Horsham District Council

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RH12 3PD

Application Number: DC/13/0698

TOWN AND COUNTRY PLANNING ACT, 1990 (as amended)
TOWN AND COUNTRY PLANNING (Development Management Procedure) (England) Order 2010

On behalf of: Mr Michael Taylor

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:

Replace mobile home with permanent dwelling for agricultural worker

Chantry Farm West Chiltington Lane Coneyhurst Billingshurst

to be carried out in accordance with Application No. DC/13/0698 submitted to the Council on 19/04/2013 and subject to compliance with the plans/documents and conditions specified hereunder.

Rod Brown
Head of Planning & Environmental Services

Date: 12/07/2013

1 The development hereby permitted shall be begun 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.

2 The occupation of the dwelling shall be limited to a person solely or mainly working or last working in the locality in agriculture as defined in Section 336(1) of the Town and Country Planning Act, or in forestry, or a widow or widower of such a person and to any resident dependants.

Reason: The site lies in an area where, in accordance with policy DC1 of the Horsham District Local Development Framework: General Development Control Policies (2007) development which cannot be justified as essential to the needs of agriculture or forestry would not normally be permitted.

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3 No external lighting or floodlighting shall be installed without the prior written approval of the Local Planning Authority. Any that is installed with the permission of the Local Planning Authority shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the locality and in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

4 No development shall be commenced unless and until a schedule of materials and samples of such materials and finishes and colours to be used for external walls and roofs of the proposed buildings(s) have been submitted to and approved by the Local Planning Authority in writing and all materials used shall conform to those approved.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

5 No works or development shall take place until full details of all hard and soft landscaping works have been approved in writing by the Local Planning Authority. All such works shall be carried out in accordance with the approved details. Any plants which within a period of 5 years from the time of planting die, are removed, or become 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 and in the interests of amenity in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

6 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (Amendment) (No2) (England) Order 2008 (or any order amending or revoking and re-enacting that Order with or without modification) no development falling within Classes A B C D E F G and H of Part 1 of Schedule 2 to the order shall be erected constructed or placed within the curtilage of the dwelling hereby permitted so as to enlarge improve or otherwise alter the appearance or setting of the dwelling unless permission is granted by the Local Planning Authority pursuant to an application for the purpose.

Reason: In the interest of visual amenity and in accordance with Policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

7 No development shall take place until details of screen walls and/or fences have been submitted to and approved in writing by the Local Planning Authority and no dwellings/buildings shall be occupied until such screen walls and/or fences associated with them have been erected. Thereafter the screen walls and/or fences shall be retained as approved and maintained in accordance with the approved details.

Reason: In the interests of amenity in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

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8 The dwelling shall achieve a Code Level 3 in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (or such national measures of sustainability for house design that replaces that scheme). The dwelling shall be occupied until a Final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.

Reason: To ensure the dwelling makes the most efficient use of renewable energy and to comply with policy DC8 of the Horsham District Local Development Framework: General Development Control Policies (2007).

9 Full details of means of surface water drainage to serve the development shall be submitted to and agreed in writing by the Local Planning Authority prior to works commencing on site. The scheme agreed shall be implemented strictly in accordance with such agreement unless subsequent amendments have been agreed with the Local Planning Authority.

Reason: To ensure that the development is properly drained.

10 Upon the occupation of the building hereby permitted the existing mobile shall cease to be used for any purpose whatsoever and within a period of one month thereafter such mobile home shall be removed from the site.

Reason: The site lies in an area where, under policy DC1 of the Horsham District Local Development Framework: General Development Control Policies (2007), permission for new development would not normally be granted.

11 This permission relates to the amended plan(s) submitted on 12/6/13 and not to the plan(s) originally submitted.

Reason: For the avoidance of doubt and because the scheme as originally submitted was unacceptable to the Local Planning Authority as it was contrary to policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

A. The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule below.

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

Schedule of plans/documents:

Location & Block plan Drwg no. DE437_01 P3 Received 12.06.2013
Design & Access Statement Drwg no. 13/303 Received 19.04.2013
Proposed Floor plan Drwg no. DE437_02 P3 Received 12.06.2013
Proposed Elevations plan Drwg no. DE437_03 P3 Received 12.06.2013
Street Scene plan Drwg no. DE437)04 Received 19.04.2013
Supporting Information Drwg no. NONE Received 19.04.2013
Supporting Statement Drwg no. NONE Received 19.04.2013
Supporting Statement Drwg no. NONE Received 19.04.2013
Supporting Documents Drwg no. NONE Received 19.04.2013

Note to Applicant

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While building works are underway, the developer/landowner should ensure that public use of the Public Right Of Way takes precedence over development vehicular traffic. It is a criminal offence to damage the surface of a Public Right Of Way and the consent/prior approval of any specification of the County Council must be sought for the route to be resurfaced even if the surface is to be improved. The applicant would be liable for any damage to the surface arising from his exercise of private access rights.

Note to Applicant
Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Note to Applicant:
In making this decision the Council has had regard to the following policy(ies) from the Local Development Framework Core Strategy/Local Development Framework General Development Control Policies:

CP1 CP3 CP15 DC1 DC2 DC9 DC27 DC40

Note to Applicant:
You are advised that this permission does not constitute an approval under the Building Regulations. 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.

REASONS FOR GRANTING PLANNING PERMISSION:

1 The proposal is considered appropriate to serve the present agricultural need of the holding.

N.B. PLANNING APPEAL PROCESS
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 and within 26 weeks for other types of planning applications. Please note, only the applicant possesses the right of appeal.

The details of how to appeal together with the form which must be used can be obtained from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or on-line at www.planningportal.gov.uk/pcs

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