Appendix 1 – Statutory Declarations

The Applicant – Mr T Brooker

STATUTORY DECLARATION made under the Statutory Declaration Act 1835

I, Thomas Henry Brooker born on th[redacted]nd being over the age of 18 of Rowfold Kennels, Coneyhurst Road, Billingshurst. RH14 9DF do hereby solemnly and sincerely declare as follows:

1. I am the registered proprietor of Rowfold Kennels Coneyhurst Road Billingshurst West Sussex which I purchased [redacted]The property is shown edged red on the plan ("the Plan") annexed hereto and called "TB1"

2. On the 4th June 2020 I obtained planning permission for the site to erect 4 detached single storey dwellings with associated access driveway and parking under reference number DC/19/1870. A copy of that permission is annexed hereto and called "TB2". A condition of this permission was that the development had to begin before the expiration of three years from the date of the permission.

3. All buildings had been mostly cleared for the start of demolition. All building areas have been cleared of tyres. Photographs showing the footings that have been dug out, the clearance of the tyres and other debris and rubbish from the site are annexed hereto and called "TB3"

4. I employed Mr Ian French who along with myself dug out footings with a mechanical digger on the site for the start of the development on the 24th May 2023

5. Therefore to the best of my knowledge and belief the works had commenced within permitted time allowed by the local authority under the planning permission granted on the 5th June 2020 under planning reference number DC/19/1870

And I make this Declaration consciously believing the same to be true in accordance with the provisions of the Statutory Declarations act 1835.

DECLARED at Osprey House 16-18 Worthing Road Horsham RH12 1SL

on 22nd January 2024

[redacted]

Before m[redacted]

~~Solicitor~~/

Rachel Suttie

Licence 12544

Exhibit "TB1" Referred to in the Statutory Declaration of Thomas Brooker

Sworn this 22nd [redacted] 2024

Before me [redacted]

A ~~Solicitor~~/Commissioner for Oaths



Location Plan

[redacted]

Exhibit "TB2" Referred to in the Statutory Declaration of Thomas Brooker

Sworn this [redacted] **2024**

Before me [redacted]

A ~~Solicitor~~/ [redacted]

Horsham District Council

Phil Rowe
PROwe Planning Solutions
Melton Lodge, Rusper Road
Newdigate
Dorking
Surrey
RH5 5BX

Application Number: DC/19/1870

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

On behalf of: Tom Brooker

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:

Erection of 4 No. detached single storey dwellings with associated access driveway and parking.

Rowfold Kennels Coneyhurst Road Billingshurst West Sussex

to be carried out in accordance with Application No. DC/19/1870 submitted to the Council on 22/10/2019 and subject to compliance with the plans/documents and conditions specified hereunder.

Barbara Childs
Director of Place

Date: 04/06/2020

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

SCHEDULE OF PLANS/DOCUMENTS

Plan Type	Description	Drawing Number	Received Date
Elevation & Floor plan	Unit 4: Proposed Floor Plan & Elevations	204	10.02.2020
Elevation & Floor plan	Unit 3: Proposed Floor Plan & Elevations	203	10.02.2020
Elevation & Floor plan	Building 4: Existing Plans and Plans Approved under DC/19/0724	102	10.02.2020
Supporting Statement	Noise Impact Assessment	NONE	27.02.2020

[redacted]

Elevation & Floor plan	Buildings 2 and 3: Existing Plans and Plans Approved under DC/19/0724	101	10.02.2020
Location plan	Location Plan	000 Rev 01	05.05.2020
Block plan	Block Plan	1810R0_001 Rev 001	05.05.2020
Elevation & Floor plan	Unit 1: Proposed Floor Plan & Elevations	201	10.02.2020
Elevation & Floor plan	Unit 2: Proposed Floor Plan & Elevations	202	10.02.2020
Elevation & Floor plan	Building 1: Existing Plans and Plans Approved under DC/19/0724	100	10.02.2020

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

2 **Standard Time Condition:** The development hereby permitted shall begin before the expiration of three years from the date of this permission.

