Horsham District Council

Mr Nikolas Antoniou
NJA Town Planning Ltd
The Beehive
City Place
Gatwick
RH6 0PA

Our ref:	DC/21/1998
Your ref:	
Email:	planning@horsham.gov.uk
Direct Line:	01403 215436
If Calling Please ask for:	Giles Holbrook
Date:	20th October 2021

Dear Sir/Madam,

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (General Permitted Development) (England) Order 2015
Application for Prior Approval under Schedule 2, Part 3, Class Q

Prior notification for the conversion of an agricultural building into two dwellings.

Clayfield Farm Valewood Lane Barns Green Horsham

Further to the above prior notification which was received on 26 August 2021, I am writing to confirm that **prior approval is required and granted**. The proposal can now proceed subject to the following conditions:

1 **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) A preliminary risk assessment which has identified:
- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from contamination at the site.

The following aspects (b) - (c) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

(b) An intrusive site investigation scheme, based on (a) 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.

(c) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (b) 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).

2 **Pre-Occupation Condition**: The development hereby permitted shall not be occupied until there has been submitted to the Local Planning Authority verification that the remediation scheme required and approved under the provisions of condition 1(c) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 1(c), unless otherwise agreed in writing by 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).

3 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until a plan showing the layout of the proposed development and the provision of car parking spaces for vehicles has been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied until the parking spaces associated with it have been provided in accordance with the approved details. The areas of land so provided shall thereafter be retained for the parking of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles and to ensure an acceptable development in transport terms in response to the provisions of paragraph Q.2(1)(a) of Class Q, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

4 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until details of secure and covered cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied until the approved cycle parking facilities associated with that dwelling or use have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

Reason: To ensure that adequate and satisfactory provision is made for the parking of cycles and to ensure an acceptable development in transport terms in response to the provisions of paragraph Q.2(1)(a) of Class Q, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

5 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a fire hydrant in accordance with BS 750 standards or stored water supply, with a connection to a water supply, which is appropriate in terms of both pressure and volume for the purposes of firefighting, has been provided for the approved dwellings. The provision shall thereafter be retained as such.

Reason: To ensure adequate provision for fire fighting measures on site in accordance in response to the provisions of paragraph Q.2(1)(e) of Class Q, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Additional information for applicant

The applicant is advised that this decision relates solely to whether the Prior Approval of the Local Planning Authority is required and does not confirm that the proposal represents Permitted Development. The site lies within the Sussex North Water Supply Zone where Natural England has advised that water abstraction cannot be concluded to result in no adverse effect on the integrity of the Arun Valley Special Area Conservation (SAC), the Arun Valley Special Protection Area (SPA) and the Arun Valley Ramsar Site.

It is a condition of Permitted Development (Article 3(1) of the Town & Country Planning (General Permitted Development) (England) Order 2015, as amended) that development likely to have a significant effect on a European Site "must not be begun" until an application has been made to Natural England for its opinion as to whether the development is likely to have a relevant effect. Following this an application must be made to the Local Planning Authority for its approval. No development must be begun until the developer has received written notification of the approval of the Local Planning Authority. For further information on this process see Regulations 75 to 77 of the Conservation of Habitats and Species Regulations 2017 (general development orders).

The applicant is advised that any development commenced without compliance with Regulation 75 of the Conservation of Habitats and Species Regulations 2017 would be in breach of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and would be subject to potential future enforcement action.

Asbestos containing materials should be identified in accordance with guidance stated in HSG264 Asbestos: The Survey Guide. All confirmed or suspected asbestos containing materials shall be removed by an appropriately licensed and competent contractor.

All site clearance debris and construction waste shall be removed from site by an appropriately licensed waste removal contractor including all asbestos waste.

In the implementation of this prior-approval the applicant should have regard to guidance published guidance (https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences) pertaining to the protection of ancient woodland, ancient and veteran trees, including the incorporation of appropriate buffer zones to ancient woodland adjacent to the application site.

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**.

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.

Schedule of plans/documents
The following plans and document were considered when making the above decision:

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	Planning	NONE	26.08.2021
Supporting Statement		AEL-4491-SSC-977332	26.08.2021
Supporting Statement	Cover letter	NONE	26.08.2021
Supporting Docs	Survey report	NONE	26.08.2021
Supporting Docs	Appeal decision	NONE	26.08.2021
Supporting Docs	DC/18/2716	NONE	26.08.2021

Supporting Docs	DC/18/0974	NONE	26.08.2021
Supporting Docs	Appeal decision	NONE	26.08.2021
Floor plan	Existing	D 0721/439/02	26.08.2021
Supporting Docs	Specifications	NONE	26.08.2021
Supporting Statement	Specification/Construction Method Statement	NONE	26.08.2021
Section plan		D 0721/439/06	26.08.2021
Floor plan	Proposed	D 0721/439/03	26.08.2021
Elevation plan	Existing	D 0721/439/04	26.08.2021
Elevation plan	Proposed	D 0721/439/05	26.08.2021
Section plan		D 0721/439/07	26.08.2021
Location & Block plan		D 0721/439/01	26.08.2021

Appeals to the Secretary of State

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 this decision notice for a 'minor commercial' (shop front) application, and within 6 months for most 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

New postal addresses

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.

Waste bins

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.

Yours faithfully



Emma Parkes
Head of Development and Building Control