Horsham District Council

Mrs Tracey Dixon
TaDPlanning Ltd
51 Bayham Road
Tunbridge Wells
TN2 5HU

Application Number: DC/24/1887

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

On behalf of: Mr John Elliott Tymaric Properties Ltd

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:

Outline Application for the erection of 2No. detached dwellings and garages with all matters reserved except access.

Potters Field Mill Lane Partridge Green West Sussex

to be carried out in accordance with Application No. DC/24/1887 submitted to the Council on 05/12/2024 and subject to compliance with the plans/documents and conditions specified hereunder.

Biodiversity Net Gain Condition
Please note the requirement within the Environment Act 2021 for development to deliver a minimum of 10% net gain in biodiversity may be applicable to your development. In the event your development is required to achieve a minimum 10% net gain in biodiversity then a Biodiversity Net Gain Condition (separate to the main list of conditions) will appear on your decision notice requiring the submission of a Biodiversity Gain Plan for approval prior to development commencing.

Emma Parkes
Head of Development and Building Control

Date: 17/12/2025

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
Supporting Statement	Ecological Assessment (Greenspace Ecological Solutions, November 2024	NONE	05.12.2024

Location & Block plan	Existing & Proposed Site Plan & Block Plan	(10)101 Revision B	25.04.2024
Supporting Docs	NatureSpace Great Crested Newt District Licensing Scheme Certificate	NSP949HDC	02.05.2025
Supporting Docs	Potters Field: Impact Plan for Great Crested Newt District Licensing	VERSION 1	02.05.2025

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

2 **Standard Time Condition**:

a) Approval of the details of the layout of the development, the scale of each building, the appearance of each building and the landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

b) Plans and particulars of the reserved matters referred to in condition (a) above, relating to the layout of the development, the scale of each building, the appearance of each building, and the landscaping of the development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

c) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

d) The development hereby permitted shall begin either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.

3 **Pre-Commencement Condition**: No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

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).

4 **Pre-Commencement Condition**: The development hereby approved shall not commence until the following construction details have been submitted to and approved in writing by the Local Planning Authority. The details shall include the following measures:

i. Details of site management contact details and responsibilities;
ii. A plan detailing the site logistics arrangements on a phase-by-phase basis (as applicable), including:
    a. location of site compound,
    b. location for the loading, unloading and storage of plant and materials (including any stripped topsoil),
    c. site offices (including location, height, size and appearance),
    d. location of site access points for construction vehicles,
    e. location of on-site parking,
    f. locations and details for the provision of wheel washing facilities and dust suppression facilities

iii. The arrangements for public consultation and liaison prior to and during the demolition and construction works - newsletters, fliers etc, to include site management contact details for residents;
iv. Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination;

The construction shall thereafter be carried out in accordance with the details and measures approved.

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

5 **Pre-Occupation Condition**: A Biodiversity Enhancement Layout for the biodiversity enhancements listed in the Ecological Assessment (Greenspace Ecological Solutions, November 2024), shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Layout shall include the following:

a) detailed designs or product descriptions for biodiversity enhancements; and
b) locations, orientations and heights for biodiversity enhancements on appropriate drawings.

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 paragraph 187d of the NPPF 2024 and s40 of the NERC Act 2006 (as amended) and Policy 31 of the Horsham Development Framework.

6 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabits per second through full fibre broadband connection has been provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

7 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the parking, turning and access facilities necessary to serve that dwelling have been implemented in accordance with the approved details as shown on plan [(11)101, Revision B] and shall be thereafter retained as such.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

8 **Regulatory Condition**: All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Assessment (Greenspace Ecological Solutions, November 2024), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the non-licensed Precautionary Method Statement for Hazel Dormouse in Section 6.4.11 and the Precautionary Method Statement for mobile protected species in Section 6.4.2 of the Ecological Assessment (Greenspace Ecological Solutions, November 2024). This avoids impacts on European Protected Species and protected species.

This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed

person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

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).

9 **Regulatory Condition**: If the outline application hereby approved does not commence within one year from the date of the planning consent, the approved ecological mitigation measures secured through condition shall be reviewed and, where necessary, amended and updated.

The review shall be informed by further ecological surveys commissioned to:

i. establish if there have been any changes in the presence and/or abundance of protected species and
ii. identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of the erection of 2No. detached dwellings and garages.

Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

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).

10 **Regulatory Condition**: 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 "Potters Field: Impact plan for great crested newt District Licensing (Version 1)" dated 30th April 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.

11 **Regulatory Condition**: The dwellings hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to no more than 110 litres per person per day. The subsequently installed water limiting measures shall thereafter be retained.

Reason: To limit water use in order to improve the sustainability of the development and to ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policies 31 and 37 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2024), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

Note to Applicant
Biodiversity Net Gain Condition
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.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission is Horsham District Council.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link:
Submit a biodiversity gain plan - GOV.UK (www.gov.uk).

Statutory exemptions and transitional arrangements
There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at https://www.gov.uk/guidance/biodiversity-net-gain.

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.

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.**

If you have not received a Liability Notice from the Council within 1 month of the decision date please contact the CIL Team at cil@horsham.gov.uk.

CIL is a mandatory financial charge on development. In the case of outline applications the CIL charge will be calculated at the relevant reserved matters stage.

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.

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.

Compliance with the Approved Plans and Conditions
The development hereby approved must be implemented in accordance with the approved plans and any conditions set out in the Notice. Some of the conditions may specify that works are to be carried out, and/or details submitted and approved before all or part of the development is started. These will appear in the 'Pre-Commencement Conditions' section of the Notice.

If works on implementing this permission is started without these requirements being fully met, the development may be unauthorised and the permission invalidated, and could lead to enforcement proceedings or in some cases to prosecution.

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.

Conditions Compliance
Requests for confirmation of compliance with conditions associated with that permission should be made in writing or by using the application form 'Approval of Details Reserved by Conditions'.

A request may be for confirmation that one or more conditions imposed on the same permission have been complied with. We aim to respond within 8 weeks of receipt of the request.

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.