



PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development and Building Control

DATE: 5th December 2023

DEVELOPMENT: Outline application for the erection of up to 73 new dwellings (up to 100% affordable housing) and retention of existing farmhouse building, associated public open space, landscaping, drainage and highway infrastructure works, including vehicular access from Shipley Road, with all matters reserved except for access.

SITE: Woodfords, Shipley Road, Southwater, Horsham, West Sussex, RH13 9BQ

WARD: Southwater South and Shipley

APPLICATION: DC/21/2180

APPLICANT: **Name:** C/O Agent c/o Agent **Address:** C/O Agent

REASON FOR INCLUSION ON THE AGENDA: To update the Committee on the applicant's revised Water Neutrality Strategy following the resolution to grant planning permission at 1st August 2023 Planning Committee North

RECOMMENDATION: To approve outline planning permission subject to appropriate conditions and the completion of a Section 106 Legal Agreement. In the event that the legal agreement is not completed within four months of the decision of this Committee, the Director of Place be authorised to refuse permission on the grounds of failure to secure the obligations necessary to make the development acceptable in planning terms.

1. THE PURPOSE OF THIS REPORT

1.1 To update the Committee on the applicant's revised Water Neutrality Strategy following the resolution to grant planning permission at 1st August 2023 Planning Committee North.

BACKGROUND

1.2 This application was resolved to be granted subject to conditions and the completion of a Section 106 Agreement at the Planning Committee North meeting on 1st August 2023. At the time of the committee meeting the applicant's strategy to ensure that their development is water neutral was to install onsite efficiencies including rainwater harvesting systems and to offset the residual water consumption from the 73 new homes by installing water efficiencies within some 187 homes in Crawley managed by Raven Housing Trust.

1.3 Since the resolution to grant permission, and before the s106 agreement has been completed to enable planning permission to be granted, the applicants have sought to re-

consider how they intend to offset the water consumption from this development. The proposal is to now offset the development's residual water consumption by installing flow regulators to properties owned by Saxon Weald.

1.4 No other aspects of the development proposals have been amended since the resolution to grant planning permission was made.

2.1 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/20/2564	Outline application for the erection of up to 73 new dwellings (C3 use) and retention of existing farmhouse building, associated public open space, landscaping, drainage and highways infrastructure works, including vehicular access from Shipley Road with all matters reserved except access.	Application Refused on 29.04.2021. Appeal dismissed.
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3. OUTCOME OF CONSULTATIONS

3.1 The full list of all consultations received as a result of the original application are outlined in the two appended reports, including 59 letters of objection received from interested parties.

3.2 A further 24 letters of objection have been received. The objections are on the following grounds:

- Southwater has taken its share of housing with nothing positive in return. The amenities of Southwater are struggling to cope with the development.
- The proposal results in the loss of wildlife.
- The proposed water usage details in the revised water neutrality statement are inaccurate, unrealistic and unenforceable.
- The 100% affordable housing proposed goes against government policy.
- The proposal is socially unjust as it inflicts water saving measures on affordable housing occupants.
- There is a lack of footpaths in this area.
- The sewerage systems cannot cope with anymore dwellings.
- The proposed footway to Worthing Road will lead to access issues for the existing properties.

3.3 No further comments received from Southwater or Shipley Parish.

3.4 **Natural England:** No objection

No objection subject to the delivery, management and maintenance of the measures identified in the water Neutrality Statement to achieve water neutrality, chiefly the implementation of Cenergist HL2024 flow restrictors into existing Sussex North mains supplied dwellings which are built prior to 2010 Building Regulations water efficiency requirements and without significant existing water efficiency measures.

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS AND EQUALITY

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

4.2 The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote

equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

- 6.1 The primary consideration now relevant to this application relates to the applicant's new water mitigation strategy. There have been no material changes to the site, its surrounds, or to local or national planning policy therefore all other material planning considerations remain as set out in the two appended committee reports and as considered acceptable at the 1st August 2023 committee.

