Horsham District Council

Mark Folkes
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The Old Forge
6 Church Street
Storrington
RH20 4LA

Application Number: DC/24/1071

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

On behalf of: Mr Paul Mullins

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

Variation of Conditions 1, 11 and 13 of previously approved application DC/23/1145 (Erection of a pool house, and installation of a swimming pool and replacement tennis court. Erection of 2no plant storage sheds) Positioning of track to storage sheds to be amended, addition of sensor security shed lighting. Storage sheds to include storage of items incidental to the enjoyment of the house.

Chesworth House Denne Road Horsham West Sussex

to be carried out in accordance with Application No. DC/24/1071 submitted to the Council on 11/07/2024 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 17/09/2024

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
Supporting Statement	Condition no. 11	NONE	11.07.2024
Supporting Statement		Water Neutrality Strategy PART A	09.06.2023
Site plan		2.03 REV D	15.06.2023
Elevation & Floor plan		2.05 REV C	15.06.2023

Elevation plan		22-18411	09.06.2023
Plans		1.01	09.06.2023
Plans		1.02	09.06.2023
Section plan		2.04 REV B	09.06.2023
Supporting Statement		Water Neutrality Strategy PART B	13.10.2023
Supporting Docs		Biodiversity Enhancement 24008	27.02.2024
Location plan		1.03 REV C	26.01.2024
Block plan		1.04 REV C	26.01.2024
Supporting Docs	ADDITIONAL LIGHTING DETAILS		22.08.2024
Supporting Docs	SPEC OF LIGHTING		16.08.2024

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

2 **Standard Time Condition**: The development hereby permitted must be commenced by the 15.05.2027.

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

3 **Regulatory Condition**: The programme of archaeological work shall be undertaken in strict accordance with details approved under application DISC/24/0180, unless otherwise agreed to and approved in writing by the Local planning Authority.

Reason: As this matter is fundamental to ensure that the archaeological and historical interest of the site is safeguarded and recorded in accordance with Policy 34 of the Horsham District Planning Framework (2015).

4 **Regulatory Condition**: The protection thoughout all construction works shall be undertaken in strict accordance with Arboricultural Method Statement approved under application DISC/24/0180, unless otherwise agreed to and approved in writing by the Local planning Authority.

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

5 **Regulatory Condition**: The schedule of materials, finishes and colours shall be constructed in strict accordance with schedule of materials approved under application DISC/24/0180, unless otherwise agreed to and approved in writing by the Local planning Authority.

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).

6 **Pre-Commencement (Slab Level) Condition**: No development above ground floor slab level of the outdoor swimming pool and pool house shall commence until full details of the water efficiency measures, rainwater harvesting system and swimming pool management plan required by the approved water neutrality strategy (updated WNS received by the council on 14.09.2023) have been submitted to and approved in writing by the Local Planning Authority.

The rainwater harvesting system shall include a suitable reservoir storage tank to provide a minimum 35 days storage capacity.

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 185 and 186 of the National Planning Policy Framework (2021), to enable the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

7 **Pre-Occupation Condition**: No part of the development hereby permitted shall be first occupied or used until 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 hard surfacing materials and finishes
- Details of all boundary treatment
- Details of all new planting

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 and unless otherwise agreed as part of the approved landscaping, no new trees or new 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, 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 in the interests of visual amenity and, to ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, to comply with Policies 33 & 34 of the Horsham District Planning Framework (2015).

8 **Pre-Occupation Condition**: No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR112, or a 'Further Licence') and with the proposals detailed on plan "Chesworth House: Impact Plan for great crested newt District Licensing (Version 1)", dated 23rd August 2023.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence (WML-OR112, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

9 **Pre-Occupation Condition**: No development hereby permitted shall take place except in accordance with Part 1 of the Great Crested Newt Mitigation Principles, as set out in the District Licence WML-OR112 (or a 'Further Licence'), and in addition in compliance with the following:

- Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML-OR112, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

10 **Regulatory Condition**: The Pool House hereby permitted (as identified on the approved plans DWG No. 2.05 REV C received on 15.06.2023), shall be used solely for purposes incidental to the occupation and enjoyment of Chesworth House, Denne Road, Horsham as a Pool Changing Area, Store and Pool Plant, and shall not be used as a separate unit of accommodation, as habitable living accommodation, or for any commercial purposes or for any other purpose(s)/use(s).

