Horsham District Council

Mr Alex Moseley
White & Sons
3 Massetts Road
Horley
RH6 7PR

Our ref:	DC/22/0025
Your ref:	
Email:	planning@horsham.gov.uk
Direct Line:	01403 215382
If Calling Please ask for:	Robert Hermitage
Date:	31st March 2022

Dear Sir/Madam,

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (General Permitted Development) (England) Order 2015
Application for Prior Approval under Schedule 2, Part 3, Class Q

Prior Notification for the change of use of an agricultural building to residential (Class C3) to form 1no. dwellinghouse with associated operational development.

Gess Gates Farm Stane Street Adversane Billingshurst

Further to the above prior notification which was received on 4 January 2022, I am writing to confirm that **prior approval is required and granted**. The proposal can now proceed subject to the following conditions:

1 Pre-Commencement Condition: Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination, including asbestos contamination, of the site and extant structures shall each be submitted to and approved, in writing, by the local planning authority:

a) A preliminary risk assessment which has identified:
- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

c) The site investigation results and the detailed risk assessment (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

The scheme shall be implemented as approved. Any changes to these components require the consent of the local planning authority.

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).

2 **Pre-Commencement Occupation**: Prior to the first occupation (or use) of any part of the development hereby permitted, a contamination verification plan shall be submitted to and approved, in writing, by the Local Planning Authority. The verification plan shall provide details of the data collected in order to demonstrate that the works set out in Condition 1 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

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).

3 **Regulatory Condition**: The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

Reason: The site lies in an area where, in accordance with Policy 26 of the Horsham District Planning Framework (2015) development which cannot be justified as essential to the needs of agriculture or forestry would not normally be permitted.

Schedule of plans/documents
The following plans and document were considered when making the above decision:

Plan Type	Description	Drawing Number	Received Date
Block plan		NONE	04.01.2022
Elevation plan	Existing	GGF001	04.01.2022
Elevation plan	Proposed	GGF002	04.01.2022
Floor plan	Roof as Proposed	GGF003	04.01.2022
Details plan	Boundary Line	GGF004	04.01.2022
Site plan	Annotated Site Use Plan	NONE	14.02.2022

Notes to Applicant

External Dimensions
The applicant is reminded that in order to represent permitted development, and not require planning permission, the external dimensions of the resulting building must not extend beyond the external dimensions of the existing building at any given point. It would therefore be necessary for the solar panels to be flush with the surrounding roofslope (as indicated on the proposed south and north facing elevations on drawing no. GGF002).

Contamination
The applicant is advised that if, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) should be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy should then be implemented as approved.

Water Neutrality

The Applicant is advised that this decision relates solely to whether the Prior Approval of the Local Planning Authority is required, it does not confirm that the proposal represents Permitted Development.

The site lies within the Sussex North Water Supply Zone where Natural England has advised that water extraction cannot be concluded as having no adverse effect on the integrity of the Arun Valley Special Area Conservation (SAC), the Arun Valley Special protection Area (SPA) and the Arun Valley Ramsar Site.

It is a condition of Permitted Development (Article 3(1) of the Town & Country Planning (General Permitted Development) (England) Order 2015, as amended) that development likely to have a significant effect on a European Site "must not be begun" until an application has been made to Natural England for its opinion as to whether the development is likely to have a relevant effect. Following this an application must be made to the Local Planning Authority for its approval. No development must be begun until the developer has received written notification of the approval of the Local Planning Authority. For further information on this process see Regulations 75 to 77 of the Conservation of Habitats and Species Regulations 2017 (General Development Orders).

The Applicant is advised that any development commenced without compliance with Regulation 75 of the Conservation of Habitats and Species Regulations 2017 would be in breach of the GPDO and would be subject to potential future enforcement action.

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**.

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.

Yours faithfully

Emma Parkes
Head of Development and Building Control

Additional information for applicant

Appeals to the Secretary of State

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 this decision notice for a 'minor commercial' (shop front) application, and within 6 months for most 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

New postal addresses

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.

Waste bins

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.