Horsham District Council

Amanda Sutton
Neame Sutton Limited
West Suite
Coles Yard Barn
North Lane
Clanfield
PO8 0RN

The Mucky Duck Tismans Common Rudgwick West Sussex
Proposed redevelopment and change of use of the former public house and outbuildings The Mucky Duck (sui generis Use Class), and the adjacent residential property The Old House (Class C3), to a boutique hotel (Class C1), restaurant and bar (Class E (b) (FULL).

Your application DC/24/1855 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.

Biodiversity Net Gain Condition
Please note the requirement within the Environment Act 2021 for development to deliver a minimum of 10% net gain in biodiversity may be applicable to your development. In the event your development is required to achieve a minimum 10% net gain in biodiversity then a Biodiversity Net Gain Condition (separate to the main list of conditions) will appear on your decision notice requiring the submission of a Biodiversity Gain Plan for approval prior to development commencing.

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

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Application Number: DC/24/1855

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

On behalf of: AJW Hospitality Ltd AJW Hospitality Ltd

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:

Proposed redevelopment and change of use of the former public house and outbuildings The Mucky Duck (sui generis Use Class), and the adjacent residential property The Old House (Class C3), to a boutique hotel (Class C1), restaurant and bar (Class E (b) (FULL).

The Mucky Duck Tismans Common Rudgwick West Sussex

to be carried out in accordance with Application No. DC/24/1855 submitted to the Council on 20/01/2025 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 20/11/2025

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
Floor plan	Proposed Basement Plan - Mucky Duck	0011 P05	02.12.2024
Floor plan	Proposed Ground Floor Plan - Mucky Duck	0012 P04	02.12.2024
Floor plan	Proposed First Floor Plan - Mucky Duck	0013 P04	02.12.2024
Elevation plan	Proposed North and East - Mucky Duck	0014 P06	02.12.2024

Elevation plan	Proposed South and West Elevations - Mucky Duck	0015 P06	02.12.2024
Elevation plan	Proposed Elevations- Ducklings	0016 P05	02.12.2024
Floor plan	Proposed Ground Floor Plan - Ducklings	0017 P04	02.12.2024
Floor plan	Proposed First Floor Plan- Ducklings	0018 P04	02.12.2024
Floor plan	Proposed Floor and roof plans - The Old House	0019 P03	02.12.2024
Elevation plan	Proposed Elevations - The Old House	0020 P04	02.12.2024
Roof plan	Proposed Roof Plan - Mucky Duck	0021 P02	02.12.2024
Supporting Statement	COMBINED GEOTECHNICAL ASSESSMENT AND GROUND CONTAMINATION STATUS REPORT part one of two		02.12.2024
Roof plan	Proposed Roof Plan	0022 P01	02.12.2024
Site plan	Proposed site plan	0010 P03	18.07.2025
Plans	Landscape Maintenance Schedule		16.07.2025
Plans	TREE PIT FOR MEDIUM SPECIES IN HARD LANDSCAPE SECTION A-A	GBU-GEN-MCD-3002 A	16.07.2025
Plans	PLANTING PLAN - STRUCTURE	10574-PL-01 P2	16.07.2025
Plans	TREE PIT FOR MEDIUM SPECIES IN HARD LANDSCAPE	GBU-GEN-MCD-3001 A	16.07.2025
Plans	PLANTING PLAN - MUCKY DUCK INFILL	10574-PL-03 P2	16.07.2025
Plans	LANDSCAPE SURFACE FINSHES	10574-LA-04 P2	16.07.2025
Plans	PLANTING PLAN - OLD HOUSE INFILL	10574-PL-02 P2	16.07.2025
Plans	DESIGN INTENT- BRICK WALL WITHIN RPZ	10574-DT-01 P2	16.07.2025
Location plan	LOCATION PLAN	0007 P02	20.01.2025
Tree plan	TREE CONSTRAINT PLAN	05174P_TCP_02 B	02.12.2024
Supporting Statement	Access Location Note		08.10.2025
Supporting Statement	Alternative Access Location Note		08.10.2025
Supporting Statement	Transport Statement		08.08.2025
Supporting Statement	Landscape Maintenance and Management Plan		16.07.2025
Supporting Statement	Drainage Technical Note by French Engineering 15 July 2025		16.07.2025
Supporting Statement	Arboriculture Impact Assessment		16.07.2025
Supporting Statement	HARDWORKS STRATEGY DOCUMENT		16.07.2025
Supporting Statement	Ecological Impact Assessment		11.04.2025

