Horsham District Council

Angela Moore
SLR Consulting Ltd
Mountbattan House
1 Grosvenor Square
Southampton
SO15 2JU

Land North of East Street Rusper West Sussex
Erection of 18no. 2, 3 and 4 bedroom dwellings, (including 6no. affordable housing units), together with access from East Street, vehicle and cycle parking, landscaping and open space, and sustainable drainage.

Your application DC/25/0523 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

Angela Moore
SLR Consulting Ltd
Mountbattan House
1 Grosvenor Square
Southampton
SO15 2JU

Application Number: DC/25/0523

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

On behalf of: Luke Eldridge Devine Homes PLC

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:

Erection of 18no. 2, 3 and 4 bedroom dwellings, (including 6no. affordable housing units), together with access from East Street, vehicle and cycle parking, landscaping and open space, and sustainable drainage.

Land North of East Street Rusper West Sussex

to be carried out in accordance with Application No. DC/25/0523 submitted to the Council on 28/03/2025 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 03/02/2026

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
Block plan	Block Plan	PL-02 C	27.08.2025
Layout plan	Site Layout	PL-03 I	27.08.2025
Layout plan	Detailed Layout	PL-04 C	27.08.2025
Details plan	Material Plan	PL-05 C	27.08.2025
Elevation plan	Elevations & Plans Plots 14-16 (2B4P) Affordable	PL-20 D	27.08.2025
Elevation plan	Elevations & Plans Plots 11-12 (3B5P, 2B4P) Open Market	PL-21 E	27.08.2025

Elevation plan	Elevations & Plans Plots 13 (3B5P) Affordable	PL-22 E	27.08.2025
Elevation plan	Elevations & Plans Plots 17-18 (3B5P) Affordable	PL-23 D	27.08.2025
Elevation plan	Elevations & Plans Plots 2-3 (2B4P) Open Market	PL-24 D	27.08.2025
Elevation plan	Elevations & Plans Plots 07-08 (3B5P, 2B4P) Open Market	PL-26 E	27.08.2025
Elevation plan	Elevations & Plans Plots 4 & 10 (3B5P) Open Market	PL-27 E	27.08.2025
Elevation plan	Elevations & Plans Plots 1 & 9 (3B5P) Open Market	PL-28 E	27.08.2025
Elevation plan	Elevations & Plans Plot 6 (4B6P) Open Market	PL-29 E	27.08.2025
Elevation plan	Elevations & Plans Plot 5 (4B6P) Open Market	PL-30 D	27.08.2025
Elevation & Floor plan	Outbuildings: Garages & Cycle Stores	PL-31 D	27.08.2025
Section plan	Street Scenes	PL-50 D	27.08.2025
Plans	SWEPT PATH ANALYSIS - SUPERMARKET DELIVERY VEHICLE	ITB200340-GA-010	12.08.2025
Plans	PROPOSED PEDESTRIAN ACCESS - POTENTIAL KERB BUILD OUT	ITB200340-GA-008 C	12.08.2025
Plans	Landscape Plan Sheet 2of4	M458-202 P2	28.03.2025
Plans	Landscape Plan Sheet 3of4	M458-203 P2	28.03.2025
Plans	Landscape Plan Sheet 4of4	M458-204 P3	28.03.2025
Plans	Landscape Masterplan	M458-100 P3	28.03.2025
Plans	Landscape Plan Sheet 1of4	M458-201 P2	28.03.2025
Location plan	Site Location Plan	PL-01 A	28.03.2025
Supporting Statement	Transport Statement	BT/SG/ITB200340-001F	27.08.2025
Supporting Statement	NatureSpace Technical Response	Technical Response - Planning ref: DC/25/0523	11.11.2025
Supporting Statement	Tree Technical Response	Technical Response - Planning ref: DC/25/0523	12.11.2025
Supporting Docs	BNG METRIC	STATUTORY BNG METRIC	28.10.2025
Supporting Statement	TECHNICAL RESPONSE - BNG AND BATS	Technical Response - Planning ref: DC/25/0523	28.10.2025

