Horsham District Council

Mr Daniel Holmes
Batcheller Monkhouse
New Bartram House
3-5 Swan Court
Station Road
Pulborough
RH20 1RL

Broomlands Farm Robin Hood Lane Warnham West Sussex
Change of use of a redundant agricultural barn to commercial use comprising Class B8 (Storage).

Your application DC/24/1459 has now been determined and I enclose the decision notice. The decision notice contains important information. Please take a moment to read it as further action may be required.

Conditions
Before you start work, information must be submitted for any conditions that require discharge before development can begin. The decision notice will set out what information need to be sent.

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.

Failure to discharge conditions before commencing development could result in the development being unlawful or enforcement action being taken. You can notify us of your intention to initiate development by completing a pre-commencement notification which will help us to monitor your development. There is no fee to use this service. To do this, or for further information about discharging planning conditions, visit us online at horsham.gov.uk/planning/discharging-a-planning-condition

Community Infrastructure Levy (CIL)
If this development is CIL liable, the requirements of CIL must be met before you start work. Failure to do so could result in additional financial penalties. For further information relating to CIL visit horsham.gov.uk/planning/planning-policy/community-infrastructure-levy/cil-charges-and-how-to-pay

If you have any questions about the decision notice, you can call us and speak to a member of the team on 01403 215187 between 9AM - 5PM, Monday to Friday.

If you are acting as the planning agent for this application, please ensure that the applicant is given a copy of the decision notice and this letter.

Yours Sincerely,
Development Management

Horsham District Council

Mr Daniel Holmes
Batcheller Monkhouse
New Bartram House
3-5 Swan Court
Station Road
Pulborough
RH20 1RL

Application Number: DC/24/1459

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

On behalf of: Trustees of Broadbridge Heath Trust Broadbridge Heath Trust

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:

Change of use of a redundant agricultural barn to commercial use comprising Class B8 (Storage).

Broomlands Farm Robin Hood Lane Warnham West Sussex

to be carried out in accordance with Application No. DC/24/1459 submitted to the Council on 20/09/2024 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 04/12/2024

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		NONE	07.11.2024
Floor plan	Proposed	NONE	24.09.2024
Elevation plan	Proposed south	NONE	24.09.2024
Elevation plan	Proposed north	NONE	24.09.2024
Elevation plan	Proposed west	NONE	24.09.2024
Supporting Statement	Water Neutrality	NONE	24.09.2024
Supporting Statement	Bat Assessment	NONE	24.09.2024

Floor plan	Existing	NONE	24.09.2024
Elevation plan	Proposed east	NONE	24.09.2024
Supporting Statement	Transport Note	NONE	24.09.2024
Location plan		NONE	24.09.2024
Supporting Statement	Planning	NONE	24.09.2024
Block plan		NONE	24.09.2024
Supporting Statement	Biodiversity Net Gain Assessment	NONE	24.09.2024

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

2 **Standard Time Condition**: The development hereby permitted shall begin before the expiration of three years from the date of this permission.

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

3 **Pre-Occupation Condition**: The use hereby permitted shall not commence until full details of a lighting strategy shall be submitted to and approved in writing by the local planning authority. The lighting strategy shall include details of the lighting of all external areas and buildings and shall be designed to comply with the ILP guidance for Obtrusive Light Zone E2 and shall include details of how the lights will be automatically controlled to meet curfew requirements. The lighting scheme shall be installed in accordance with the approved details before the commencement of the use and shall be retained and maintained in accordance with the approved details thereafter.

Reason: To safeguard the amenities of the locality in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

4 **Pre-Occupation Condition**: The use hereby permitted shall not commence until full details of the rainwater/greywater harvesting system required by the approved water neutrality strategy (prepared by Batchellor Monkhouse, received 20.09.2024) have been submitted to and approved in writing by the Local Planning Authority. The rainwater/greywater harvesting system shall include suitable storage tanks to provide a minimum 35 days storage capacity (at least 11,613l), and shall include details of their location and whether they would be surface mounted or set within the ground, in addition to evidence that their initial fill will be supplied with water from outside of the Water Supply Zone.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 186 of the National Planning Policy Framework (2023), and to enable the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

5 **Pre-Occupation Condition**: The use hereby permitted shall not commence until a management and maintenance plan for the rainwater harvesting system has been submitted to and approved in writing by the Local Planning Authority. The management and maintenance plan shall include the following details:

- The sampling regime and parameters etc, recognising that the sampling will need to be undertaken a DWI certified sampler and analysed by a UKAS accredited lab.
- Detail on how any failure of any samples will be investigated and managed.

