County Planning
County Hall
Chichester
PO19 1RH

Tel: 01243 642118

APPLICATION NUMBER: WSCC/009/25
REGULATION 3

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

To: Andy Taylor
Strutt and Parker
201 High Street
Lewes
United Kingdom
BN7 2NR

In pursuance of their powers under the above mentioned Act and Orders, West Sussex County Council hereby notify you that they **PERMIT** the following development:

Demolition of existing modular classrooms and the erection of a single storey rear classroom extension and associated landscaping at Slinfold CofE School, The Street, Slinfold, West Sussex RH13 0RR

to be carried out in accordance with your application and plans (as modified by the under-mentioned conditions) submitted to this Council on 27/01/2025 and subject to the conditions specified hereunder:

Commencement

1. The development to which this permission relates shall be begun not later than the expiration of three years from the date of this permission. Written notification of the date of commencement shall be sent to the County Planning Authority within seven days of such commencement.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

Approved Plans/Documents

2. The development shall not take place other than in accordance with the approved plans:

- Location Plan (ref. SLNF-ATRL-XX-XX-D-A-040001 Rev PL1);
- Proposed Block Plan (ref. SLNF-ATRL-XX-XX-D-A-040002 Rev PL1);
- General Arrangement Drawing (ref. LLD3364-LAN-DWG-100 Rev 07);
- Proposed Ground Floor Plan (ref. SLNF-ATRL-XX-00-D-A-041020 Rev PL1);
- Proposed North Elevation (ref. SLNF-ATRL-XX-XX-D-A-042020 Rev PL1);
- Proposed West and South Elevation (ref. SLNF-ATRL-XX-XX-D-A-042021 Rev PL1);
- Proposed Sections (ref. SLNF-ATRL-XX-XX-D-A-041022 Rev PL1);
- Proposed Roof Plan (ref. SLNF-ATRL-XX-R1-D-A-041021 Rev PL1);

Date: 02/05/2025 Signed: **Michael Elkington**, Head of Planning Services

IT IS IMPORTANT THAT YOU READ THE NOTES IN APPENDIX A

- Proposed Fenced Enclosure to Oil Tank (ref. SLNF-ATRL-XX-00-D-A-042024);
- Detailed Planting Plan (ref. LLD3364-LAN-DWG-200 Rev 01);
- Detailed Plant Schedule and Specification (ref. LLD3364-LAN-SCH-200 Rev 01);
- Soft Landscape Specification (ref. LLD3364-LAN-SPE-001 Rev 02);
- Hard Landscape Schedule (ref. LLD3364-LAN-SCH-002 Rev 02);
- Arboricultural Impact and Method Statement (dated January 2025);
- Ecological Survey Report (ref. SNLF-ATRL-XX-XX-RP-A-395002 Rev 1); and
- Foul and Surface Water Drainage Report (Issue 1 dated 8 January 2025).

along with information submitted with the application submitted with the application including the Planning Statement (dated February 2025) and Design & Access Statement (ref. SNLF-ATRL-XX-XX-RP-A-395001 Rev PL2) save as varied by the conditions hereafter.

Reason: To secure a satisfactory development.

Construction Management Plan

3. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the County Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction and demolition period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- the hours of construction activities (which should restrict hours of all activities, including demolition, site clearance, construction, deliveries, loading and unloading, to 0800-1800 Monday to Friday, 0900-1300 Saturdays and no work on Sundays and Bank Holidays);
- the anticipated number, frequency and types of vehicles used during construction;
- the method of access and routing of vehicles during construction;
- the parking of vehicles by site operatives and visitors;
- the loading and unloading of plant, materials and waste;
- the location of storage of plant and stockpiled 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;
- details of best practice measures to be adopted to minimise noise and dust;
- confirmation that there will be no burning of materials/waste on site; and
- confirmation that all above measures are consistent with any tree retention and protection measures required by this decision.

Reason: In the interests of highway safety and the amenities of the area.

Landscaping and Maintenance

4. No development shall take place, including any works of demolition, until a detailed landscaping, maintenance and management scheme (in general accordance with the Detailed Planting Plan (LLD3364-LAN-DWG-200 Rev 01), Detailed Plant Schedule and Specification (LLD3364-LAN-SCH-200 Rev 01) and Soft Landscape Specification (LLD3364-LAN-SPE-001 Rev 02)) has been submitted to and approved in writing by the County Planning Authority. The scheme shall identify any on-site habitat specified within a Biodiversity Gain Plan (as required by the statutory 'biodiversity gain condition') and include full details of the types, size and species of all trees and shrubs to be planted, details of soil preparation, measures for biosecurity, a maintenance schedule, and timetable for implementation at the earliest possible opportunity following commencement of the development.

