Horsham District Council

Mr Huw James
ECE Planning Limited
64-68 Brighton Road
Worthing
BN112EN

Our ref:	DC/24/1087
Your ref:	P2040 - Lower Perryland Farn
Email:	planning@horsham.gov.uk
Direct Line:	01403 215429
If Calling Please ask for:	Bethan Tinning
Date:	25th September 2024

Dear Sir/Madam,

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (General Permitted Development) (England) Order 2015
Application for Prior Approval under Schedule 2, Part 3, Class Q

Prior Notification for Change of Use of Agricultural Building to 5no dwellinghouses

Lower Perryland Farm Basing Hill Access Road Dial Post West Sussex

Further to the above prior notification which was received on 16 July 2024, I am writing to confirm that **prior approval is required and granted**. The proposal can now proceed subject to the following conditions:

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

a) A preliminary risk assessment which has identified:
- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways, and receptors
- Potentially unacceptable risks arising from contamination at the site.

The following aspects (b) - (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.

c) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (b) and an options appraisal.

d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any

requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

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

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

2 **Regulatory Condition**: The development hereby permitted shall be constructed in accordance with The Flood Risk Assessment and Drainage Strategy 1-4 received 16.07.2024.

Reason: As this matter is fundamental to prevent the increased risk of flooding, to improve and protect water quality and to ensure that the development is properly drained, in accordance with Policy 38 of the Horsham District Planning Framework (2015).

Schedule of plans/documents

The following plans and document were considered when making the above decision:

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	Flood Risk Assessment and Drainage Strategy 2	none	16.07.2024
Supporting Statement	Flood Risk Assessment and Drainage Strategy 3	none	16.07.2024
Supporting Statement	Flood Risk Assessment and Drainage Strategy 4	none	16.07.2024
Elevation plan	Existing Unit 4	P007 P1	16.07.2024
Elevation plan	Existing - Unit 5	P008 P1	16.07.2024
Floor plan	Existing - All Unit	P003 P1	16.07.2024
Elevation plan	Proposed - Unit 2	P016 P1	16.07.2024
Block plan	Proposed	P009 P1	16.07.2024
Elevation plan	Proposed - Unit 1	P015 P1	16.07.2024
Floor plan	Proposed and roof - Unit 1	P010 P1	16.07.2024
Floor plan	Proposed and Roof - Unit 2	P011 P1	16.07.2024
Elevation plan	Proposed Unit 3	P017 P1	16.07.2024
Floor plan	Proposed and Roof - Unit 3	P012 P1	16.07.2024
Elevation plan	Proposed - Unit 4	P018 P1	16.07.2024
Floor plan	Proposed and Roof - Unit 4	P013 P1	16.07.2024
Elevation plan	Proposed - Unit 5	P019 P1	16.07.2024
Floor plan	Proposed and Roof - Unit 5	P014 P1	16.07.2024
Supporting Statement	Condition Report	none	16.07.2024
Supporting Docs	Cover Letter	none	16.07.2024
Supporting Statement	Flood Risk Assessment and Drainage Strategy	none	16.07.2024
Location plan		P001 P1	16.07.2024
Site plan	Existing	P002 P1	16.07.2024
Elevation plan	Existing Unit 1	P004 P1	16.07.2024
Elevation plan	Existing Unit 2	P005 P1	16.07.2024
Elevation plan	Existing - Unit 3	P006 P1	16.07.2024

Notes to Applicant

- The Applicant is advised that Article 3(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended states that:

  "Subject to the provisions of this Order and regulations 73 to 76 of the Conservation of Habitats and Species Regulations 2010 (general development orders), planning permission is hereby granted for the classes of development described as permitted development in Schedule 2."

  Section 75 of the Conservation of Habitats and Species Regulations 2017 states that "it is a condition of any planning permission granted by a general development order made on or after 30th November 2017, that development which -

  (a) Is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and

  (b) Is not directly connected with or necessary to the management of the site, must not be begun until the developer has received written notification of the approval of the local planning authority under regulation 77 (approval of local planning authority)."

  The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

  In order to demonstrate water neutrality, an application under Section 77 of the Conservation of Habitats and Species Regulations 2017 would be required to be submitted, and development subject of this Prior Approval application could not be carried out until a decision of such application has been made. Further details can be found through: -

  https://www.horsham.gov.uk/planning/water-neutrality-in-horsham-district/regulation-77-conservation-of-habitats-and-species-regulations

- 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: equiries@bats.org.uk, or website: http://www.bats.org.uk/.

- The applicant is reminded that they have riparian responsibility to maintain watercourses and culverts. We support the recommendations to improve the condition of the watercourse and culverts in the FRA. The changes to the culverts may require Ordinary Watercourse Consent:

  https://www.westsussex.gov.uk/fire-emergencies-and-crime/dealing-with-extreme-weather/flooding/flood-risk-management/ordinary-watercourse-land-drainage-consent/

Yours faithfully



Emma Parkes
Head of Development and Building Control

Further Information

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

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

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

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

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

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

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

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

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

New postal addresses

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

Waste bins

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