accordance with the requirements of condition 18, above, has identified that remediation is necessary, works to implement the development hereby permitted in the area identified as affected by the previously unsuspected contamination shall cease until such time as a written method statement for the remediation of land and/or groundwater contamination affecting the site shall be submitted to and agreed in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved remediation method statement by a competent person. Two full copies of a verification report confirming the objectives, methods, results and conclusions of all remediation works shall be submitted to the Local Planning Authority. The development hereby permitted shall not be occupied unless and until approval is granted for the verification report. (NB: the above requirements shall be carried out in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR11 or other guidance superseding or amending this)

Reason: As this matter is fundamental to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 59 **Regulatory Condition:** No access to the site shall be implemented other than in accordance with the following plans and details unless otherwise agreed with the LPA :
- Langhurstwood Road Roundabout (Drawing No. 25216/5506/100/033A)
  - Old Holbrook Crossroads (Drawing No. 25216/5506/007B)
  - Western A264/Langhurstwood Road Access (Drawing Nos. 25216/5506/026B and 25216/5506/100/001G)
  - Central A264/Rusper Road Access (Drawing Nos. 25216/5506/027B and 25216/5506/100/002D)
  - A264 Left-in, Left-out Access (Drawing Nos. 25216/5506/028 and 25216/5506/100/010A)
  - Rusper Road Roundabout (Drawing Nos. 25216/5506/029B and 25216/5506/100/021F)
  - Wimland Road Emergency Access (Drawing Nos. 25216/5506/012B)
  - A264/Western Site Access, Langhurstwood Road and Pondtail Road Bus Gate (Drawing No. 25216/5506/100/020C)
  - Rusper Road Traffic Calming (Drawing No. 25216/5506/100/032)

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

- 60 **Regulatory Condition:** Notwithstanding the details shown on drawing no. 2153A-103P (Movement and Access: Parameter Plan) and other parameter plans, permission is not granted for the road dashed blue running north/south through Bush Copse Ancient Woodland, between the two roundabouts along the primary road and no development shall be undertaken to construct the road dashed blue running north/south through Bush Copse Ancient Woodland, between the two roundabouts along the primary road.

Reason: To preserve the Ancient Woodland in the historic and ecological environment and in accordance with Policies 31 and 34 of the Horsham District Planning Framework: November 2015.

- 61 **Regulatory Condition:** Each Reserved Matters application shall be accompanied by plans and a document demonstrating the number and location of car, motorcycle and cycle parking spaces to serve the area subject of that Reserved Matters application. The details shall be in accordance with the West Sussex County Council Parking Standards or other parking standards superseding or amending these. The car, motorcycle and cycle parking spaces shall be provided in accordance with the approved details prior to the occupation of each dwelling to which they serve, and permanently retained for those purposes at all times thereafter.

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

- 62 **Regulatory Condition:** Any Reserved Matters application which includes areas to be externally illuminated, including by street lighting, security lighting and flood lighting, shall be accompanied by a sensitive lighting strategy to reduce impacts on foraging and commuting bats and on 'dark skies' of the High Weald AONB. The sensitive lighting strategy shall be based on up to date ecological survey information (including advanced surveys for rare species where necessary) and the Ecological Mitigation and Management Plan for that Reserved Matters area, and prepared in consultation with the Applicant's ecology consultant who shall be a suitably qualified ecologist(s) recognised by a relevant professional body such as CIEEM. The development shall thereafter be carried out in accordance with the approved details.

Reason: As this matter is fundamental to safeguard and enhance the ecology and biodiversity of the area in accordance with Policy SD6 and Policy 31 of the Horsham District Planning Framework (2015), the Wildlife and Countryside Act 1981 (as amended), Conservation of Habitats and Species Regulations 2010 (as amended), The Badger Act 1992, NERC Act 2006 and the NPPF and in the interests of the character and appearance of the area and the natural beauty of the High Weald AONB in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).

- 63 **Regulatory Condition:** Any application for approval of Reserved Matters within the Sports Sub-Phase shall include details of the ambient light levels of surrounding vegetation at night to demonstrate existing baseline light levels and a scheme of measures to ensure that any external lighting serving the Sports Hub area does not impact harmfully on the ability of the surrounding vegetation to provide ecological habitat, including details of the hours of operation of the proposed lighting, the proposed luminance levels of any lighting and screening measures such as baffles to light fittings to ensure that light spill onto the surrounding mature trees is no greater than 1 lux or higher than the existing baseline light levels. The development shall thereafter be carried out and operated in accordance with the approved details.

Reason: As this matter is fundamental to safeguard and enhance the ecology and biodiversity of the area in accordance with Policy SD6 and Policy 31 of the Horsham District Planning Framework (2015), the Wildlife and Countryside Act 1981 (as amended), Conservation of Habitats and Species Regulations 2010 (as amended), The Badger Act 1992, NERC Act 2006 and the NPPF and in the interests of the character and appearance of the area in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 64 **Regulatory Condition:** The area coloured pink and hatched black shown as Education Expansion Land to the eastern education campus on the Land Use Parameter Plan drawing number: 2153A-100N shall be reserved and only used for agricultural purposes or as school playing fields.

Reason: To secure the use of the land as potential playing fields for the approved school in accordance with Policy SD8 of the Horsham District Planning Framework (2015).

