Horsham District Council

Peter Rainier
DMH Stallard
Griffin House
135 High Street
Crawley
RH10 1DQ

Bentons Cottage Bentons Lane Dial Post West Sussex
Change of use from office and barn storage to two single storey dwellings, as alternative to permissions DC/23/1069 and DC/23/2158 (resubmission of DC/23/1708).

Your application DC/24/0284 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.

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

Peter Rainier
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RH10 1DQ

Application Number: DC/24/0284

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

On behalf of: Mr and Mrs K.J.E and J.A Hedges

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 from office and barn storage to two single storey dwellings, as alternative to permissions DC/23/1069 and DC/23/2158 (resubmission of DC/23/1708).

Bentons Cottage Bentons Lane Dial Post West Sussex

to be carried out in accordance with Application No. DC/24/0284 submitted to the Council on 20/02/2024 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 18/06/2024

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
Site plan	Site Plan (Drainage)	NONE	20.02.2024
Supporting Statement	Preliminary Roost Assessment by arbtech dated 10.06.2023	NONE	20.02.2024
Supporting Statement	Water Neutrality Statement by DMH Stallard	NONE	20.02.2024
Supporting Statement	Biodiversity Enhancement Layout Plan dated 19.02.2024	NONE	20.02.2024
Location plan	Location Plan	NONE	20.02.2024
Site plan	Site Plan	NONE	20.02.2024

Elevation & Floor plan	Unit 1 Elevations & Floor Plans	NONE	20.02.2024
Elevation & Floor plan	Unit 2 Elevations & Floor Plans	NONE	20.02.2024

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 development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (Water Neutrality Statement by DMH Stallard received 20.02.2024). The dwellings hereby permitted shall not be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that holiday-let has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.

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), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

4 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the parking, turning and access facilities necessary to serve the dwellings have been implemented in accordance with the approved details as shown on the approved Site Plan 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).

5 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the cycle parking facilities serving it have been provided within the side or rear garden for that dwelling. The facilities shall thereafter be retained for use at all times. The cycle parking facilities shall thereafter be retained as such for their designated use.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

6 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling has been made for that dwelling (or use) in accordance with the approved details as shown on the approved Site Plan. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

7 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until a fast charge electric vehicle charging point for both holiday-lets has been installed. As a

minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

8 **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).

9 **Regulatory Condition**: The development hereby permitted shall be undertaken in strict accordance with the approved details as shown on the approved Site Plan (Drainage Strategy).

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).

10 **Regulatory Condition**: The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

11 **Regulatory Condition**: The development hereby permitted shall be undertaken in strict accordance with the ecological mitigation and enhancement measures set out in Preliminary Roost Assessment (Arbtech Consulting Ltd. June 2023).

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority Habitats & Species).

12 **Regulatory Condition**: The development hereby permitted shall be undertaken in strict accordance with the details contained within the Biodiversity Enhancement Layout Plan dated 19.02.2024.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority Habitats & Species).

13 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or reenacting that Order no development falling within Classes A, AA, B, C, D, F, and G of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Note to Applicant – 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. 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.

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.