Horsham District Council

Lucy Butler
Lytle Associates Architects
20 Quarry Street
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New Barn School, Rapkyns Care Village, Guildford Road, Broadbridge Heath
Continued use of previously approved 5 no. temporary pre-fabricated buildings for a further temporary period of 3 years (planning approvals DC/21/0686 and DC/22/1200 refer), and relocation of 1 of the temporary buildings to better facilitate the construction of the permanent buildings.

Your application DC/24/0350 has now been determined and I enclose the decision notice. The decision notice contains important information. Please take a moment to read it as further action may be required.

Conditions
Before you start work, information must be submitted for any conditions that require discharge before development can begin. The decision notice will set out what information need to be sent.

Failure to discharge conditions before commencing development could result in the development being unlawful or enforcement action being taken. You can notify us of your intention to initiate development by completing a pre-commencement notification which will help us to monitor your development. There is no fee to use this service. To do this, or for further information about discharging planning conditions, visit us online at horsham.gov.uk/planning/discharging-a-planning-condition

Community Infrastructure Levy (CIL)
If this development is CIL liable, the requirements of CIL must be met before you start work. Failure to do so could result in additional financial penalties. For further information relating to CIL visit horsham.gov.uk/planning/planning-policy/community-infrastructure-levy/cil-charges-and-how-to-pay

If you have any questions about the decision notice, you can call us and speak to a member of the team on 01403 215187 between 9AM - 5PM, Monday to Friday.

If you are acting as the planning agent for this application, please ensure that the applicant is given a copy of the decision notice and this letter.

Yours Sincerely,
Development Management

Horsham District Council

Lucy Butler
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Application Number: DC/24/0350

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

On behalf of: Treehouse Educare

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:

Continued use of previously approved 5 no. temporary pre-fabricated buildings for a further temporary period of 3 years (planning approvals DC/21/0686 and DC/22/1200 refer), and relocation of 1 of the temporary buildings to better facilitate the construction of the permanent buildings.

New Barn School, Rapkyns Care Village, Guildford Road, Broadbridge Heath

to be carried out in accordance with Application No. DC/24/0350 submitted to the Council on 01/03/2024 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 11/04/2024

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
Location plan	Existing Location Plan	1960_002 REV A	01.03.2024
Elevation & Floor plan	Existing and Proposed Plan and Elevations Staff Room Block	1960_082 REV B	01.03.2024
Site plan	Existing and Proposed Floor Plan	1960_096 REV C	01.03.2024

Elevation & Floor plan	Existing and Proposed Plan and Elevations Temporary Classroom Block	1960_097 REV A	01.03.2024
Elevation & Floor plan	Existing and Proposed Plan and Elevations Temporary Classroom Block	1960_098 REV A	01.03.2024

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

2 **Regulatory (Temporary Time) Condition**: The development hereby permitted shall be removed and the land shall be restored on or before the 11 April 2027 to a condition which has been previously agreed in writing by the Local Planning Authority in accordance with a scheme of work submitted to an approved by the Local Planning Authority.

Reason: The proposed development is not considered satisfactory as a permanent measure in accordance with Policies 25 and 33 of the Horsham District Planning Framework (2015).

3 **Pre-occupation Condition**: The temporary classrooms shall not be first occupied until the car parking has been constructed in accordance with the approved plans 1960_080 - 082 inclusive approved under planning permissions DC/21/0686 and DC/22/1200. These car parking spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use in the interests of highway safety in accordance with policies 40 and 41 of Horsham District Planning Framework (2015)

4 **Regulatory Condition**: No development hereby approved shall take place (including any demolition, ground works, site clearance) unless carried out strictly in accordance with the approved Biodiversity Method Statement under condition discharge application DISC/21/0184 and all features as approved shall be retained in that manner thereafter.

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), s40 of the NERC Act 2006 (Priority habitats & species) and s17 Crime & Disorder Act 1998 and Policy 31 of the Horsham District Planning Framework and Policy 4 of the Slinfold Neighbourhood Plan (2018).

5 **Regulatory Condition**: No occupation of the buildings hereby approved shall take place until implementation of the approved the Biodiversity Enhancement Layout under condition discharge application DISC/21/0303 and all features as approved shall be retained in that manner thereafter.

Reason: To conserve and enhance Priority species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham District Planning Framework and Policy 4 of the Slinfold Neighbourhood Plan (2018).

6 **Regulatory Condition**: No external lighting or floodlighting shall be installed other than in strict accordance with the approved lighting design scheme under condition discharge application DISC/21/0303 unless installed prior to the occupation of the buildings hereby approved in accordance with an alternative lighting design scheme submitted to and approved in writing by the local planning authority. Any alternative lighting design scheme shall be in accordance with the Institute of Lighting Professional's Guidance notes for the reduction of obstructive light and shall have been designed by a suitably qualified person in accordance

with the recommendations. The scheme shall include identification of 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 plans 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. All such lighting shall be maintained in accordance with the approved details.

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 in the interests of safeguarding the amenities of the site and surrounds in accordance with policies 31, 32 and 33 of the Horsham District Planning Framework and Policy 4 of the Slinfold Neighbourhood Plan (2018).

7 **Regulatory Condition**: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecology Appraisal (the Ecology Coop, October 2020), the Ecology Letter (The Ecology Coop, February 2021) and emails submitted to the LPA by The Ecology Co-op, dated 28th May 2021 and 4th June 2021) as approved under planning permissions DC/21/0686 and DC/22/1200.

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 District Planning Framework and Policy 4 of the Slinfold Neighbourhood Plan (2018).

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**.

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.

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.

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.