Supporting Statement	Outline Habitat Management and Monitoring Plan (HMMP)	Outline Habitat Management and Monitoring Plan (HMMP)	28.10.2025
Supporting Statement	Air Quality Assessment	C11193/AQA/1.2	11.06.2025
Supporting Statement	ENERGY AND SUSTAINABILITY STATEMENT	E1485-ESS-00	28.03.2025
Supporting Statement	Preliminary Ecological Appraisal	Preliminary Ecological Appraisal	28.03.2025
Supporting Statement	Arboricultural Method Statement	Arboricultural Method Statement	28.03.2025
Supporting Statement	GEO-ENVIRONMENTAL DESK STUDY REPORT PART 1	GE22977/DSR/FE B25	28.03.2025
Supporting Statement	GEO-ENVIRONMENTAL DESK STUDY REPORT PART 2	GS-QDH-REA-PUI-2QX	28.03.2025
Supporting Statement	GEO-ENVIRONMENTAL DESK STUDY REPORT PART 3	GS-QDH-REA-PUI-2QX	28.03.2025
Supporting Statement	GEO-ENVIRONMENTAL DESK STUDY REPORT PART 4	GS-QDH-REA-PUI-2QX	28.03.2025
Supporting Statement	Flood Risk Assessment and Drainage Strategy	Flood Risk Assessment and Drainage B	28.03.2025
Supporting Statement	ARCHAEOLOGICAL DESK-BASED ASSESSMENT AND HERITAGE STATEMENT PART 1	R17786	28.03.2025
Supporting Statement	ARCHAEOLOGICAL DESK-BASED ASSESSMENT AND HERITAGE STATEMENT PART 2	R17786	28.03.2025

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-Commencement Condition:** The development hereby approved shall not commence until the following demolition and construction details have been submitted to and approved in writing by the Local Planning Authority. The details shall be limited to the following measures:

(a) Details of site management contact details and responsibilities;

(b) A plan detailing the site logistics arrangements on a phase-by-phase basis (as applicable), including:

i. location of site compound,

ii. location for the loading, unloading and storage of plant and materials (including any stripped topsoil),

iii. site offices (including location, height, size and appearance),

iv. location of site access points for construction vehicles,

v. location of on-site parking,

vi. locations and details for the provision of wheel washing facilities and dust suppression facilities

(c) The arrangements for public consultation and liaison prior to and during the demolition and construction works - newsletters, fliers etc, to include site management contact details for residents;
(d) Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination

All demolition and construction activities shall thereafter be carried out in accordance with the details and measures approved.

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).

4 **Pre-Commencement Condition:** No development shall commence unless and until precise details (to include details shown on a plan) proposed finished floor levels and external ground levels throughout the development in relation to existing Ordnance Survey datum points site have been submitted to and approved by the Local Planning Authority in writing. The development shall, subsequently, be completed in accordance with the approved details.

Reason: To ensure that the proposed development is of an appropriate character and appearance, and to ensure that proposed dwellings are adequately protected from the risk of surface water flooding pursuant to Policies 33 and 38 of the Horsham District Planning Framework (2015).

5 **Pre-Commencement Condition:** No development shall commence until full details of underground services, including locations, dimensions and depths of all service facilities and required ground excavations, have been submitted to and approved by the Local Planning Authority in writing. The submitted details shall show accordance with the landscaping proposals and approved Arboricultural Method Statement (David Archer Associates, November 2024) The development shall thereafter be carried out in accordance with the approved details.

Reason: As this matter is fundamental to the acceptable delivery of this permission, to ensure the underground services do not conflict with satisfactory landscaping in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

6 **Pre- Commencement (slab level) Condition:** Prior to development above ground floor slab level a residential noise impact assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall take account of aircraft noise and shall set out a scheme of acoustic attenuation and ventilation sufficient to maintain thermal comfort and avoid overheating.

Any mechanical ventilation (if required) shall be designed in accordance with the ANC Acoustics Ventilation and Overheating: Residential Design Guide 2020. The scheme shall also include performance details and a glazing plan sufficient to achieve the habitable room standards as detailed in BS8233:2014 [and appropriate consideration of LAmax]. The dwellings shall be constructed in accordance with the approved details and the acoustic and ventilation measures shall be retained to an equivalent and/or superior standard thereafter."