Water Neutrality

Onsite water neutrality measures

- 6.2 The applicants updated strategy continues to seek to first reduce water consumption within the new dwellings. Previously the mitigations included efficient fixtures and fittings to reduce daily per person water consumption to 92 l/p/d, with a rainwater harvesting system within each dwelling reducing consumption to 57 l/p/d. The resultant onsite water consumption was calculated to be 9,326.34 litres per day.
- 6.3 The revised strategy dispenses with the rainwater harvesting systems and revises the performance of the fixtures and fittings within each property to arrive at a daily water consumption figure of 84.45 l/p/d, which equates to a daily site water consumption of 13,817.71 litres per day. The applicant has stated that, with the revised off setting strategy, rainwater harvesting is no longer required in order to make this scheme water neutral.
- 6.4 Officers raise no concerns with the loss of the rainwater harvesting systems and the revised performance of the fixtures and fittings, noting there is no policy framework to insist that the rainwater systems be retained.

Offsite mitigation

- 6.5 The main amendment to the water neutrality strategy is to the offsite mitigation. The previous strategy, as agreed by officers, the planning committee and Natural England, was to offset the residual 9,712.58 litres of daily water consumption by retrofitting 187 homes in Crawley that are managed by the Raven Housing Trust with new toilets and basin taps, and by installing a flow regulator into the shower inlets. Based on the Part G water calculators, this was to make for a cumulative saving of 11,992.05 litres per day, at an average of 64 litres per day per property. This saving was some 2,279.47 litres per day more than was required to offset the proposed development.
- 6.6 The applicants revised strategy is to offset the revised 13,817.71 litres per day of water consumption from the development by installing Cenergist flow regulators at some 208-250 homes managed by Saxon Weald. These homes are all located within the district and therefore within the same water supply zone as the development site. The flow regulators would save on average 27 litres per person per day.
- 6.7 The proposed strategy mirrors the local authority-led water offsetting strategy being produced jointly by Horsham District Council, Crawley Borough Council, Chichester District Council, the South Downs National Park Authority and West Sussex County Council. The

local authority-led scheme is to be based on the recommendations set out in the Sussex North Water Neutrality Study: Part C- Mitigation Strategy ("Part C report"). The recommendations of the Part C report include the installation of flow regulators on registered provider housing stock within the water supply zone. Whilst the Part C models a saving of 20 litres per person per day, subsequent evidence from Cenergist flow regulators installed by Crawley Homes (the housing association operated on behalf of Crawley Borough Council) demonstrates that a saving of 30 litres per person per day water is consistently deliverable. Similar evidence from Affinity, as cited in the Part C report, shows a similar saving. In the current case a precautionary 10% reduction is modelled meaning a saving of 27 litres per person per day from each flow regulator. This figure is supported by Natural England.

- 6.8 The Part C report also confirms that only 60% of the total registered provider stock in the water supply zone is required to enable plan-led development to come forward, therefore the applicants proposals will not frustrate the local authority-led offsetting scheme or the delivery of development within the future development plans of the authorities.
- 6.9 The water neutrality statement sets out that approximately 208 dwellings would be required to off set the water demand for this development. Using the census data of 2.47 people for a three bedroom property, this results in an occupancy of 512 people. The Cenergist device will be installed on properties controlled by the Saxon Weald housing association and will deliver savings of 13,824 litres per day (512x27). This is greater than the required 13,817.71 litres per day and therefore the proposals can demonstrate water neutrality. The above is based on each Saxon Weald home being 3 bedroom which is not always going to be the case. To cover this eventuality, Saxon Weald have stated that they will release the necessary number of homes required for the fitting of the flow regulators to ensure the development is water neutral.
- 6.10 Confirmation has also been received that Saxon Weald will sign into the necessary s106 legal agreements to secure the mitigation within the necessary portion of their overall housing stock, which in total runs to some 6,000 homes in the district. Whilst the exact locations of the homes have not been identified yet, given the significant quantum of stock Saxon Weald have control over there is no risk that the necessary stock will not be available. The s106 agreement will ensure that the necessary stock is identified and fitted with the flow regulators to the Council's agreement before development on the application site commences, therefore there is no risk of water consumption not being first mitigated.
- 6.11 Given the revised proposal mirrors the recommendations set out in the Part C report which will crystallise into the local authority-led water offsetting scheme in the coming months, officers are satisfied that the proposed mitigation will work in practice and can be suitably secured to enable planning permission to be granted. Natural England have raised no objections to this revised strategy.
- 6.12 In respect of monitoring and enforcement of the mitigation, the previous committee report appended to this item sets out in detail how this would take place. As the new proposals include flow regulators normally installed close to the water meter for each property, and all the properties are now all located within Horsham district, the enforcement of the mitigation is more straightforward than with the previous Raven Housing Trust offsetting proposal.

