Horsham District Council

Mr Dean Jordan
DARA
21 Egerton Gardens
London
SW3 2DF

Our ref:	DC/24/0819
Your ref:	D023_RSA_Class MA_May 2024
Email:	planning@horsham.gov.uk
Direct Line:	01403 215382
If Calling Please ask for:	Robert Hermitage
Date:	29th July 2024

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 MA

Change of use to convert the building into 195 residential dwellings comprising 58 x 1 bedroom 1 person, 115 x 1 bedroom 2 person, 12 x 2 bedroom 3 person and 10 x 2 bedroom 4 person units.

St Marks Court Chart Way Horsham West Sussex

Further to the above prior notification which was received on 28 May 2024, I am writing to confirm that **prior approval is required and granted**. The proposal can now proceed subject to the following conditions:

1 **Pre-Occupation Condition**: All confirmed or suspected asbestos containing materials shall be removed by an appropriately licensed and competent contractor prior to first occupation of the development and a written report detailing these works shall have been submitted to and approved in writing by the Local Planning Authority. The report shall include details of validation measures undertaken to ensure the all areas where works have been undertaken are free from asbestos. All Site clearance debris and construction waste shall be removed from site by an appropriately licensed waste removal contractor, including all asbestos waste.

Reason: To ensure that any asbestos present on site is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

2 **Pre-Occupation Condition**: No part of the development shall be first occupied until the car parking spaces have been constructed and made available for use in accordance with the approved detail. These spaces shall thereafter be retained at all times for their designated use.

Reason: To ensure that suitable parking provision is made available for the proposed use, in accordance with Policy 41 of the Horsham District Planning Framework (2015).

3 **Pre-Occupation Condition**: No part of the development shall be first occupied until the secure cycle parking facilities have been provided and made available for use in accordance

with the approved detail. These spaces shall thereafter be retained at all times for their designated use.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

4 **Pre-Occupation Condition**: No additional internally and/or externally located plant, machinery equipment or building services plant shall be operated until an assessment of the acoustic impact arising from the operation of all such equipment has been undertaken and has been submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken in accordance with BS 4142:2014 and shall include a scheme of attenuation measures to mitigate any adverse impacts identified in the acoustic assessment and ensure the rating level of noise emitted from the proposed building services plant is no greater than background levels. The scheme as approved by the Local Planning Authority shall be fully installed prior to first operation of the plant and shall be retained as such thereafter.

Reason: To safeguard the amenities of the future residents and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

5 **Pre-Occupation Condition**: No part of the development hereby permitted shall be first occupied until full details of a fire hydrant and / or sprinkler system has been submitted to and approved in writing by the Local Planning Authority in consultation with WSCC Fire and Rescue. The submitted detailed shall demonstrate that all parts inside all flats are within 45metres of the location of a fire appliance in accordance with Approved Document B (AD-B) Volume 1 B5 section 13. This should be measured along the hose lay route, and not in a direct line or arc measurement. Any areas not within the 45metre distance will need to be mitigated by the installation of sprinkler or water mist system complying with BS9251 or BS8458 standards. The system shall thereafter be carried out in accordance with the approved details and fully installed prior to the occupation of the first dwelling.

Reason: In accordance with fire and safety regulations in accordance with Policy 32 of the Horsham District Planning Framework (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, it 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 extraction cannot be concluded as having 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 GPDO and would be subject to potential future enforcement action.

NOTE TO APPLICANT
The Applicant is advised to consider appropriate maintenance and management of the landscaped areas around the building to ensure an appropriate level of natural light is maintained for future occupiers.

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.

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

Plan Type	Description	Drawing Number	Received Date
Location plan		0	04.06.2024
Floor plan	Lower Ground Floor	1	04.06.2024
Floor plan	Upper Ground Floor	2	04.06.2024
Floor plan	First Floor	3	04.06.2024
Floor plan	Second Floor	4	04.06.2024
Floor plan	Third Floor	5	17.06.2024
Elevation plan	Elevations (1)	7	28.05.2024
Elevation plan	Elevations (2)	8	28.05.2024

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