Horsham District Council

Mr Peter Young
dowsettmayhew Planning Partnership Ltd
Mocatta House
Trafalgar Place
Brighton
BN1 4DU

Our ref:	DISC/24/0124
Your ref:	Rikkyo School - Pre Commencement
Email:	planning@horsham.gov.uk
Direct Line:	01403 215521
If Calling Please ask for:	Amanda Wilkes
Date:	23rd 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 3,4,6,8 and 11 to approved application DC/23/1912

Rikkyo School, Guildford Road, Rudgwick, West Sussex

SPLIT DECISION

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**: No development shall take place, including any works of demolition, until the following construction site set-up details have been submitted to, and approved in writing by, the Local Planning Authority.
i. the location for the loading and unloading of plant and materials, site offices, and storage of plant and materials including any stripped topsoil) and temporary parking areas for contractors vehicles
ii. the provision of wheel washing facilities (if necessary) and dust suppression facilities

The approved details shall be adhered to throughout the construction period.

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).

Date of approval - 23rd August 2024

6. **Pre-Commencement Condition**: No development shall commence until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority.
The CEMP (Biodiversity) shall include the following.
a) Risk assessment of potentially damaging construction activities.
b) Identification of "biodiversity protection zones".

c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
d) The location and timing of sensitive works to avoid harm to biodiversity features.
e) The times during construction when specialist ecologists need to be present on site to oversee works.
f) Responsible persons and lines of communication.
g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

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 (Priority habitats & species).

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8. **Pre-Commencement Condition**: 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.

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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	Site Setup Plan	PD-0003	31.05.2024
Supporting Docs	Construction Environmental Management Plan (The Ecology Partnership, May 2024) - Condition 6		31.05.2024
Supporting Docs	Construction Method Statement		31.05.2024
Supporting Statement	Nature Space Certificate		12.06.2024

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

4. **Pre-Commencement Condition**: Prior to the commencement of development, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted and agreed in writing by the local planning authority. The scheme shall then be constructed as per the agreed drawings, method statement, SuDS Report (Webb Yates Engineers Ltd, Ref: J5338-C-RP-0001) and remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority.

   Reason: To ensure that the development achieves a high standard of sustainability and to comply with NPPF and Local Planning Policies.

11. **Pre-Commencement Condition**: No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:
   (a) An intrusive site investigation scheme to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.
   (b) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (a) and a verification plan providing details of what data will be collected in order to demonstrate that the remedial works are complete.

   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).

For the following reasons:

1) It has not been demonstrated to the satisfaction of the Local Planning Authority that the details submitted pursuant to the requirements of Condition 4 ensure the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development. The submitted details, therefore, fail to satisfy the requirements of the National Planning Policy Framework paragraph 173, 175 and 180 and Policy 38 of the Horsham District Planning Framework (2015) in this regard.

2) It has not been demonstrated to the satisfaction of the Local Planning Authority that the details submitted pursuant to the requirements of Condition 11 include the details required by Condition 11 as the Soiltechnics Ltd Ground Investigation Report, dated September 2023, does not provide the necessary assessments and investigations required. The submitted details therefore fail to satisfy the requirements of Policy 24 of the Horsham District Planning Framework (2015) in this regard.

Note to Applicant
The applicant is advised to review the officer report available on the online planning register under the above reference number to understand the information required to satisfy conditions 4 and 11.

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.