Conclusion

- 6.13 The proposed amendments to the applicant's water neutrality strategy are considered by officers to be acceptable to ensure no adverse impacts will occur to the Arun Valley SAC, SPA and Ramsar sites with the new mitigation in place. The recommendation of officers therefore remains as per the 1st August 2023 committee report, namely to approve planning permission subject to the conditions set out below and the completion of a s106 agreement to secure:
- Delivery of a minimum of 40% affordable housing with an appropriate mix.

- A contribution of £1,500 for WSCC travel plan auditing fee.
- A contribution to amend the traffic regulation order to increase the 30mph speed limit further south.
- Delivery of proposed off-site transport improvements.
- Delivery of the water neutrality off-setting mitigation measures.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 6.14 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.**

In the case of outline applications the CIL charge will be calculated at the relevant reserved matters stage.

7. RECOMMENDATIONS

- 7.1 To approve planning permission, subject to the conditions set out below and a s106 legal agreement to secure the following:
- Delivery of a minimum of 40% affordable housing with an appropriate mix.
 - A contribution of £1,500 for WSCC travel plan auditing fee.
 - A contribution to amend the traffic regulation order to increase the 30mph speed limit further south.
 - Delivery of proposed off-site transport improvements.
 - Delivery of the water neutrality off-setting mitigation measures.

Conditions:

1 **Standard Plans Condition:**

2 **Outline Permission:**

- (a) Approval of the details of the layout of the development, the scale of each building, the appearance of each building hereby approved, and the landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
- (b) Plans and particulars of the reserved matters referred to in condition (a) above, relating to the layout of the development, the scale of each building hereby approved, the appearance of each building, and the landscaping of the development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
- (c) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.
- (d) The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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.

- 3 **Pre-Commencement Condition:** No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:
- the method of access and routing of vehicles during construction
 - the parking of vehicles by site operatives and visitors
 - the loading and unloading of plant, materials and waste
 - the storage of plant and materials used in construction of the development,
 - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders)
 - An indicative programme for carrying out of the works
 - The arrangements for public consultation and liaison during the construction works
 - Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination
 - measures to control the emission of dust and dirt during construction
 - a scheme for recycling/disposing of waste resulting from demolition and construction works
 - ecological and biodiversity mitigations (see informative)

Reason: In the interests of highway safety and the amenities of the area, ecological and biodiversity interests, and in accordance with Policies 24, 33(2) and 40 of the Horsham District Planning Framework (2015).

- 4 **Pre-commencement Condition:** No development shall take place until a Biodiversity Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.
 - i) Details of any lighting required

The approved Biodiversity CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To conserve protected and Priority species and allow the 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).

- 5 **Pre-Commencement Condition:**

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

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

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

- 6 **Pre-Commencement Condition:** No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

- 7 **Pre-Commencement Condition:** No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

(a) An intrusive site investigation scheme, based on the Leap Environmental Ltd Phase 1 Desk Study and Site Reconnaissance Report, to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.

(b) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (a) and a verification plan providing details of what data will be collected in order to demonstrate that the remedial works are complete.

The scheme shall be implemented as approved. Any changes to these components require the consent of the local planning authority.

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

- 8 **Pre-Commencement Condition:** No development shall commence on site until the following has been submitted to and approved in writing by the local planning authority in relation to hazel dormice:

a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorizing the specified activity/development to go ahead; or

b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

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 and s17 Crime & Disorder Act 1998) and Policy 31 of the Horsham Development Framework.