   Thereafter the approved scheme shall be implemented in full in accordance with the approved timetable. Any trees or shrubs that die, are removed, or become seriously damaged or diseased throughout the life of the development shall be replaced in the next planting season with others of similar size and species, or any variation that may be agreed in writing by the County Planning Authority.

   Reason: In the interests of the visual amenities of the site, to provide suitable compensation for trees/hedgerows to be lost, to ensure the planting of trees in compliance of the duty within S197 of the Town and Country Planning Act 1990 and deliver biodiversity net gain.

Tree Retention/Protection

5. All trees, hedges and vegetation shall be retained and protected throughout the course of the development in accordance with the submitted Arboricultural Impact Assessment and Method Statement (dated January 2025) and accompanying Tree Protection Plans (Ref. TPP 01), save for any modification that may be agreed in advance in writing by the County Planning Authority.

   For the avoidance of doubt, prior to works of any description taking place, a suitably qualified arboriculturist shall be appointed to oversee the works and shall be part of a pre-start meeting with the site construction manager. An invitation to this meeting shall be extended to the County Arboriculturist.

   Reason: To ensure the preservation of trees/vegetation in the interests of biodiversity and the landscape of the locality.

Ecology

6. All ecological mitigation/management and recommendations as detailed within the Ecological Survey Report (ref: SNLF-ATRL-XX-XX-RP-A-395002 dated January 2024– Section 4) shall be implemented and adhered to in full.

   Reason: To conserve protected and priority species in the interests of biodiversity.

7. No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR136, or a 'Further Licence') and with the proposals detailed on plan "Slinfold Primary School: Impact Plan for great crested newt District Licensing (Version 2)", dated 10 March 2025.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML-OR136, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

8. No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR136, or a 'Further Licence'), confirming that all necessary measures regarding great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the planning authority and the authority has provided authorisation for the development to proceed under the district newt licence.

The delivery partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.

Reason: In order to adequately compensate for negative impacts to great crested newts, and in line with section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

9. No development hereby permitted shall take place except in accordance with Part 1 of the Great Crested Newt Mitigation Principles, as set out in the District Licence (WML-OR136, or a 'Further Licence') and in addition in compliance with the following:

- Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML-OR136, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

Demolition/Removal of Redundant Modular Classroom Buildings

10. Following the first occupation of the development hereby approved, the redundant modular classroom buildings identified for 'proposed demolition' on the Proposed Block Plan (ref. SLNF-ATRL-XX-XX-D-A-040002 Rev PL1) shall not be occupied/used and shall be demolished/removed within a period of six months.

Reason: To secure a satisfactory development and to ensure the development would not lead to any increase in the numbers of pupils on roll and ensure the development would be water neutral.

Drainage

11. Prior to first use of the development, the surface water drainage shall be constructed in accordance with the Foul & Surface Water Drainage Report – Issue 1 - dated 08/01/2025 8th, as updated by the FSW Drainage Report – High Resolution Plans and Further information dated 27/03/2025.

Reason: To prevent flooding and ensure the satisfactory management of surface water.

Materials and Finishes

12. No development above slab level shall take place until a schedule of materials and finishes to be used for external walls, roof, canopy and fenestration, of the proposed building has been submitted to and approved in writing by the County Planning Authority. The development shall thereafter be constructed in accordance with the approved schedule of materials and maintained as approved.

Reason: To ensure a building of high-quality design appropriate to its setting.

INFORMATIVES

A. The County Planning Authority has acted positively and proactively in determining the planning application by identifying issues of concern and considering whether planning conditions could be used to satisfactorily address them. As a result, the County Planning Authority has been able to grant planning permission, in accordance with the presumption in favour of sustainable development as set out within the National Planning Policy Framework.

B. **Biodiversity Net Gain** - 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.

Based on the information provided, this permission is considered to be one that will require the approval of a Biodiversity Gain Plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the County Planning Authority prior to the commencement of the consented development, please see the link: Submit a biodiversity gain plan

Commencing development that is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in enforcement action as a breach of planning control.

C. **Great Created Newts**: It is recommended that the NatureSpace Best Practice Principles are considered and implemented where possible and appropriate.

It is recommended that the NatureSpace certificate is submitted to this planning authority at least six months prior to the intended commencement of any works on site.

It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority which permits the development to proceed under the District Licence (WML-OR136, or a 'Further Licence')

are not licensed under the great crested newt District Licence. Any such works or activities have no legal protection under the great crested newt District Licence and if offences against great crested newts are thereby committed then criminal investigation and prosecution by the police may follow.