Supporting Statement	NOISE IMPACT ASSESSMENT: 19619-NIA-01		20.01.2025
Supporting Statement	BAT SCOPING REPORT AND PRELIMINARY ECOLOGICAL APPRAISAL: 6210		02.12.2024
Supporting Statement	Bat Emergence Survey		02.12.2024
Supporting Statement	TRAVEL PLAN STATEMENT: DS/SG/ITS19914-002		02.12.2024
Supporting Statement	COMBINED GEOTECHNICAL ASSESSMENT AND GROUND CONTAMINATION STATUS REPORT EXPLANATORY NOTES Part two of two		02.12.2024

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 details of the precise location and depth of all drainage infrastructure, both onsite and offsite to point of connection with foul discharge and surface water highway drains is confirmed by survey or otherwise, and where necessary, updated maintenance easements has been submitted to and approved in writing by the Local Planning Authority. The drainage infrastructure so approved shall be implemented in full accordance with the approved details unless otherwise agreed by the Local Planning Authority.

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 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.
(a) the location for the loading and unloading of plant and materials, site offices, and storage of plant and materials (including any stripped topsoil)
(b) 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 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).

5 **Pre-Commencement Condition**: No development shall commence until a 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) Containment, control and removal of any Invasive non-native species present on site The approved 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 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 District Planning Framework (2015) and RNP17 of the Rudgwick Neighbourhood Plan (2021).

6 **Pre-commencement Condition**: Prior to the commencement of any works which will impact the breeding/resting places of bats the local Planning Authority shall be provided with either:

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

b) evidence of site registration supplied by an individual registered to use a Bat Mitigation Class Licence; or

c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To conserve protected 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 s17 Crime & Disorder Act 1998 and Policy 31 of the Horsham District Planning Framework (2015) and RNP17 of the Rudgwick Neighbourhood Plan (2021).

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 a Biodiversity Enhancement Strategy for Protected and Priority species or threatened species, prepared by a suitably qualified ecologist 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 or product descriptions to achieve stated objectives 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: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the Local Planning Authority to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) and RNP17 of the Rudgwick Neighbourhood Plan (2021).

8 **Pre-Commencement (Slab Level) 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, and a methodology of implementation, to be used for external walls, windows and roofs of the approved buildings 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 the safeguarding the setting of the listed building and visual amenity and character by endeavouring to achieve buildings of visual quality in accordance with Policies 33 and 34 of the Horsham District Planning Framework (2015) and RNP17 of the Rudgwick Neighbourhood Plan (2021).

9 **Pre-Occupation Condition**: Prior to the commencement of the uses hereby permitted details and full specifications of kitchen fume extraction and filtration equipment, with supporting elevational plans and ongoing maintenance plan, shall have been submitted to and approved in writing by the local planning authority. The scheme of filtration shall take account of the odour risk and where necessary shall include supporting external and internal elevational drawings and plans of the proposed ventilation layout. The use hereby permitted shall not commence until the approved details are fully implemented. The approved fume extraction and filtration equipment shall thereafter be retained and maintained in working order for the duration of the use in accordance with the approved details.