- Details, including a plan or schematic, showing the supply - storage tanks, treatment etc, and means to record the total water consumption of each unit
- Detail on what type of treatment that will be installed on the supply with information clearly indicating that it is appropriate for the amount of water being used.
- Detail on how the treatment system, pipework, tanks etc will be cleaned and maintained and who will maintain them for the lifetime of the development. This should include any re-activation of the system after it has been out of use due to lack of rainfall/use.
- The completion and sharing of the Regulation 6 risk assessment by a suitably competent person (as required by the Private Water Supply (England) Regulations 2016) prior to the water supply being put into use.
- Detail on the continuity of supply during dry periods extending beyond 35 days.
- Arrangements for keeping written records of all sampling, results of analysis, inspection, cleaning, and maintenance.
- Details of contingency plans to ensure any failure's or reported concerns with the supply are investigated and rectified as soon as possible, including timeframes. This should include notification of the investigation and corrective actions to the local authority

The management and maintenance plan shall be operated in full at all times. No alterations or revisions to the approved management plan shall be implemented without the written approval of the Local Planning Authority.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2023), and to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

6 **Pre-Occupation Condition**: The use hereby permitted shall not commence until a Biodiversity Enhancement Layout, providing the finalised details and locations of the species and habitat enhancement measures contained within the Biodiversity Net Gain Assessment (AEWC, February 2024), has been submitted to and approved in writing by the local planning authority.

The habitats and 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 and allow the Local Planning Authority to discharge its duties under the s40 of the NERC Act 2006 (as amended) and Policy 31 of the Horsham Development Framework.

7 **Pre-Occupation Condition**: The use hereby permitted shall not commence until an Operational Noise Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include, but not be limited to, details of management responsibilities during all operating hours, the implementation of measures detailed in section 6 of the Noise Impact Assessment Report prepared by ES Acoustics Ltd reference 20765.NIA-RPT.01 and dated 8th May 2024, details of the person or role responsible for recording and rectifying any significant issues as they are reported and how those details will be publicised and made available to the public. All complaints shall be logged and recorded in a suitable manner, along with any corrective action carried out to address the matters raised. Records of any complaints shall be retained for a period of at least three months. The use

hereby permitted shall thereafter be operated in accordance with the approved details and the record of complaints shall be produced on any reasonable request of a suitably authorised Officer of the Council.

Reason: To safeguard the amenities of the locality in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

8 **Regulatory Condition**: The cumulative rating sound level from any externally or internally located plant, together with any associated ducting, shall not exceed 31dB at the boundary of the nearest noise sensitive premises. Furthermore, the plant Specific sound level shall be 5 dB(A) or more below the background sound level at this location. For the purposes of this condition the Background, Rating and Specific sound levels shall be calculated in full accordance with the methodology of BS4142:2014 Methods for rating and assessing industrial and commercial sound.

Reason: To safeguard the amenities of the locality in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

9 **Regulatory Condition**: No external storage shall take place within the curtilage of the site as identified on the approved location / block plans.

Reason: To safeguard the amenities of the locality in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

10 **Regulatory Condition**: The hours of operation, including delivery and dispatch shall be restricted to:

- 08:00-18:00 hours on Monday to Friday,
- 08:00 to 13:00 hours on Saturdays, and;
- at no time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the locality in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

11 **Regulatory Condition**: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment Version 1 (South Downs Ecology, June 2024)) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the Precautionary Method Statement for reptiles in Section 6.14 and the Precautionary Method Statement for mobile Priority species in Sections 6.15 and 6.16 of the Protected Species Walkover Survey (AEWC Ltd., August 2024), which avoids impacts on 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 and enhance protected and Priority species and allow the Local Planning Authority 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.

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.

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.

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.