It is essential to note that any ground investigations, site preparatory works and ground / vegetation clearance works / activities (where not constituting development under the Town and Country Planning Act 1990) in a red zone site authorised under the District Licence but which fail to respect controls equivalent to those detailed in the planning condition above which refers to the NatureSpace great crested newt mitigation principles would give rise to separate criminal liability under the District Licence, requiring authorised developers to comply with the District Licence and (in certain cases) with the GCN Mitigation Principles (for which Natural England is the enforcing authority); and may also give rise to criminal liability under the Wildlife & Countryside Act 1981 (as amended) and/or the Conservation of Habitats and Species Regulations 2017 (as amended) (for which the Police would be the enforcing authority).

D. **Tree Protection:** In adherence of Arboricultural Impact Assessment & Method Statement (dated Jan 2025), it is noted that the Local Planning Authority's County Arboriculturist shall be invited to a pre-start meeting whereby matters of tree protection can be agreed, and that notifications of compliance shall also be reported to them. Protective fencing specification for tree no. 2 (crab apple) is to be agreed with the Local Planning Authority's County Arboriculturist. The County Arboriculturist is minded that a plastic mesh temporary barrier as suggested would provide insufficient protection and a welded mesh system will likely be required.

The Arboricultural Impact Assessment & Method Statement (dated Jan 2025) identifies that tree no. 25 is in severe decline and recommends its removal for safety reasons. It is noted that the tree protection plan is suggestive that tree no. 24 is the tree of concern rather than no.25 as stated within the tree schedule. This should be further clarified before undertaking any felling. As the site is found within a Conservation Area, the felling of trees usually requires a S211 notification to the relevant Local Planning Authority (Horsham District Council) prior to their removal. No exemption from such notification requirement is gained from this planning consent/decision in relation to this tree. Further details regarding trees in Conservation Areas can be found on Horsham District Councils website using the following link:
https://www.horsham.gov.uk/planning/protected-trees/check-if-a-tree-is-protected

E. **Tree Provision**: It is noted that the stem size specification for native trees 'Corylus avellana' within the 'Detailed Plant Schedule and Specification' (Rev 01 - 09 Jan 2025) differs to the specification indicated on the 'Detailed Planting Plan' (Rev 01 – 19 Dec 2024). The expected and preferred stock size should conform to the 'Detailed Plant Schedule and Specification' (Rev 01 - 09 Jan 2025), specifically 8-10cm girth size.

The following British Standards should be considered and referred to, if necessary, when devising a Landscape Management and Maintenance Plan (LMMP) for submission:

a) BS: 3998:2010 Tree work – Recommendations

b) BS: 4428:1989 Code of practice for general landscaping operations (excluding hard surfaces)

c) BS: 7370-4:1993 Grounds maintenance part 4. Recommendations for maintenance of soft landscape (other than amenity turf).

d) BS: 8545:2014 Trees: from nursery to independence in the landscape – Recommendations

This information is only intended as a summary of the reasons for the grant of planning permission. For further details on the decision, please see the report by contacting County Planning at West Sussex County Council or visiting the website at www.westsussex.gov.uk/planning.

APPENDIX A: TOWN AND COUNTRY PLANNING ACT 1990

YOUR ATTENTION IS DIRECTED TO THE FOLLOWING NOTES.

THEY ARE FOR INFORMATION ONLY AND DO NOT PRETEND TO SET OUT THE WHOLE OF THE LAW ON THE SUBJECT. IT IS RECOMMENDED THAT YOU CONSULT A SOLICITOR IF YOU ARE IN ANY DOUBT.

1 Appeals to the Secretary of State

(a) If you are aggrieved by the decision of your local planning authority 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.

(b) If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get online at https://www.gov.uk/appeal-planning-decision or by writing to the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

(c) 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.

(d) The Secretary of State need not consider an appeal if it seems 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.

(e) In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

2 Purchase Notices

(a) If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

(b) In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town and Country Planning Act 1990.

3 Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and

(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be West Sussex County Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.

2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and

(i) the original planning permission to which the section 73 planning permission relates[1] was granted before 12 February 2024; or

(ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

(i) the application for planning permission was made before 2 April 2024;

(ii) planning permission is granted which has effect before 2 April 2024; or

(iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

(i) 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

(ii) 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 (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which 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, (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).

---

[1] "Original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

4.5 Self and Custom Build Development, meaning development which:

(i) consists of no more than 9 dwellings;

(ii) is carried out on a site which has an area no larger than 0.5 hectares; and

(iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high-speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High-Speed Rail (Preparation) Act 2013.

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.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

(i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and

(ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

The effect of Paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990

If the permission which has been granted has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).