Horsham District Council

Mr Nikolas Antoniou
NJA Town Planning Ltd
The Beehive
City Place
Gatwick
RH6 0PA

Our ref:	DC/25/0774
Your ref:	Kestrel Farm
Email:	planning@horsham.gov.uk
Direct Line:	01403 215429
If Calling Please ask for:	Bethan Tinning
Date:	3rd July 2025

Dear Sir/Madam,

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (General Permitted Development) (England) Order 2015
Application for Prior Approval under Schedule 2, Part 3, Class Q

Prior Notification for the conversion of an agricultural building to a single dwellinghouse.

Kestrel Farm Harbolets Road West Chiltington West Sussex

Further to the above prior notification which was received on 9 May 2025, I am writing to confirm that **prior approval is required and granted**. The proposal can now proceed subject to the following conditions:

1 **Regulatory Condition**: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that no unacceptable risks are caused to human, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with the National Planning Policy Framework.

2 **Regulatory Condition**: The materials and finishes of all new external walls and roofs of the development hereby permitted shall match in type, colour and texture those of the existing building.

Reason: In the interests of visual amenity and in accordance with the National Planning Policy Framework.

Schedule of plans/documents
The following plans and document were considered when making the above decision:

Plan Type	Description	Drawing Number	Received Date
Location plan		NONE	09.05.2025
Block plan		23.94_PL_002	09.05.2025
Floor plan	Existing roof	23.94_PL_003	09.05.2025
Elevation plan	Existing	23.94_PL_004	09.05.2025
Floor plan	Proposed	23.94_PL_100	09.05.2025
Elevation plan	Proposed	23.94_PL_101	09.05.2025
Supporting Statement	DC/23/0263	NONE	09.05.2025
Supporting Statement	DC/22/2293	NONE	09.05.2025
Supporting Statement	DC/22/1750	NONE	09.05.2025
Supporting Statement	DC/21/1998	NONE	09.05.2025
Supporting Statement	DC/21/1878	NONE	09.05.2025
Supporting Statement	DC/18/2716	NONE	09.05.2025
Supporting Statement	DC/18/0974	NONE	09.05.2025
Supporting Statement	Planning	NONE	09.05.2025
Supporting Statement	Cover letter	NONE	09.05.2025
Supporting Statement	Preliminary Contamination Risk Assessment	NONE	03.06.2025

Note to Applicant
Article 3(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended states that:

"Subject to the provisions of this Order and regulations 73 to 76 of the Conservation of Habitats and Species Regulations 2010 (general development orders), planning permission is hereby granted for the classes of development described as permitted development in Schedule 2."

Section 75 of the Conservation of Habitats and Species Regulations 2017 states that *"it is a condition of any planning permission granted by a general development order made on or after 30th November 2017, that development which –*

(a) Is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and

(b) Is not directly connected with or necessary to the management of the site, must not be begun until the developer has received written notification of the approval of the local planning authority under regulation 77 (approval of local planning authority)."

The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

On this basis, an application under Section 77 of the Conservation of Habitats and Species Regulations 2017 would be required to be submitted, and development subject of this Prior Approval application could not be carried out until a decision of such application has been made. Further details can be found through https://www.horsham.gov.uk/planning/water-neutrality-in-horsham-district/regulation-77-conservation-of-habitats-and-species-regulations.

Yours faithfully



Emma Parkes
Head of Development and Building Control

Further Information

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.

Appeals to the Secretary of State
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 this decision notice for a 'minor commercial' (shop front) application, and within 6 months for most 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

New postal addresses
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.

Waste bins
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.