Horsham District Council

Ms Karen Tipper
Bell Cornwell LLP
Unit 2
Meridian Office Park
Osborn Way
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Horse Ghylls Wood Farm Capel Road Rusper West Sussex
Regularise the use of the small office building, the large barn for dog related uses, the open storage of 6no. containers for self-storage, open storage on land of up to 6no. buses, open storage on land or up to 9no. caravans/trailers and amendments to the external appearance of small office building. (Retrospective).

Your application DC/25/0455 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

Ms Karen Tipper
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Application Number: DC/25/0455

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

On behalf of: LOC Ltd

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:

Regularise the use of the small office building, the large barn for dog related uses, the open storage of 6no. containers for self-storage, open storage on land of up to 6no. buses, open storage on land or up to 9no. caravans/trailers and amendments to the external appearance of small office building. (Retrospective).

Horse Ghylls Wood Farm Capel Road Rusper West Sussex

to be carried out in accordance with Application No. DC/25/0455 submitted to the Council on 24/03/2025 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 04/12/2025

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	Stable	16003/002P REV B	24.03.2025
Location & Block plan		D 0324/688/01	24.03.2025
Supporting Statement	Planning	NONE	24.03.2025
Elevation plan	Existing	D 0324/688/05	24.03.2025

Floor plan	Existing First	D 0324/688/03	24.03.2025
Floor plan	Existing Ground	D 0324/688/02	24.03.2025
Roof plan	Existing	D 0324/688/04	24.03.2025

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

2 **Regulatory Condition**: Within 3 months of the date of this decision a Management Plan for the 'large barn' shall be submitted to the Local Planning Authority for its approval in writing. The Management Plan shall include details of waste removal, booking procedure, site supervision and maximum session numbers. The use of the 'large barn' shall thereafter take place in accordance with the agreed Plan.

Reason: To safeguard the amenities of the locality in accordance with Policies 10, 26, 32 and 33 of the Horsham District Planning Framework (2015).

3 **Regulatory Condition**: The use(s) hereby permitted within the 'large barn', as identified on drawing no. D 0324/688/01, shall comprise an indoor dog play arena, pet food store with ancillary workshop / storage, as set out in the Planning Statement. The 'large barn' shall not be used for any other purpose(s) without the prior written consent of the Local Planning Authority by way of a formal application.

Reason: To safeguard the amenities of the locality in accordance with Policies 10, 26, 32 and 33 of the Horsham District Planning Framework (2015).

4 **Regulatory Condition**: There shall be no overnight kennelling / boarding of dogs on the site.

Reason: To safeguard the amenities of the locality in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

5 **Regulatory Condition**: The bus / vehicle storage hereby permitted shall take place solely in the area identified (for bus / vehicle storage) on drawing no. D 0324/688/01.

Reason: To safeguard the amenities of the locality in accordance with Policies 10, 26, 32 and 33 of the Horsham District Planning Framework (2015).

6 **Regulatory Condition**: The caravan / trailer storage hereby permitted shall take place solely in the area identified (for caravan / trailer storage) on drawing no. D 0324/688/01.

Reason: To safeguard the amenities of the locality in accordance with Policies 10, 26, 32 and 33 of the Horsham District Planning Framework (2015).

7 **Regulatory Condition**: There shall be no more than 6 self-storage containers sited on the site at any one time. The containers shall be sited solely in the area identified (for container storage) on drawing no. D 0324/688/01.

Reason: To safeguard the amenities of the locality in accordance with Policies 10, 26, 32 and 33 of the Horsham District Planning Framework (2015).

8 **Regulatory Condition**: The self-storage containers shall not be used except between the hours of 06:00 and 22:00 Monday to Saturday, and between the hours of 09:00 and 17:00 on Sundays.

Reason: To safeguard the amenities of the locality in accordance with Policies 10, 26, 32 and 33 of the Horsham District Planning Framework (2015).

9 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 and the Town and Country Planning (Use Classes) Order 1987 (or any order amending or revoking and/or re-enacting these Orders), the 'small office building' indicated on drawing no. D 0324/688/01 shall be used solely as offices within Use Class E(g)(i) and for no other purposes whatsoever without express planning consent from the Local Planning Authority first being obtained.

Reason: To safeguard the amenities of the locality in accordance with Policies 10, 26, 32 and 33 of the Horsham District Planning Framework (2015).

10 **Regulatory Condition**: The staff and visitor parking shall be made available for use in accordance with drawing no. D 0324/688/01. The parking spaces 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).

11 **Regulatory Condition**: No external lighting or floodlighting shall be installed other than with the permission of the Local Planning Authority by way of formal application.

Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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)).

In addition, the Biodiversity Gain Plan Condition does not apply to applications for major development made before 12 February 2024, or non-major development made before 2 April 2024.

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
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.