Reason: As this matter is fundamental in the interests of neighbouring residential and the sites occupants' amenities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

10 **Pre-Occupation Condition**: No internally and/or externally located plant, machinery equipment or building services plant shall be operated until an assessment of the acoustic impact arising from the operation of all such equipment has been undertaken and has been submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken in accordance with BS 4142:2014 (or subsequent superseding equivalent) and other relevant measures and shall include a scheme of attenuation measures to mitigate any adverse impacts identified in the acoustic assessment and ensure the rating level of noise emitted from the proposed building services plant is not greater than 5 dBA less than background. The scheme as approved by the Local Planning Authority shall be fully installed prior to first operation of the plant and shall be retained as such thereafter.

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

11 **Pre-Occupation Condition** Prior to the commencement of the uses herby permitted or the operation of any building services plant, a post-installation noise assessment shall be carried out by a suitably qualified acoustic consultant, including suitable measurements and

calculation, to confirm compliance with the approved noise criteria which shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and attenuation measures, and they shall be permanently retained and maintained in working order for the duration of the use and their operation.

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

12 **Pre-Occupation Condition**:

i) Prior to the first use of any part of the development hereby permitted a lighting design scheme for biodiversity based on Guidance Note: 08/23 (Institute of Lighting Professionals) shall be 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 and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

The submitted lighting design scheme, including a schedule of luminaires to be used, must be in accordance with the Institute of Lighting Professional's Guidance notes for the reduction of obtrusive light. The scheme must be designed by a suitably qualified person in accordance with the recommendations for environmental zone E1 in the ILP document Guidance Notes for the Reduction of Obtrusive Light GN01-21.

ii) Prior to the commencement of operation of the approved lighting scheme the applicant shall appoint a suitably qualified member of the institute of lighting professionals (ILP) to validate that the lighting scheme as installed conforms to the recommendations for environmental zone E1 in the ILP document Guidance Notes for the Reduction of Obtrusive Light GN01-21 the validation report shall be submitted to and approved by the local planning authority and the approved details and attenuation measures shall be permanently retained and maintained in working order for the duration of the use and their operation.

iii) All external lighting shall be installed in accordance with the specifications and locations set out in the above approved 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 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 and to safeguard the amenities of the site and surrounds in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

13 **Pre-Occupation Condition**: Prior to the first use of any part of the development herby permitted an operational site management plan shall have been submitted and approved in writing by the local planning authority.

This should include but not be limited to, hours of operation, management responsibilities during all operating hours, measures to control noise from live and amplified music, including screening of events with amplified sound, and minimising the effects of

patrons using the external area and car park hereby permitted and causing nuisance for people in the area. The plan must also include details of the person or role responsible for recording and rectifying any significant issues as they are reported and how those details will be publicised and made available to the public.

All complaints shall be logged and recorded in a suitable manner, along with any corrective action carried out to address the matters raised.

The uses hereby permitted shall thereafter be operated in accordance with the approved details and the record of complaints shall be produced on any reasonable request of a suitably authorised officer of the Council.

Reason: In the interests of residential amenities by ensuring an acceptable noise level for the occupants and neighbours of the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

e & Disorder Act 1998.

14 **Pre-Occupation Condition**: None of the uses of the development hereby permitted shall commence until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled 'Site Access and Visibility Splay' and numbered ITS19914-GA-004A as shown in the Transport Statement i-Transport Ref: DS/SG/ITS19914-001B Date: 07 August 2025.

Reason: In the interests of road safety to ensure safe access to and from the highway network and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

15 **Pre-Occupation Condition**: None of the uses of the development hereby permitted shall commence until such time as the existing vehicular accesses points onto Hornshill Lane and Loxwood Road have been physically closed (via a 'stopping up' order) in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

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

16 **Pre-Occupation Condition**: None of the uses of the development hereby permitted shall commence until visibility splays of 2.4 metres by 54 metres have been provided at the proposed site vehicular access onto Hornshill Lane 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 **Pre-Occupation Condition**: None of the uses of the development hereby permitted shall commence until means for the charging of electric vehicles by way of fast charging points have been installed in accordance with details 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 and include a plan of all charging points, their specification, means of allocation, and means for their long-term maintenance. The means for charging electric vehicles shall be retained as such thereafter.