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

3 **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).

4 **Pre-Commencement Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows, roofs and doors of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

5 **Pre-Commencement Condition:** No development shall commence until precise details of the existing and proposed finished floor levels and external ground levels of the development in relation to nearby datum points adjoining the application site have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and to protect the development from flood risk in accordance with Policies 33 and 38 of the Horsham District Planning Framework (2015).

6 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until confirmation has been

[redacted]

submitted, in writing, to the Local Planning Authority that the relevant Building Control body shall be requiring the optional standard for water usage across the development. The dwellings hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to 110 litres per person per day. The subsequently approved water limiting measures shall thereafter be retained.

Reason: As this matter is fundamental to limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015).

7 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until details of the measures to facilitate the provision of high speed broadband internet connections to the development have been submitted to and approved in writing by the local planning authority, details shall include a timetable and method of delivery for high speed broadband of each dwelling/unit. The delivery of high speed broadband infrastructure 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 Framework (2015).

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

[redacted]

works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

9 **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until the following construction site set-up details have been submitted to, and approved in writing by, the Local Planning Authority.

i. the location for the loading and unloading of plant and materials, site offices, and storage of plant and materials (including any stripped topsoil)
ii. the provision of wheel washing facilities (if necessary) and dust suppression facilities

The approved details shall be adhered to throughout the construction period.

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

10 **Pre-Occupation Condition:** The proposed dwellings hereby permitted shall not 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 scheme shall have regard to the requirements for electric vehicle charging within the latest West Sussex Parking Standards (2019). The approved scheme shall be installed prior to first occupation of the dwellings 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).

11 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until the existing buildings, as indicated on drawing no. 1810R0_001 Rev 001, have been demolished (including the removal of foundations), all materials arising from such demolition removed from the site and the site of the demolished building.

Reason: The retention of existing buildings together with the new buildings would result in the proliferation of buildings on the site, detracting from the character of the area which would be contrary to Policy 33 of the Horsham District Planning Framework (2015).

12 **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:-

- Details of all existing trees and planting to be retained
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
- Details of all hard surfacing materials and finishes
- Details of all boundary treatments

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed planting, which within a period of 5 years, dies,

[redacted]

is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

13 **Pre-Occupation Condition:** No dwelling hereby permitted shall be first occupied unless and until provision for the storage of refuse and recycling has been provided within the garage or side or rear garden for that dwelling. The facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of refuse and recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

14 **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, details of all boundary walls and/or fences shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied (or use hereby permitted commenced) until the boundary treatments associated with that dwelling (or use) have been implemented as approved. The boundary treatments shall thereafter be maintained in accordance with the approved details.

Reason: In the interests of visual and residential amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

15 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until details of glazing within the dwellings, and, of alternative means of mechanical ventilation and extraction have been submitted to and approved in writing by the Local Planning Authority. The glazing and ventilation system shall be installed in accordance with the approved details prior to occupation of the dwellings and shall be operated and maintained as such thereafter.

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

16 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until the acoustic fence along the western boundary of the garden serving Unit 1 has been erected. Details of the acoustic fence will be required to be submitted to and approved by the Local Planning Authority prior to its installation. The acoustic fence shall be installed in accordance with these approved details and shall be maintained as such thereafter.

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

17 **Pre-Occupation Condition:** Prior to the occupation of the dwellings hereby permitted a noise assessment shall have been carried out (with the acoustic mitigation measures approved under conditions 15 and 16 of this permission installed) and submitted to the Local Planning Authority for approval in writing. Any additional measures required by the noise assessment to mitigate noise shall be detailed and implemented in accordance with an agreed timetable, as necessary, and shall be retained as such thereafter.