- 9 **Pre-Commencement Slab Level:** No development shall take place until a Biodiversity Enhancement Strategy for Protected and Priority species has been submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:
- a) Purpose and conservation objectives for the proposed enhancement measures;
 - b) detailed designs to achieve stated objectives;
 - c) locations of proposed enhancement measures by appropriate maps and plans;
 - d) persons responsible for implementing the enhancement measures;
 - e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) in accordance with and Policy 31 of the Horsham District Planning Framework (2015).

- 10 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a lighting design scheme for biodiversity has been submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham District Planning Framework (2015).

- 11 **Pre-Occupation Condition:** No part of the development shall be first occupied until such time as the vehicular access and associated works serving the development has been constructed in accordance with the approved planning drawings J32-4384-005 Rev H, J32-4384-011, J32-4384-012, J32-4384-015, J32-4384-016 Rev A and J32-4384-017.

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

- 12 **Pre-Occupation Condition:** No part of the development shall be first occupied until a Travel Plan Statement has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan Statement once approved shall thereafter be implemented as specified within the approved document. The 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.

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

- 13 **Pre-Occupation Condition:** No part of the development shall be first occupied until full details of the proposed new footway along the eastern side of Shipley Road have been submitted to and approved by the local planning authority. The approved details shall be provided prior to the first occupation of the development and thereafter retained.

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

- 14 **Pre-Occupation Condition:** The development hereby permitted shall be undertaken in full accordance with the Water Neutrality Statement 17/10/23. 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 evidence shall include the specification of fittings and appliances used, evidence of their installation, evidence they meet the required water consumption flow rates. The installed measures 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).

- 15 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a scheme of air quality mitigation has been submitted to and been approved in writing by the Local Planning Authority. The details shall have regard to the Council's latest Air Quality & Emissions Reduction Guidance document. The approved scheme shall be installed prior to first occupation of the development and shall thereafter remain as such.

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).

- 16 **Regulatory Condition:** No part of the development shall be first occupied until visibility splays of 2.4 metres by 124 metres north and 61 metres south have been provided at the proposed site vehicular access onto Shipley Road in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed

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

- 17 **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 (September 2021) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during

construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

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

- 18 **Pre-Occupation Condition:** Prior to the occupation of any dwellings hereby permitted, a programme for the delivery of fire hydrants for all of the development shall be submitted to and approved by the Local Planning Authority in writing. The approved scheme shall be implemented in accordance with the approved details and thereafter retained as such.

Reason: To ensure fire hydrants are provided for fire safety in accordance with Policy 32 of the Horsham District Planning Framework (2015).

- 19 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a verification report demonstrating that the SuDS drainage system has been constructed in accordance with the approved design drawings has been submitted to and approved by the Local Planning Authority. The development shall be maintained in accordance with the approved report.

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).

- 20 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a scheme for the provision of electrical vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed prior to first occupation of the development and shall thereafter remain as such.

Reason: To provide electric vehicle car charging space for the use in accordance with Policies 35 and 41 of the Horsham District Planning Framework (2015) and the WSCC Parking Standards (2019).

- 21 **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 megabits 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).

- 22 **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, a contamination verification plan shall be submitted to and approved, in writing, by the Local Planning Authority. The verification plan shall provide details of the data collected in order to demonstrate that the works set out in Condition (7) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

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).

- 23 **Regulatory Condition:** No soils shall be imported or re-used within the development site until the developer has submitted details of the chemical testing and assessment of the soils which demonstrates the suitability of the soils for the proposed use. The assessment shall be undertaken by a suitably qualified and competent person and full details shall be submitted to and approved in writing by the local planning authority

Reason: To ensure that no contaminated material is brought on to the site in the interests of public safety and in accordance with Policy 33 of the Horsham District Planning Framework (2015)

- 24 **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).

- 25 **Regulatory Condition:** Any Reserved Matters application shall include a Landscape and Ecological Management Plan. The plan shall include the following:
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organisation responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures

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