Reason: To provide electric vehicle car charging provision on site and 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, 35 & 41 of the Horsham District Planning Framework (2015).

18 **Pre-Occupation Condition**: None of the uses of the development hereby permitted shall commence until a plan showing the layout of the proposed development and the provision of car parking and turning spaces and materials to be used for the car parking and turning spaces and the driveway access to minimise noise, and details of the covered parking space structures for vehicles has been submitted to and approved in writing by the Local Planning Authority. None of the uses hereby permitted shall be commenced until the parking spaces and access and turning associated with it have been provided in accordance with the approved details. The areas of land so provided shall thereafter be retained for the parking, access, and turning of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the parking and turning of vehicles clear of all highways and to safeguard the amenities of the site and surrounds in accordance with Policies 32, 33 and 40 of the Horsham District Planning Framework (2015)

19 **Pre-Occupation Condition**: None of the uses of the development hereby permitted shall commence until details of secure and covered cycle parking facilities for the development have been submitted to and approved in writing by the Local Planning Authority. None of the uses of the development hereby permitted shall commence until the approved cycle parking facilities associated with the uses have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

20 **Pre-Occupation Condition**: Prior to first use of the development herby permitted the below details shall have been submitted to and approved by the Local Planning Authority:

a) Details of the new north boundary wall including confirmation from a competent person that the proposed lintel spanning the Root Protection Zone to T1 and T12 is structurally sound.

b) Evidence that the wall has been erected and completed in line with the details submitted under part a of this condition.

Reason: To safeguard the amenities of the site and surrounds in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

21 **Pre-Occupation Condition**: The uses hereby permitted shall not commence unless and until provision for the storage of refuse and recycling has been made for that use in accordance with the details to be submitted to and approved by the Local Planning Authority. These facilities shall thereafter be retained for use at all times.

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

22 **Regulatory Condition**: The development hereby permitted shall be implemented in full as specified within the approved TRAVEL PLAN STATEMENT: DS/SG/ITS19914-002 document.

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

23 **Regulatory Condition**: No external playing of live or recorded amplified music or other amplified sound, including use of public address systems, shall be permitted at any time.

Reason: To safeguard the amenities of the neighbouring properties and rural amenities and character in accordance with Policies 25, 32 and 33 of the Horsham District Planning Framework (2015).

24 **Regulatory Condition**: No works of demolition, construction and ancillary activities for the implementation of the development, including deliveries and dispatch, shall be carried except between the hours of:

08:00am-18:00pm of the same day, Monday to Friday
08:00am to 13:00pm of the same day, Saturdays and at no time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the neighbouring properties and rural amenities and character in accordance with Policies 25, 32 and 33 of the Horsham District Planning Framework (2015).

25 **Regulatory Condition**: No deliveries or dispatch shall be carried out except between the hours of 08:00am - 18:00pm of the same day Monday to Saturday and at no time on Sunday and public/bank holidays.

Reason: To safeguard the amenities of the neighbouring properties and rural amenities and character in accordance with Policies 25, 32 and 33 of the Horsham District Planning Framework (2015).

26 **Regulatory Condition**: No customer trade or business shall take place in the restaurant, bar and function space as shown on approved drawing 0010 P03 and those areas shall not be open for the public (including patrons of the hotel) except between the hours of:

06:30am-23:00pm hours of the same day Sunday to Thursday,
06:30am- 00:00pm hours of the same day Friday and Saturday

Reason: To safeguard the amenities of the neighbouring properties and rural amenities and character in accordance with Policies 25, 32 and 33 of the Horsham District Planning Framework (2015).

27 **Regulatory Condition**: No use of outdoor seating, garden of The Old House or outside function spaces) shall take place except between the hours of 08:00am and 22:00pm of the same day, any day, and emptied of patrons outside of these hours.

Reason: To safeguard the amenities of the site and surrounds in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

28 Condition: Notwithstanding any provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no hard surfaces for any purpose in relation to the development hereby approved shall be created without planning permission from the Local Planning Authority.

