



SUPPORTING PLANNING STATEMENT

**Wychwood
Faircox Lane
Henfield
West Sussex
BN5 9PD**

**Variation of Condition 1 on previously approved application
DC/24/1734 (Demolition of existing dwelling, garage and
physiotherapy pool room and erection of a replacement
dwelling with physiotherapy pool building) to amend the design
of the approved replacement dwelling (Plans) and Removal of
Condition 7 (Water Neutrality Strategy)**

Client: Mr and Mrs S Preston

May 2026

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Appendix A

Decision Notice for DC/24/1734

1.0 Introduction

- 1.1 Sadler Planning Limited is instructed by Mr and Mrs Preston to submit a S73 application to vary condition 1 on previously approved application DC/24/1734 (Demolition of existing dwelling, garage and physiotherapy pool room and erection of a replacement dwelling with physiotherapy pool building) to amend the design of the approved replacement dwelling (Plans) and removal of condition 7 (Water Neutrality Strategy) at Wychwood, Faircox Lane, Henfield.
- 1.2 This Planning, Design and Access Statement has been written by Kathryn Sadler BA (Hons) Dip TP MRTPI who has over 23 years experience of working as a Town Planner within local authorities and private practices within the southeast.
- 1.3 The Statement should be read in conjunction with:
 - The plans provided by Folkes Architects,

2.0 Background

- 2.1 Application DC/24/1734 permitted the demolition of the existing dwelling, garage and physiotherapy pool room and the erection of a replacement dwelling with physiotherapy pool building on 21st January 2025.
- 2.2 Conditions 3, 4, 5 and 7 were discharged under discharge of condition application DISC/25/0238.
- 2.3 Works have commenced with the existing dwelling being demolished and the proposed replacement dwelling starting to be built.

3.0 Variation of Condition 1

- 3.1 This application seeks the variation of condition 1 to substitute the plans with new plans that show several amendments to the approved scheme.
- 3.2 Since the consent was granted a number of alterations are now required in order to keep costs down. These include:
- Removal of the physio swimming pool from the front of the house and its relocation to the side of the house;
 - Reduction in the width of the house by 1m to the front part of the southern wall adjacent to the hall / stairway;
 - Alteration to the front door / porch arrangement;
 - Alteration to the number and size of windows in the southern side elevation from three windows to two high level windows; and
 - A change of materials to the southern and northern side elevations from render to brick.
- 3.3 These alterations are considered to be minor within the spirit of the approved application and reduce the overall impact of the permitted scheme.
- 3.4 For the avoidance of doubt, the following permitted plans are to be superseded by the following plans:
- Site Plan as Proposed 2.02 is to be replaced by Site Plan as Proposed 2.02A;
 - Elevations as Proposed 2.05 is to be replaced by Elevations as Proposed 2.05B;
 - Ground Floor Plan as Proposed 2.03 is to be replaced by Ground Floor Plan as Proposed 2.03B; and
 - First Floor & Roof Plan as Proposed 2.04 is to be replaced by 2.04A.
- 3.5 The proposed alterations are considered to be minor changes that reduce the overall size of the approved replacement dwelling. The relocation of the swimming pool would significantly reduce the bulk and mass of built form to the front of the dwelling.
- 3.6 The setting in of the side elevation by 1m at the front of the dwelling would pull the southern elevation away from the southern boundary by 1m which would give a greater distance to the boundary.
- 3.7 The reduction in the size and number of windows within the southern side elevation and their replacement with two high level windows would prevent any overlooking of neighbouring occupiers amenities.
- 3.8 The use of bricks to the southern and northern side walls would be in keeping as brick work was permitted under the original application and is in keeping with the character of other properties in the area.
- 3.9 The variation would maintain the general character and visual amenity of the approved scheme and would not result in any adverse impact on the wider surrounding area. It is

considered there are no implications in respect of neighbouring amenity above the existing scheme in accordance with policies 32 and 33 of the Horsham District Planning Framework.

