Horsham District Council

Mr Alan Bull
Denmark House Developments Limited
Woolmers
Brighton Road
Mannings Heath
West Sussex
RH13 6HZ

Our ref: DISC/24/0138
Your ref: Woolmers Brighton Road Mannings
Email: planning@horsham.gov.uk
Direct Line: 01403 215 174
If Calling Please ask for: Steve Astles
Date: 1st August 2024

Dear Sir/Madam,

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure England) Order 2015

Approval of details reserved by conditions 3,4 and 5 to approved application DC/23/2289

Woolmers Brighton Road Mannings Heath West Sussex

The Authority has considered your application, and I can confirm that the submitted information is acceptable pursuant to the following condition(s):

3. **Pre-Commencement Condition**: Any works which will impact the breeding / resting place of bats, shall not in in any circumstances commence unless the local planning authority has been provided with either:

   a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
   b) evidence of site registration supplied by an individual registered to use a Bat Mitigation Class Licence; or
   c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

   Reason: To conserve protected 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 s17 Crime & Disorder Act 1998

Date of approval - 1st August 2024

The development shall be implemented in accordance with the approved plans and details listed in the schedule below.

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Plans	Mitigation and Compensation Plan		06.06.2024

	by arbtech		
Supporting Docs	Natural England Licence		06.06.2024

I can also confirm that the submitted information is **NOT** acceptable pursuant to the following condition(s):

4. **Pre-Commencement (Slab Level) Condition**: A Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Bat Emergence and Re-entry Surveys (Arbtech, August 2023) and Preliminary Ecological Appraisal (Arbtech, April 2023) shall be submitted to and approved in writing by the local planning authority.

   The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter."

   Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2021 and s40 of the NERC Act 2006 (Priority Habitats & Species).

5. **Pre-Occupation Condition**: A lighting design scheme for biodiversity based on GN: 08/23 shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

   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 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 (Priority habitats & species) and Policy 31 of the Horsham Development Framework.

This letter constitutes a legal document which should be regarded as an addendum to the original planning application.

If you have any queries or require further information, please do not hesitate to contact the Case Officer.

Yours faithfully



Emma Parkes
Head of Development and Building Control

ADDITIONAL INFORMATION

Right of Appeals
If you are aggrieved by the decision to refuse permission for the proposed development 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.