65. **Regulatory Condition:** The A264 / Rusper Road Central Roundabout improvements, Rusper Road Roundabout, connecting highway and adjacent spurs together with associated infrastructure (hereafter called the Principal Access Works) shall be implemented on the land shown on drawing 25216/2001/SK020 Rev E unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the delivery of the access works onto the A264 in accordance with Policy 40 to comply with Policy 38 of the Horsham District Planning Framework (2015).

#### Note to Applicant

Please be advised that there are conditions on this notice that will require the submission of details to be submitted for approval to the Local Planning Authority. To approve these details, you will need to submit an "Application for approval of details reserved by condition" with an application form and pay the appropriate fee. Guidance and the forms can be found at [www.planningportal.co.uk/planning/applications/paperforms](http://www.planningportal.co.uk/planning/applications/paperforms).

#### Note to Applicant

With reference to the above conditions requiring approval of a Soil Resource Plan, this should include the following:

- maps showing topsoil and subsoil types, and the areas to be stripped and left in-situ.
- methods for stripping, stockpiling, re-spreading and ameliorating the soils.
- location of soil stockpiles and content (e.g. Topsoil type A, subsoil type B)
- schedules of volumes for each material.
- expected after-use for each soil whether topsoil to be used on site, used or sold off site, or subsoil to be retained for landscape areas, used as structural fill or for topsoil manufacture.
- identification of person responsible for supervising soil management.

#### Note to Applicant

A formal application to requisition water infrastructure is required in order to service this development. Please contact Southern water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW

#### Note to Applicant

Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination. Refer to the Environment Agency Guiding principles for land contamination for the type of information that is required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health. Please also refer to the contaminated land pages on GOV.UK for more information.

#### Note to Applicant

Network Rail strongly recommends the developer contacts Network Rail Asset Protection London South East at [AssetProtectionsussex@networkrail.co.uk](mailto:AssetProtectionsussex@networkrail.co.uk) prior to any works commencing on site adjacent to the Horsham - Crawley link railway, and also to agree an Asset Protection Agreement with us to enable approval of detailed works. More information can also be obtained from our website at [www.networkrail.co.uk/aspx/1538.aspx](http://www.networkrail.co.uk/aspx/1538.aspx)



#### Note to Applicant

The scope of bat activity surveys, where required, must be agreed with the Local Planning Authority at least 4 months in advance of the survey season, and may include advanced surveys for example for rare bat species, if considered necessary by a suitably qualified ecologist. The surveys must be completed in accordance with the agreed scope, unless otherwise agreed in writing by the Local Planning Authority.

#### Note to Applicant

Land North of Horsham supports European Protected Species (Bats, Great Crested Newts, Dormice). Under the Conservation of Habitats and Species Regulations 2010 (as amended), it is an offence to harm or disturb these species or destroy their dwelling places. Planning permission for development does not provide a defence against prosecution under this legislation. The applicant is advised that it is the opinion of the Local Planning Authority that Natural England European Protected Species (EPS) licences will be required before any work is undertaken to implement this planning permission so far as those works affect these species. Other works outside this planning permission could also breach this legislation and advice should be obtained from a professional ecologist before proceeding with any such works on the site.

#### Note to Applicant

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

#### Note to Applicant

The applicant is advised that under Part 1 of the Wildlife and Countryside Act 1981 disturbance to nesting birds, their nests and eggs is a criminal offence. The nesting season is normally taken as being from 1st March - 30th September. The developer should take appropriate steps to ensure nesting birds, their nests and eggs are not disturbed and are protected until such time as they have left the nest.

#### Note to Applicant

The applicant is advised that it is an offence both to intentionally or recklessly destroy a bat roost, regardless of whether the bat is in the roost at the time of inspection. All trees should therefore be thoroughly checked for the existence of bat roosts prior to any works taking place. If in doubt, the applicant is advised to contact the Bat Conservation Trust at Quadrant House, 250 Kennington Lane, London, SE11 5RD, Tel: 0345 1300 228, email: [enquiries@bats.org.uk](mailto:enquiries@bats.org.uk), <http://www.bats.org.uk/>.

#### Note to Applicant

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

#### Note to Applicant

Ecology Update Surveys required by the above conditions should be carried out in the appropriate survey season for the relevant species, in accordance with latest guidance at the time of the Update Survey. Further guidance on survey seasons is available from Natural England: <https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications#whenapplicants-need-a-species-survey>

#### Note to Applicant

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks notice. For crane queries/applications please email [gal.safeguarding@gatwickairport.com](mailto:gal.safeguarding@gatwickairport.com).

The crane process is explained further in Advice Note 4, 'Cranes and Other Construction Issues', (available from <http://www.aoa.org.uk/policy-campaigns/operations-safety/>).

#### Note to Applicant

Any Reserved Matters application submitted for the western link road shall be accompanied by a detailed ecological mitigation strategy which shall include and consider, but shall not be limited to, compensation for loss of woodland, dark corridors, cross sections, fencing and landscaping to guide wildlife, which is a fundamental matter to safeguard the ecology and biodiversity of the area.

#### 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

#### Note to Applicant

The applicant is advised to organise a competition regarding the design of the approved footbridge over the A264 in consultation with the Local Planning Authority. Details of the competition should be submitted as part of the relevant Reserved Matters application.

#### 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](mailto:streetnaming@horsham.gov.uk) or telephone 01403 215139.

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 Appeal**

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 and within 26 weeks for other types of planning applications. Please note, only the applicant possesses the right of appeal.

The details of how to appeal together with the form which must be used can be obtained from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel:303 444 5000) or on-line at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)