4.0 Removal of Condition 7

- 4.1 As part of this application, it is requested that Condition 7 is removed which relates to water neutrality.
- 4.2 This request follows the withdrawal of Natural England's former Position Statement on 31st October 2025 regarding water neutrality. As confirmed on the Council's website, *"This follows agreement between Natural England, Southern Water and the Environment Agency that a reduction in the licence cap on water abstraction will ensure with sufficient certainty that development will not adversely impact the protected Arun Valley habitats. This is the primary element of interest to local authorities in making decisions regarding relevant plans or projects, as it removes the connection between abstraction and growth."*
- 4.3 Natural England has now advised that issues of water abstraction can be addressed without requiring individual developments to demonstrate water neutrality. There is no need for water neutrality statements, no payments to SNWCS and no bespoke conditions or s106 obligations requiring water neutrality to be demonstrated.
- 4.4 In respect of existing permissions, the Council's guidance confirms that: *"For applicants who have existing planning permissions with conditions and s106 obligations requiring compliance with bespoke water neutrality mitigation, we will consider applications under s.73 of the Town and Country Planning Act to remove those conditions, and any associated applications to vary or discharge any relevant s106 obligations. If your permission is for new dwellings, we will instead apply a condition requiring compliance with the Building Regulations Part G Optional Technical Standard referred to above. This is the same condition we applied to all new dwellings prior to the 2021 Position Statement."*
- 4.5 Condition 11 on Application DC/24/1734 already limits the water usage of the proposed replacement dwelling to no more than 100 litres per person per day in accordance with the optional requirement of Building Regulation G2.
- 4.6 As set out above and having regard to the latest guidance, this application seeks to amend the current permission by removing the water neutrality condition.

5.0 Conclusion

- 5.1 Condition 1 which relates to approved plans, needs to be varied in order to allow amendments to the proposed scheme. The amendments sought are minor and reduce the bulk and mass of the permitted dwelling. It is therefore considered that the amendments should be approved.
- 5.2 The request to remove Condition 7 which relates to water neutrality follows the withdrawal of Natural England's former Position Statement on water neutrality. Given the latest guidance, it is therefore considered that the condition should be removed.
- 5.3 Under Regulations 4, 5, 7 & 8 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024 the statutory biodiversity gain condition required by Schedule 7A to the Town and Country Planning Act 1990 (as amended) does not apply in relation to planning permission for development which consists of no more than 9 dwellings, is carried out on a site which has an area no larger than 0.5 hectares, and consists exclusively of dwellings which are self-build or custom housebuilding ("Self-build or custom housebuilding" has the same meaning as in section 1(A1) of the Self-build and Custom Housebuilding Act 2015 (as amended)). Therefore, this application is exempt from biodiversity net gain and as such does not require approval of a biodiversity gain plan.
- 5.4 Therefore, this application is submitted to you for your favourable consideration.

Appendix A

Ms Kathryn Sadler
Sadler Planning Limited
108 College Lane
Hurstpierpoint
West Sussex
BN6 9AJ

Wychwood Faircox Lane Henfield West Sussex

Demolition of existing dwelling, garage & physiotherapy pool room and erection of a replacement dwelling with physiotherapy pool building

Your application DC/24/1734 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



Ms Kathryn Sadler
Sadler Planning Limited
108 College Lane
Hurstpierpoint
West Sussex
BN6 9AJ

Application Number: DC/24/1734

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

On behalf of: Mr and Mrs S Preston

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:

Demolition of existing dwelling, garage & physiotherapy pool room and erection of a replacement dwelling with physiotherapy pool building

Wychwood Faircox Lane Henfield West Sussex

to be carried out in accordance with Application No. DC/24/1734 submitted to the Council on 26/11/2024 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 21/01/2025

- 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
Location & Block plan	Site Plan As Proposed	2.02	26.11.2024
Elevation & Floor plan	Existing Plans, Section and Elevations	01	07.11.2024
Elevation & Floor plan	Pool House General Arrangement As Existing	1.03	26.11.2024
Site plan	Site Plan As Existing	1.02	07.11.2024
Elevation plan	Elevations As Proposed	2.05	07.11.2024

Floor plan	First Floor & Roof Plan As Proposed	2.04	07.11.2024
Floor plan	Ground Floor Plan As Proposed	2.03	07.11.2024
Site plan	Location Plan As Proposed	2.02	07.11.2024
Supporting Statement	Water Neutrality Statement by Folkes Architects dated June 2024	NONE Rev A	07.11.2024
Supporting Statement	Bat Emergence and Activity Survey Report by CT Ecology dated 16.09.2024	24033	07.11.2024
Supporting Statement	Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment by CT Ecology dated 01.09.2024	24033	07.11.2024

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:** Prior to commencement of any works on site, demolition or other development activities, a protective fence consisting of either chestnut paling (1.8m height) fastened to a post and rail fence or braced Heras panel fencing, shall be erected to a minimum of 5m metres from the centre of the birch tree at the front of the property so as to exclude storage of materials, concrete mixing, excavation or other building activities likely to be harmful to tree roots and the rooting environment. Such fencing shall remain in place throughout the duration of the development to the satisfaction of the Local Planning Authority.