Reason: As this matter is fundamental in ensuring an acceptable noise level for the occupants of the dwellings and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

[redacted]

18 **Regulatory Condition:** No part of the development shall be first occupied until the accesses and vehicle parking and turning spaces have been constructed in accordance with drawing no. 1810R0_001 Rev 001 received on 05.05.20. The access and parking and turning spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

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

Reason: In the interest of visual amenity and in order to protect the privacy and amenity of the occupiers of the neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

20 **Regulatory Condition:** No works for the implementation of the development hereby approved, including works of demolition, shall take place outside of 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays nor at any time on Sundays, Bank or public Holidays.

Reason: To safeguard the amenities of the occupiers of the neighbouring residential properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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

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

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

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

ADDITIONAL INFORMATION

Planning Permission – Important Provisos
If planning permission has been granted, please note that your Notice of Decision refers only to consideration of your proposal under the Town and Country Planning Acts. It is not a building regulations approval and does not mean that you can disregard other Acts of Regulations, or avoid any other legal obligations. Some of these obligations, of particular relevance to your proposal are

referred to elsewhere in this note. Before you proceed with your proposal you should ensure that a Building Control application is not required, or has been submitted. The Building Control Department can be contacted on 01403 215151.

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

It is the responsibility of the developer to provide bins for the development. If you are a developer and need to purchase bins, please email daniel.raymond@horsham.gov.uk or phone 01403 733144.

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.

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.

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

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

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

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

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

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

[redacted]

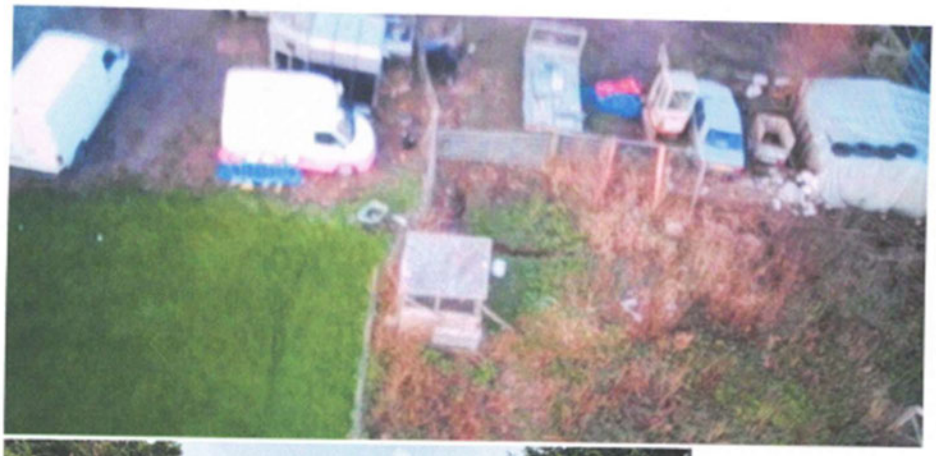
Exhibit "TB3" Referred to in the Statutory Declaration of Thomas Brooker

Sworn this 22nd day of January 2024

Before me .....

~~A Solicitor~~/Com







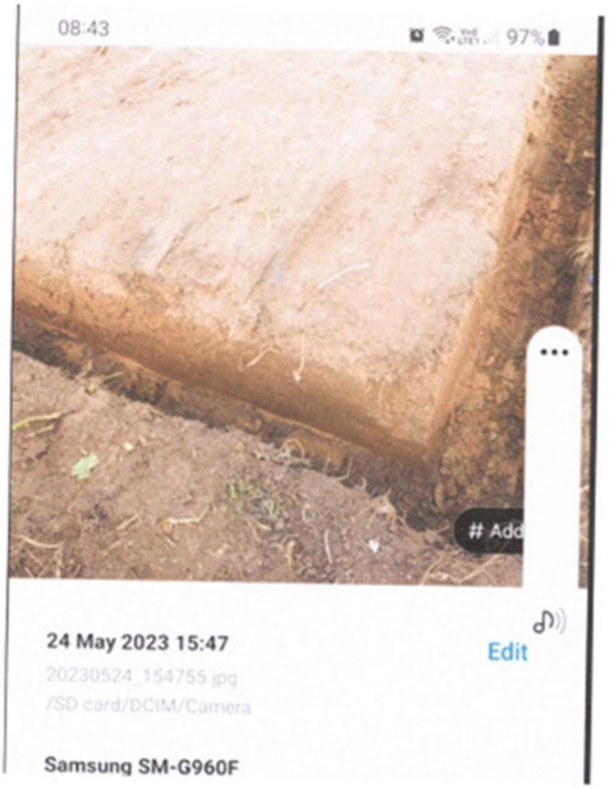
[redacted]

