Horsham District Council

Mr Kenneth Prichard Jones
Schulenberg Farms Limited
Reservoir Field
Field Place Estate
Byfleets Lane
Warnham
West Sussex
RH12 3PB

Field Place Estate, Byfleets Lane, Broadbridge Heath, West Sussex
Deposit of topsoil and chalk for biodiversity and agricultural improvement with improved access.

Your application DC/24/0220 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.

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 Kenneth Prichard Jones
Schulenberg Farms Limited
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Warnham
West Sussex
RH12 3PB

Application Number: DC/24/0220

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

On behalf of: Mr Kenneth Prichard Jones

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:

Deposit of topsoil and chalk for biodiversity and agricultural improvement with improved access.

Field Place Estate, Byfleets Lane, Broadbridge Heath, West Sussex

to be carried out in accordance with Application No. DC/24/0220 submitted to the Council on 09/02/2024 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 07/10/2024

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
Layout plan	Access	F210916-1 REV B	17.09.2024
Location & Block plan		23-11-01	08.02.2024

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

2 **Pre-Commencement Condition**: Prior to the commencement of development, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted and

agreed in writing by the Local Planning Authority. The scheme shall then be constructed as per the agreed drawings and Flood Risk Assessment (by Water Design Engineers, 5th July 2024, revision 00) and remain in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with NPPF and Policy 38 in Horsham District Planning Framework.

3 **Pre-Commencement Condition**: No development shall take place, including any works of demolition, until the following construction site set-up details have been submitted to, and approved in writing by, the Local Planning Authority.

- the location for the loading and unloading of plant and materials, site offices, and storage of plant and materials (including any stripped topsoil)
- the provision of wheel washing facilities (if necessary) and dust suppression facilities
- the anticipated number, frequency and types of vehicles used during construction,
- the method of access of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials, and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the
- impact of construction upon the public highway (including the provision of temporary
- Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

The approved details shall be adhered to throughout the construction period.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers and in the interests of highway safety during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4 **Pre-Commencement Condition**: No soils shall be imported or re-used within the development site until the developer has submitted a written Materials Management Plan (MMP) approved by a registered Qualified Practitioner which demonstrates the suitability of the soils for the proposed use. The MMP shall include details of the chemical testing and assessment of the soils. The assessment shall be undertaken by a suitably qualified and competent person and full details shall be submitted to and approved in writing by the local planning authority. All soil imports shall be in accordance with the approved MMP.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

5 **Pre-Commencement Conditions**: The development hereby permitted shall not commence until a Mobile Species Precautionary Method Statement has been submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to protected species during the construction phase. The measures and/works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To conserve protected and Priority species and allow the LPA 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).

6 **Pre-Commencement Conditions**: The development hereby permitted shall not commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by, the Local Planning Authority. The content of the LEMP shall include the following:
a) Description and evaluation of features to be managed.
b) Ecological trends and constraints on site that might influence management.
c) Aims and objectives of management.
d) Appropriate management options for achieving aims and objectives.
e) Prescriptions for management actions.
f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
g) Details of the body or organisation responsible for implementation of the plan.
h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed, and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details."

Reason: To allow the LPA 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**: The development hereby approved shall not be first occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:
i) a timetable for its implementation,
ii) details of SuDS features and connecting drainage structures and maintenance requirement for each aspect.
iii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policy 38 in Horsham District Planning Framework.

8 **Regulatory Condition**: All land excavation works, including the installation and removal of the temporary access track, including deliveries and dispatch of soil, shall be restricted to 08:00-17:00 hours on Monday to Friday, and at no time on Saturdays, Sundays or Bank Holidays (England).

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

9 **Regulatory Condition**: No works authorised by this planning permission to Reservoir Field shall commence until the temporary access road necessary to carry out the approved works to Reservoir Field has been fully implemented and constructed. The temporary access road shall thereafter be retained for use at all times throughout the approved works to Reservoir Field in accordance with Condition 11.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015).

10 **Regulatory Condition**: The temporary access road shall be operational for a period of not more than 7 years from the date of this permission unless otherwise agreed in writing by the Local Planning Authority by way of formal application. The temporary access road shall be constructed with recycled, used Haylage wrap (bottom layer), and covered in chalk in accordance with details submitted with the application. Within 1 month of cessation of the approved access road, the route shall be covered by soil and seeded with grass all in accordance with details of a landscaping scheme which shall have been submitted and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015).

11 **Regulatory Condition**: All works shall be carried out and remain in full accordance with the mitigation measures set out in Section of the Environmental Reports (Riverbank Management Services Limited (undated) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the successful and satisfactory retention of important trees, shrubs, and hedges on the site in accordance with Policies 31 and 33 of the Horsham District Planning Framework (2015).

12 **Regulatory Condition**: The development shall be carried out in accordance with the approved drainage strategy (Flood Risk Assessment dated 5 July 2024 (Ref: FRA01-ENV24291 by Water Design Engineers) and supporting letter dated 19 August 2024 (Water Design Engineers) unless alternative details have been submitted to and approved in writing by the Local Planning Authority prior to commencement of development.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

13 **Regulatory Condition** All vehicular access and egress to implement the development hereby permitted shall take place via the access Off of Old Guildford Road only as detailed on drawing F210916-1 Rev B.

Reason: In the interests of road safety and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

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.