The Local Planning Authority Tree Officer shall be informed of the proposed date of commencement, at least one working week in advance, to allow inspection of protection measures.

Reason: To ensure the successful and satisfactory protection of important trees on the site in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).

- 4 **Pre-Commencement (Slab Level) Condition:** Prior to any works above slab level, a Biodiversity Enhancement Layout for biodiversity enhancements listed in the Bat Emergence and Activity Survey Report (CT Ecology, September 2024) and Preliminary Ecological Appraisal & Preliminary Bat Roost Assessment (CT Ecology, September 2024) shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Layout shall include the following:

- a) detailed designs or product descriptions for biodiversity enhancements; and
- b) locations, orientations and heights for biodiversity enhancements on appropriate drawings.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under paragraph 187d of the NPPF 2024 and s40 of the NERC Act 2006 (as amended).

- 5 **Pre-Occupation Condition:** Prior to occupation 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.

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. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

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 (as amended) and Policy 31 of the Horsham Development Framework.

- 6 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the cycle parking facilities serving it have been provided either on the side or rear garden for that dwelling. The facilities shall thereafter be retained for use at all times. The cycle parking facilities shall thereafter be retained as such for their designated use.

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).

- 7 **Pre-Occupation Condition:** The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (dated June 2024). The swimming pool hereby permitted shall not be first used (through its filling with water) until details setting out how water will be provided to the site have been submitted to and approved in writing by the Local Planning Authority. The details shall set out measures to ensure the swimming pool sources water by way of delivery without placing additional demand on the mains water supply. The swimming pool shall thereafter be filled in accordance with the agreed details, which shall be adhered to thereafter.

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 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

- 8 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling has been provided within the garage or side or rear garden for that dwelling (or use). 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).

- 9 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a fast charge electric vehicle charging point for that dwelling has been installed. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

Reason: 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 & 41 of the Horsham District Planning Framework (2015).

- 10 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabits per second through full fibre broadband connection has been provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

- 11 **Regulatory Condition:** The dwelling(s) hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to no more than 110 litres per person per day. The subsequently installed water limiting measures shall thereafter be retained.

Reason: 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).

- 12 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 13 **Regulatory Condition:** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Bat Emergence and Activity Survey Report (CT Ecology, September 2024) and Preliminary Ecological Appraisal & Preliminary Bat Roost Assessment (CT Ecology, September 2024), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the non-licensed Precautionary Method Statement for bats in Section 5.3 of the Bat Emergence and Activity Survey Report (CT Ecology, September 2024), which avoids impacts on European Protected Species.

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 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 (as amended) and Policy 31 of the Horsham Development Framework.

- 14 **Regulatory Condition:** All works of demolition, construction and ancillary activities, including deliveries and dispatch, shall be restricted to 08:00-18:00 hours on Monday to Friday, from 08:00 to 13:00 hours on Saturdays and at no time on Sundays or Bank Holidays.

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

- 15 **Regulatory Condition:** All site clearance waste and construction waste shall be removed from site by an appropriately licensed waste removal contractor including all asbestos waste. No burning of demolition, construction, site clearance or other materials shall be undertaken on site.

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

Note to Applicant

The vehicular access to the application site is to be along Faircox Lane, which carries Public Footpath 2553 within the application's red line boundary. In view of the potential conflict between the public using the footpath and demolition and construction traffic, the Applicant's attention is particularly drawn to paragraph I, below.

A. The granting of planning permission does not authorise obstruction of, interference to or moving of any Public Right of Way (PROW); this can only be done with the prior consent of West Sussex County Council (WSCC), as highway authority, and possibly also a legal Order process by the relevant local planning authority. Further advice can be provided on request.

B. Safe and convenient public access is to be available at all times across the full width of the PROW, which may be wider than the available and used route - advice on the legal width can be provided by the WSCC PROW Team.

C. The path is not to be obstructed by vehicles, plant, scaffolding or the temporary storage of materials and / or chemicals during any works. These will constitute an offence of obstruction under the Highways Act 1980.