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 185 and 186 of the National Planning Policy Framework (2023), to enable the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species). In addition, the establishment of an additional independent unit of accommodation, additional living accommodation, commercial use or any other use(s) would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent units of living accommodation contrary to Policy 33 of the Horsham District Planning Framework (2015).

11 **Regulatory Condition**: The storage sheds hereby permitted (as identified on the approved plans DWG No. 22-18411 received on 09.06.2023) shall be used solely for purposes incidental to the occupation and enjoyment of, and maintenance of the grounds of, Chesworth House, Denne Road, Horsham as a storage shed for machinery (including basic maintenance of that machinery), and for storage of items incidental to the enjoyment of the house or for maintenance of the grounds, (for example of fertiliser, fencing timber and Fire Wood) and shall not be used as a separate unit of accommodation, as habitable living accommodation, or for any commercial purposes or for any other purposes / uses.

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 185 and 186 of the National Planning Policy Framework (2023), to enable the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species). In addition, the establishment of an additional independent unit of accommodation, additional living accommodation, commercial use or any other use(s) would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent units of living accommodation contrary to Policy 33 of the Horsham District Planning Framework (2015).

12 **Regulatory Condition**: All enhancement measures and/or works shall be carried out in accordance with the details contained in the Biodiversity Enhancement Strategy (CT Ecology, February 2024), 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 Local Planning Authority 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 (as amended) and Policy 31 of the Horsham Development Framework.

13 **Regulatory Condition**: No external lighting or floodlighting shall be installed other than the security lighting details submitted to the Local Planning Authority on 16.08.2024 and 22.08.2024, unless otherwise agreed to and approved in writing by the Local Planning Authority.

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

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

ADDITIONAL INFORMATION

Planning Permission – Important Provisos
If planning permission has been granted, please note that your Notice of Decision refers only to consideration of your proposal under the Town and Country Planning Acts. It is not a building regulations approval and does not mean that you can disregard other Acts of Regulations, or avoid any other legal obligations. Some of these obligations, of particular relevance to your proposal are referred to elsewhere in this note. Before you proceed with your proposal you should ensure that a Building Control application is not required, or has been submitted. The Building Control Department can be contacted on 01403 215151.

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

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

It must be stressed that the information included on this Notice of Decision may not include all your legal obligations, and it does not grant you rights to carry out works on or over lands, or to access land that is not within your control or ownership.

Compliance with the Approved Plans and Conditions
The development hereby approved must be implemented in accordance with the approved plans and any conditions set out in the Notice. Some of the conditions may specify that works are to be carried out, and/or details submitted and approved before all or part of the development is started. These will appear in the 'Pre Commencement Conditions' section of the Notice.

If works on implementing this permission is started without these requirements being fully met, the development may be unauthorised and the permission invalidated, and could lead to enforcement proceedings or in some cases to prosecution.

Amendments
Should alterations or amendments be required to the approved plans, it will be necessary to apply either under Section 96A of the Town and Country Planning Act 1990 for non material alterations, or under Section 73 of the Act for minor material alterations. An application must be made using the standard application form and you should consult with us, to establish the correct type of application to be made.

Monitoring
Horsham District Council monitors the implementation of planning permissions. Please be aware that monitoring officers may visit the application site at various stages of the development to ensure compliance with the approved plans and conditions.

Conditions Compliance
Requests for confirmation of compliance with conditions associated with that permission should be made in writing or by using the application form 'Approval of Details Reserved by Conditions'.

A request may be for confirmation that one or more conditions imposed on the same permission have been complied with. We aim to respond within 8 weeks of receipt of the request.

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

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

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

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

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

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