Horsham District Council

Mr Oguzhan Denizer
MME Planning Services
3 Bowness Close
Ifield
Crawley
RH11 0SN

Our ref:	DC/25/0264
Your ref:	
Email:	planning@horsham.gov.uk
Direct Line:	01403 215180
If Calling Please ask for:	Jacques Burrowes
Date:	5th June 2025

Dear Sir/Madam,

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Notification of Change of Use of an Agricultural Building, not exceeding 150sqm in floor area, to flexible commercial use under Schedule 2, Part 3, Class R of the General Permitted Development Order (GPDO) (2015), as amended.

Spring Gardens Nursery Spring Gardens Washington West Sussex

I refer to your notification received in this office on 7th February 2025 concerning the above site.

Thank you for letting us know of your intention to change the use of a building, as detailed above. Please accept this letter as formal acknowledgement of the notification.

In order to be lawful, the change of use would need to comply with the stipulations and limitations as set out under the relevant class of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

In addition, Article 3(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended states that:

> "*Subject to the provisions of this Order and regulations 73 to 76 of the Conservation of Habitats and Species Regulations 2010 (general development orders), planning permission is hereby granted for the classes of development described as permitted development in Schedule 2."*

Section 75 of the Conservation of Habitats and Species Regulations 2017 states that "*it is a condition of any planning permission granted by a general development order made on or after 30th November 2017, that development which –*

(a) Is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and
(b) Is not directly connected with or necessary to the management of the site, must not be

begun until the developer has received written notification of the approval of the local planning authority under regulation 77 (approval of local planning authority)."

The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

On this basis, an application under Section 77 of the Conservation of Habitats and Species Regulations 2017 would be required to be submitted, and development subject of this Prior Approval application cannot be carried out until a decision of such application has been made. Further details on this type of application can be found through https://www.horsham.gov.uk/planning/water-neutrality-in-horsham-district/regulation-77-conservation-of-habitats-and-species-regulations.

Yours faithfully



Emma Parkes
Head of Development and Building Control