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with Policy 38 of the Horsham District Planning Framework (2015).

29 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any order amending or revoking and re-enacting the same, the buildings hereby approved shall not be extended or the external appearance altered in any way unless planning permission has been granted by the Local Planning Authority. No externally located plant or equipment shall be installed or operated without the prior written approval of the Local Planning Authority.

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

30 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 and the Town and Country Planning (Use Classes) Order 1987 (as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020) (or any order amending or revoking and/or re-enacting these Orders), the premises hereby permitted shall be used for

i) The Mucky Duck and its two outbuildings as boutique hotel (Use Class C1) and restaurant and bar (Use Class E(b))
ii)The Old House as ancillary hotel accommodation (Use Class C1 only);

and for no other purposes whatsoever, (including those falling within Class E as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without express planning consent from the Local Planning Authority first being obtained.

Reason: Changes of use as permitted by the Town and Country Planning (General Permitted Development) Order or Use Classes Order 1987 are not considered appropriate in this case due to the location of the buildings under Policies 26 and 33 of the Horsham District Planning Framework (2015).

31 **Regulatory Condition**: The Old House hotel accommodation (Use Class C1) hereby permitted shall be ancillary to The Mucky Duck and two outbuilding boutique hotel (Use Class C1) and restaurant and bar (Use Class E(b)) use and shall not be used as an independent commercial unit.

Reason: To ensure The Old House use is related to The Mucky Duck public house diversification enterprise in the interests of sustainability and rural economic development and the setting of the listed building, in compliance with Policies 10, 26 and 34 of the Horsham District Planning Framework (2015).

32 **Regulatory Condition**: 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 or retained 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 setting of the listed building, landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policies 33 and 34 of the Horsham District Planning Framework (2015) and RNP17 of the Rudgwick Neighbourhood Plan (2021).

33 **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 (Ecology Works, March 2025), Draft Habitat and Management Monitoring Plan (The Ecology Co-op, November 2024), Bat Emergence Surveys (Ecology Works Limited, November 2024) and Bat Scoping Report and Preliminary Ecological Appraisal (The Ecology Co-op, March 2024), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This will 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 District Planning Framework (2025) and RNP17 of the Rudgwick Neighbourhood Plan (2021).

34 **Regulatory Condition**: All works shall be executed in full accordance with the submitted Arboricultural Impact Assessment/Method Statement BS5837 Arboricultural impact Assessment and Method Statement, 05174R, July 2025.

Reason: To ensure the successful and satisfactory protection of important trees, shrubs and hedges on the site in accordance with Policies 31 and 33 of the Horsham District Planning Framework (2015) and RNP17 of the Rudgwick Neighbourhood Plan (2021).

Note to Applicant
The foul drainage associated with this development will require an environmental permit (or variation of an environmental permit) from us under the Environmental Permitting (England & Wales) Regulations 2016, unless an exemption applies. The applicant is advised to contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk for further advice and to discuss the issues likely to be raised. The applicant should be aware that there is no guarantee that a permit or variation will be granted. Additional 'Environmental Permitting Guidance' can be found at - https://www.gov.uk/environmental-permit-check-if-you-need-one. Where connection to a mains foul sewer is not feasible and a discharge of treated sewage effluent will be made to ground, we expect any new infiltration system to be built to British Standard BS6297:2007 A1:2008 Code of practice for the design and installation of drainage fields for use in wastewater treatment (or latest version).

Note to Applicant
Works within the Highway - Area Office Team The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the closure of the site accesses on the public highway.

Note to Applicant
Biodiversity Net Gain Condition
Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission is Horsham District Council.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: Submit a biodiversity gain plan - GOV.UK (www.gov.uk).

Statutory exemptions and transitional arrangements
There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at https://www.gov.uk/guidance/biodiversity-net-gain.

Irreplaceable habitat
If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

Note to Applicant
The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.

Note to Applicant
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, http://www.bats.org.uk/.

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.