Horsham District Council

Elivia Homes Limited
First Floor West Prism
1650 Parkway
Solent Business Park
Whiteley
Fareham
PO15 7AH

Application Number: DC/24/1920

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

On behalf of: Elivia Homes Limited

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:

Non Material Amendment to previously approved application DC/24/0977 (Variation to condition 1 to approved application DC/22/0372 (Demolition of existing buildings and erection of 74 dwellings with associated parking and landscaping) to enable a substation to be provided) to amend house types.

Chanctonbury Nurseries, Rectory Lane, Ashington, Pulborough

to be carried out in accordance with Application No. as amended by application No. DC/24/1920 submitted to the Council on 10/12/2024 (as modified by relevant conditions, if any) and subject to compliance with the plans/documents and conditions specified.

Emma Parkes
Head of Development and Building Control

Date: 03/02/2025

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
Elevation & Floor plan		C9_23_46_AFF_H TC1_00 A	27.01.2025
Elevation & Floor plan	Plots 23, 24, 25, 26	C9_23_46_AFF_H TC1_D1_00	02.12.2024

Elevation & Floor plan	Plots 67, 68, 69	C9_23_46_AFF_HTD1_O_00	02.12.2024
Elevation & Floor plan	Plots 28, 29	C9_23_46_HTC_00	02.12.2024
Elevation & Floor plan	Plots 40, 41, 42, 43	C9_23_46_HTC_D_00 A	27.01.2025
Elevation & Floor plan	Plots 46, 47	C9_23_46_HTC_F_00	02.12.2024
Elevation & Floor plan	Plots 7, 8	C9_23_46_HTD_F_00	02.12.2024
Elevation & Floor plan	Plots 70, 71, 72	C9_23_46_HTD_F_00	02.12.2024
Elevation & Floor plan	Plots 73, 74	C9_23_46_HTF_H_00 A	27.01.2025
Elevation & Floor plan	Plot 30	C9_23_46_HTH_J_00 A	27.01.2025
Elevation & Floor plan	Plots 37, 38	C9_23_46_HTP_00	02.12.2024

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

Note to Applicant
This decision only relates to the non-material amendments sought and is not a reissue of the original planning permission, which still stands. The two documents should be read together.

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 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.

Compliance with the Approved Plans and Conditions
The development hereby approved must be implemented in accordance with the approved plans and any conditions set out in the Notice. Some of the conditions may specify that works are to be carried out, and/or details submitted and approved before all or part of the development is started. These will appear in the 'Pre Commencement Conditions' section of the Notice.

If works on implementing this permission is started without these requirements being fully met, the development may be unauthorised and the permission invalidated, and could lead to enforcement proceedings or in some cases to prosecution.

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.

Conditions Compliance
Requests for confirmation of compliance with conditions associated with that permission should be made in writing or by using the application form 'Approval of Details Reserved by Conditions'.

A request may be for confirmation that one or more conditions imposed on the same permission have been complied with. We aim to respond within 8 weeks of receipt of the request.

Right of Appeals
There is no right of appeal against refusal of an application for a non-material amendment, or against conditions imposed. This is because non-material amendments are not covered the relevant legislation which sets out which types of application can be appealed (section 78 of the 1990 Town and Country Planning Act).

If you are aggrieved by the decision to refuse permission for your application, or to grant it subject to conditions, you would need to submit a planning application to seek approval for the proposed amendments. Please speak to your Case Officer for more details.