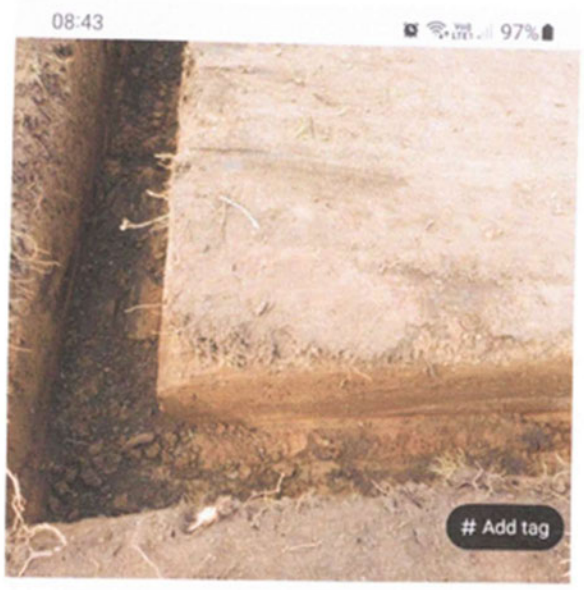




[redacted]




08:43
97%
24 May 2023 15:47
Edit
20230524_154755.jpg
/SD card/DCIM/Camera
Samsung SM-G960F



24 May 2023 15:48 Edit

20230524_154805.jpg

/SD card/DCIM/Camera

Statutory Declaration of Ian French

STATUTORY DECLARATION made under the Statutory Declaration Act 1835

I, Ian French born on [redacted] being over the age of 18 of [redacted] do hereby solemnly and sincerely declare as follows:

1. I have known the Applicant Mr Thomas Brooker for 10 years I carry out general works of all kinds. I was employed by the Applicant to dig out footings with a mechanical digger on the site - Rowfold Kennels, Coneyhurst Road, Billingshurst. RH14 9DF, which I carried out with the Applicant. The site is shown on the plan annexed hereto and called "IF1"

2. I was shown plans for the site and I was aware that the footings were in being dug in respect of a development for 4 detached single storey dwellings with associated works. The plans shown to me are annexed hereto and called "IF2"

3. I dug a footing for the start of the development at the site, on the 24th May 2023 as per the plans shown at Exhibit "IF2". I took photographs of my work which are date stamped and annexed hereto and called "IF3"

And I make this Declaration consciously believing the same to be true in accordance with the provisions of the Statutory Declarations act 1835.

DECLARED at OSPREY HOUSE 16-18 WORTHING ROAD HORSHAM RH12 1SL

on 22ND JANUARY 2024

[redacted]

Signed .....

Ian French

Before [redacted]

~~Solicitor~~/**Commissioner for Oaths**

RACHEL SUTTLE

LICENCE 125444

Exhibit "IF1" Referred to in the Statutory Declaration of Ian French

Sworn this 22nd **day of** January **2024**

Before me [redacted].



