Horsham District Council

Mr Matt Smith
D&M Planning Ltd
1A High Street
Godalming
GU7 1AZ

Land at Gate Cottage, The Street, Thakeham, West Sussex
Erection of two dwellings together with associated works.

Your application DC/24/0070 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

Mr Matt Smith
D&M Planning Ltd
1A High Street
Godalming
GU7 1AZ

Application Number: DC/24/0070

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

On behalf of: Mr and Mrs Binnington

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:

Erection of two dwellings together with associated works.

Land at Gate Cottage, The Street, Thakeham, West Sussex

to be carried out in accordance with Application No. DC/24/0070 submitted to the Council on 12/01/2024 and subject to compliance with the plans/documents and conditions specified hereunder.

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
Location plan		1894 2301 A	19.04.2024
Site plan	Existing	1894 2302	12.01.2024
Section plan	Existing, Sheet 1	1894 2303	12.01.2024
Section plan	Existing, Sheet 2	1894 2304	12.01.2024
Site plan	Proposed	1894 2310 A	29.11.2024
Floor plan	Proposed and Roof Plan	1894 2311 A	29.11.2024
Elevation plan	Proposed front and rear	1894 2320 A	29.11.2024
Elevation plan	Proposed side	1894 2321 A	29.11.2024
Section plan	Proposed	1894 2322 A	29.11.2024
Details plan	Porch Detail 01	1894 2502	12.01.2024

Details plan	Porch roof Detail 02	1894 2503	12.01.2024
Details plan	Porch roof detail 03 and 04	1894 2503	12.01.2024
Details plan	Typical Balustrade and External Step Details	1894 2505	12.01.2024
Details plan	Typical Balustrade and External Step Details	1894 2506	12.01.2024
Details plan	Typical Balustrade and External Step Details	1894 2507	12.01.2024
Layout plan	Drainage	2000.0027 REV P2	30.09.2024
Tree plan		NJCL 772 01 140920	12.01.2024
Tree plan	Protection	NJCL 772 02 140920	12.01.2024

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

2 **Regulatory (Time) Condition**: 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.

3 **Pre-Commencement Condition**: No development shall commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include details of the following relevant measures:

(a) A named person for residents to contact during site working hours;
(b) Detailed Site logistics arrangements;
(c) Details regarding dust and noise mitigation measures to be deployed;
(d) Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network.

The construction shall thereafter be carried out in accordance with the details and measures approved in the CEMP.

Reason: As this matter is fundamental in the interests of road safety and visual amenity in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

4 **Pre-Commencement Condition**: Development shall not begin until a surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved detailed before the development is completed. The scheme shall also include:

(a) Assessment of greenfield runoff rates. The greenfield runoff rates must be calculated for the total greenfield site area then adjusted pro-rata for the proposed impermeable area.
(b) Control orifices 100mm or less must be guarded to reduce the risk of blockages.
(c) All flow control chambers must be provided with an overflow weir for orifices of any diameter.
(d) Provision of a detailed network design suitable for Full Application. Provision of standard detailed drawings and proprietary device details.
(e) Provision of full maintenance details.
(f) Provision of the referenced Structural Engineer's Drawings for Drainage and Weep Hole Details.

(g) The proposed outfall is outside of the provided redline boundary. Confirmation of either; the applicants land ownership, or third-party easement agreements for the drainage network outfall to be constructed and maintained must be provided.

Reason: As this matter is fundamental to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015).

5 **Pre-Commencement Condition**: No development shall commence until a Biodiversity Enhancement Strategy for Protected and Priority species 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 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 LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

6 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until a lighting design strategy for biodiversity in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) has been submitted to and approved in writing by the local planning authority. The strategy shall:

(a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
(b) Show how and where external lighting will be installed (through provision of appropriate lighting plans and technical specifications) so that it can be clearly demonstrated hat areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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 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).

7 **Pre-Occupation Condition**: No part of the development hereby permitted shall be first occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

(a) Details of all existing trees and planting to be removed and retained
(b) Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details

(c) Details of all hard surfacing materials and finishes
(d) Details including sections of the retaining walls
(e) Details of all boundary treatments

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 landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

8 **Pre-Occupation Condition**: The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (Water Neutrality Report November 2024). Neither of the new dwellings hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that dwelling and the water efficiency measures set out within the water neutrality strategy at:

- 1 New Cottages, The Street, Thakeham, RH20 3EP;
- 2 New Cottages, The Street, Thakeham, RH20 3EP; and
- Thakeham Place Cottage, The Street, Thakeham, RH20 3EP

as shown on drawing ref: 1894 2301 Rev A Existing Location Plan have been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter within each dwelling.

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), Paragraph 193 of the National Planning Policy Framework (2024), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

9 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the car parking spaces (including garages where applicable) necessary to serve it have been constructed and made available for use in accordance with approved drawing number 1894 2310 Rev A Proposed Site Plans. The car parking spaces permitted shall thereafter be retained as such for their designated use.

Reason: To provide car-parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

10 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until details of secure and covered cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied until the approved cycle parking facilities associated with that dwelling or use 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).

11 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until details for the provision for the storage of refuse and recycling facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided prior to occupation (or use) of the development hereby permitted and 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).

12 **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 a minimum 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).

13 **Regulatory Condition**: The new roof junctions at ridge, valleys, eaves and verges shall be built to reflect traditional detailing including exposed rafter feet, cut verges, bonnet hip and valley tiles and hogs back or half round ridge tiles.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

14 **Regulatory Condition**: The development hereby permitted shall be undertaken in strict accordance with the works, mitigation and enhancement measures set out in Technical Response (The Ecology Partnership, December 2024), Technical Response (The Ecology Partnership, July 2024) and Further Surveys (The Ecology Partnership, July 2022. This includes the non-licensed Precautionary Method Statement for bats in Section 4.17 of Appendix 1 PEA of the Technical Response (The Ecology Partnership, December 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: 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 LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

15 **Regulatory Condition**: All works shall be executed in full accordance with the submitted Arboricultural Impact Assessment and Outline Method Statement (NJCL 772) and the Tree Protection Plan (NJCL_772_02_140920).

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

16 **Regulatory Condition**: No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays.

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

17 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or reenacting that Order no development falling within Classes A, D and E of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: To safeguard the amenities of nearby residents in accordance with policy 33 of the Horsham District Planning Framework (2015).

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.