D. No new structures, such as gates and stiles, are to be installed within the width of the PROW without the prior consent of the WSCC PROW Team. These will constitute an offence of obstruction under the Highways Act 1980.

E. Any down pipes or soakaways associated with the development should discharge into an existing or new drainage system and away from the surface of the PROW. No drainage system is to be installed through the surface of the path without the prior consent of the WSCC PROW Team.

F. Where the ground levels adjacent to the PROW are to be raised above existing ground levels, this could increase the potential to flood the path. A suitable drainage system must be installed adjacent to the path to a specification agreed with the WSCC PROW Team prior to development commencing.

G. Any alteration to or replacement of the existing boundary with the PROW, or the erection of new fence lines, must be done in consultation with the WSCC PROW Team to ensure the legal width of the path is not reduced and there is no unlawful encroachment.

H. Access along a PROW by contractors' vehicles, deliveries or plant is only lawful if the applicant can prove it has a vehicular right; without this an offence under the Road Traffic Act 1988 section 34(1) is being committed.

I. The applicant is advised that a public access right has precedence over a private access right. Where a PROW runs along a route also used for private access purposes, usually for private vehicle access, this shared use has the potential for accident or injury - the applicant must consider how access is managed so the public is not endangered or inconvenienced.

J. Some properties have private rights over them for the benefit of a particular individual or property; for example, a landowner may have the right to drive over a neighbour's track to gain access to property. This right of access is granted to individuals and / or properties only and does not extend to the public. The WSCC PROW Team does not hold records of private rights of access; the applicant is encouraged to check that no private access rights will be detrimentally affected by this proposal.

K. It is an offence to damage the surface of a PROW without the prior consent of the WSCC PROW Team. The applicant must supply a specification and secure the approval of the WSCC PROW Team before works affecting the PROW begin, even if the surface is to be improved. Where a PROW surface is damaged and there was no prior consent, the applicant will be liable and required to make good the surface to a standard satisfactory to the WSCC PROW Team.

L. Where it is necessary to undertake works within the legal width of a PROW, e.g. install utilities, (or for development works immediately adjacent to a PROW that can not reasonably be managed through different Health and Safety practice) the applicant must be advised to apply to WSCC PROW Team for a temporary path closure. The applicant must be advised there is no guarantee an application will be approved; that a minimum of 6 weeks is needed to consider an application.

M. Where it will be necessary to permanently divert or extinguish a path 'to enable development to take place' by means of a Public Path Order (PPO) (most often under Town & Country Planning Act 1990 s257), to be applied for by the developer through the Local Planning Authority prior to development, WSCC PROW Team is not able to grant a temporary path closure as a precursor to a PPO. In such circumstance, WSCC PROW Team will only consider an application for a temporary path closure once the Local Planning Authority has made and confirmed a PPO.

N. Consented development is often subject to various environmental requirements, which can impact on the availability of PROW. For example, Great Crested Newt fencing has often been known to be laid across a PROW, which is either subject to installation of unauthorised stiles or gates, or unlawfully diverted around the site edge. The applicant must be advised that any environmental licence, such as from Natural England, does not negate the need to provide the legal line of a PROW without additional structures.

O. If the development proposes shared use of a PROW with vehicles (and / or introduces a vehicle crossing point of a PROW), which may increase the risk of accident or injury to a PROW user, then the applicant is encouraged to introduce signage to advise vehicle drivers of the hazard and to act responsibly.

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.

Under Regulations 4, 5, 7 & 8 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024 the statutory biodiversity gain condition required by Schedule 7A to the Town and Country Planning Act 1990 (as amended) does not apply in relation to planning permission for development which:

1. does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (a hedgerow habitat or watercourse habitat identified for the purposes of the biodiversity metric);
2. is the subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015;
3. is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the biodiversity gain planning condition which applies in relation to another development (In determining whether a development is undertaken solely or mainly for this purpose, no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee);
4. consists of no more than 9 dwellings, is carried out on a site which has an area no larger than 0.5 hectares, and consists exclusively of dwellings which are self-build or custom housebuilding ("Self-build or custom housebuilding" has the same meaning as in section 1(A1) of the Self-build and Custom Housebuilding Act 2015 (as amended)).

Based on the information submitted in the planning application documents, the Planning Authority considers that this permission is exempt from biodiversity net gain, and as such does not require approval of a biodiversity gain plan before development is begun.

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 – 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>.