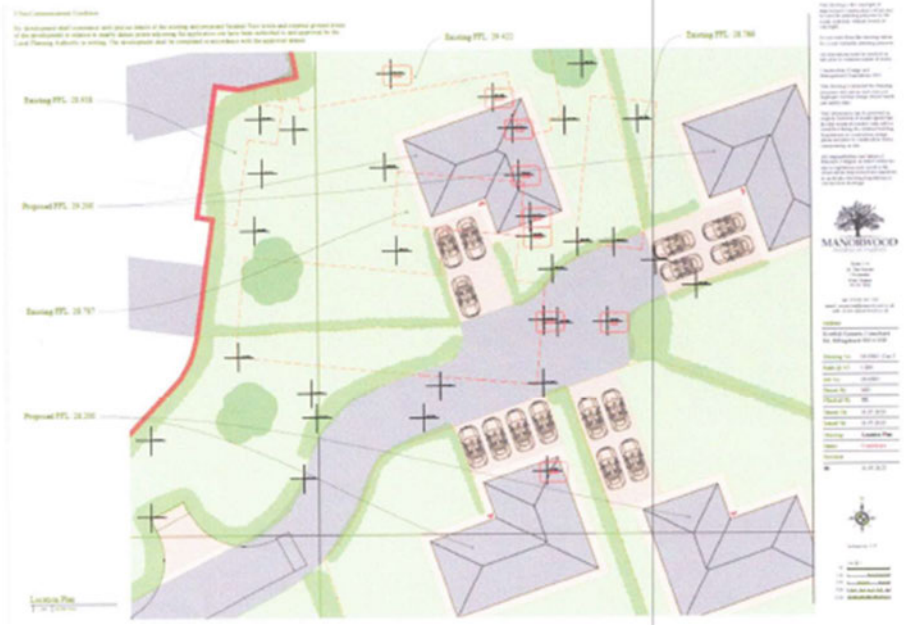
Location Plan

Exhibit "IF2" Referred to in the Statutory Declaration of Ian French

Sworn this 22nd **day of** January **2024**

Before me [redacted]

A ~~Solicitor~~/Commissioner for Oaths



[redacted]

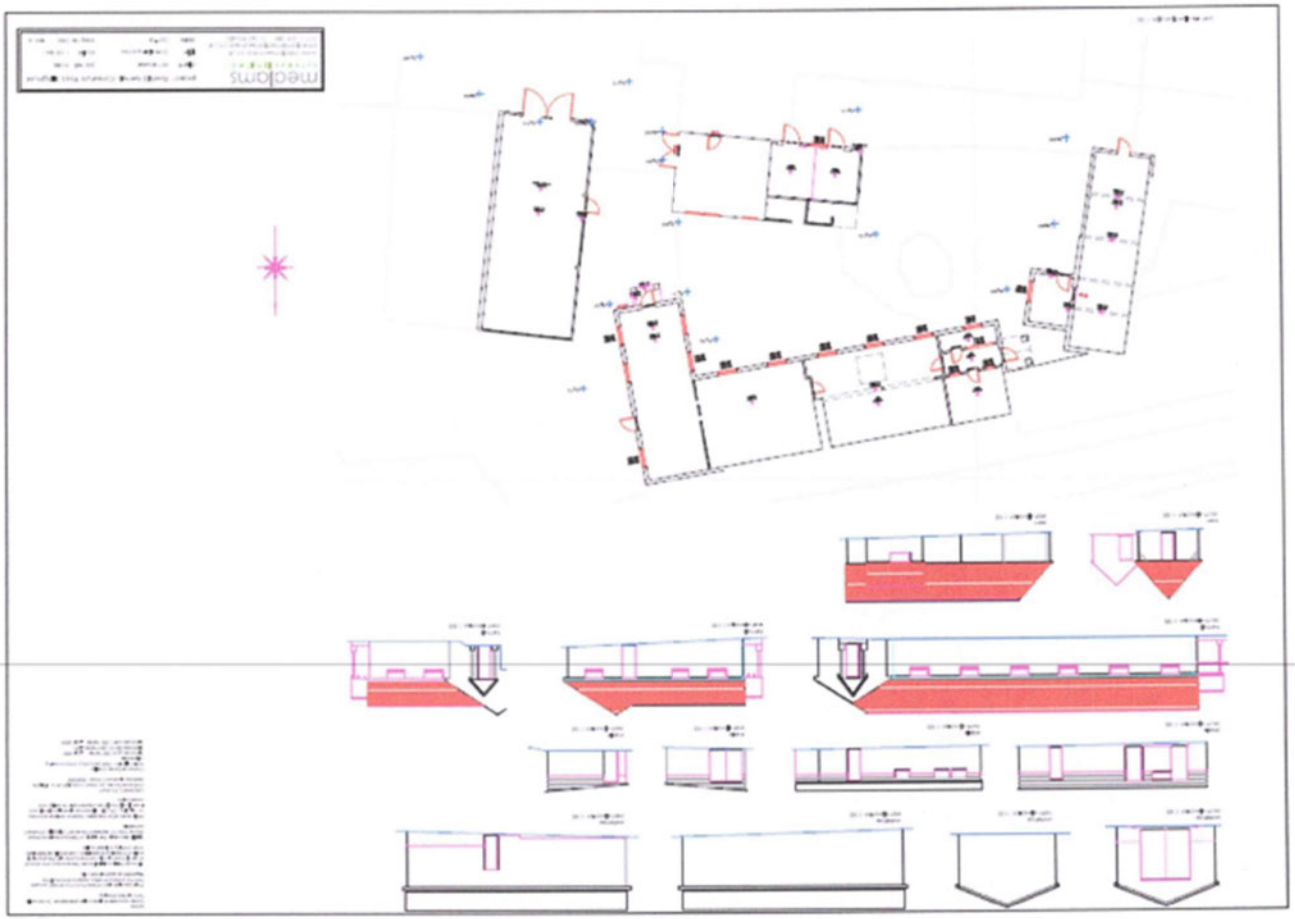


Exhibit "IF3" Referred to in the Statutory Declaration of Ian French

Sworn this 22nd **day of** January **2024**

[redacted]

Before me .....

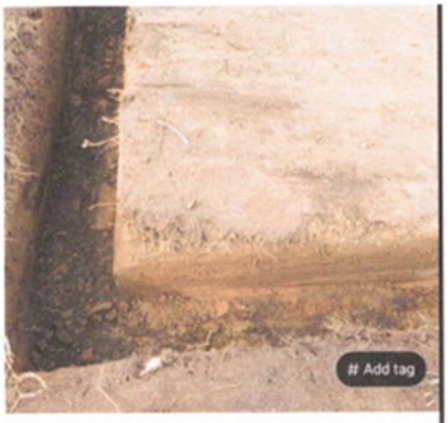
A ~~Solicitor~~/Commissioner for Oaths



24 May 2023 15:47 Edit

20230524_154755.jpg

/SD card/DCIM/Camera

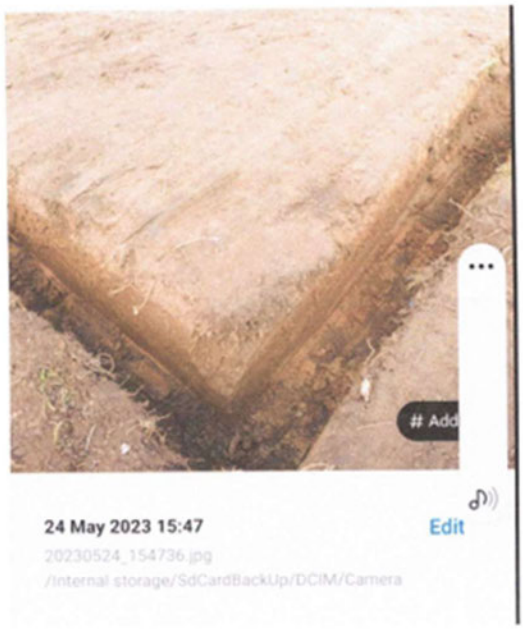


24 May 2023 15:48 Edit

20230524_154805.jpg

/SD card/DCIM/Camera

[redacted]


24 May 2023 15:47
Edit
20230524_154736.jpg
/Internal storage/SdCardBackUp/DCIM/Camera