Reason: As this matter is fundamental in the interests of residential amenities by ensuring an acceptable noise level for the occupants of the development 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 first occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:
(a) Details of all existing trees and planting to be removed and retained
(b) Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
(c) Details of all hard surfacing materials and finishes
(d) Details of all boundary treatments
(e) Details of all external lighting
(f) Details of existing and proposed levels for all external earthworks (including SuDS).
The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site (other than those within private gardens) shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 30 years after completion of the development. Any proposed or retained planting outside of private gardens, which dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

8 **Pre-Commencement Condition:**
(a) No development shall take place until a programme of archaeological work has been secured in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.
(b) The development hereby permitted shall not be commenced until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [i] and that provision for analysis, publication and dissemination of results and archive deposition has been secured and approved by the Local Planning Authority in writing.
Reason: As this matter is fundamental as the site is of archaeological significance and it is important that it is recorded by excavation before it is destroyed by development in accordance with Policy 34 of the Horsham District Planning Framework (2015).

9 **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).

10 **Pre- Commencement Condition:** Notwithstanding the submitted Air Quality Assessment, the development hereby approved shall not commence until an air quality mitigation plan has been submitted to and approved in writing by the Local Planning Authority.

Reason: To mitigate against the impact of the development in accordance with Policy 24 of the Horsham District Planning Framework (2015) and Air quality and emissions mitigation guidance for Sussex (2021).

11 **Pre-Commencement Condition:** The development hereby approved shall not commence until confirmation has been provided that either:

1. Foul water capacity exists off site to serve the development, or
2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or
3. All Foul water network upgrades required to accommodate the additional flows from the development have been completed.

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).

12 **Pre-Commencement Condition:** The development hereby approved shall not commence until the locations of the air source heat pumps have been submitted to and been approved in writing by the Local Planning Authority. The development shall be implemented and retained in accordance with the approved details.

Reason: As this matter is fundamental in the interests of residential amenities by ensuring an acceptable noise level for the occupants of the development in accordance with Policy 33 of the Horsham District Planning Framework (2015

13 **Pre-Commencement (Slab Level) Condition:** Prior to any works above slab level commencing, a Biodiversity Enhancement Strategy for protected and priority species, prepared by a suitably qualified ecologist in line with the recommendations of the Preliminary Ecological Appraisal (Ecology Partnership, January 2025), shall be submitted to and approved in writing by the Local Planning Authority. The content of the Biodiversity Enhancement Strategy shall include the following:

- Purpose and conservation objectives for the proposed enhancement measures;
- detailed designs to achieve stated objectives;
- locations of proposed enhancement measures by appropriate maps and plans;
- persons responsible for implementing the enhancement measures;
- details of initial aftercare and long-term maintenance (where relevant).
- The retention of the 1FS Schwegler Large Colony Bat Box

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended).

14 **Pre-Occupation Condition:** Prior to first occupation of any dwelling hereby approved, details of the appearance and location of all photovoltaic panels shall be submitted to and approved

in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and climate change in accordance with Policy 33 and 35 of the Horsham District Planning Framework (2015).

15 **Pre-Occupation Condition:** In the event remediation measures are require as per condition 9, the development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification that the remediation scheme required and approved under the provisions of condition 9(b) 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 9(b), 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).

16 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a Landscape Management and Maintenance Plan (including long term design objectives, management responsibilities, a description of landscape components and specifications, management prescriptions, timetable for implementation, maintenance schedules and accompanying plan delineating areas of responsibility) for all communal landscape areas has been submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015).

17 **Pre-Occupation Condition:** Prior to the first occupation of any dwelling hereby approved a lighting design scheme for biodiversity detailing all external lighting throughout the development including numbers, positions, heights, designs, lighting contours and technical specifications shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: To 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 (as amended) and Policy 31 of the Horsham Development Framework.

18 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a fire hydrant(s) to BS 750 standards or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) has been installed, connected to a water supply with appropriate pressure and volume for firefighting, and made ready for use in consultation with the WSCC Fire and Rescue Service. The hydrant(s) or stored water supply shall thereafter be retained as such.

The fire hydrant shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner / occupier if the installation is retained as a private network.

Reason: In accordance with fire and safety regulations in accordance with Policy 33 of the Horsham District Planning Framework (2015).

19 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling has been provided within the side or rear garden of that dwelling. The facilities shall, thereafter, be retained for use at all times.
Reason: To ensure that provision is made for refuse and recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

20 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved drawing number PL-31 Rev D. 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).

21 **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 a minimum 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).

22 **Pre-Occupation Condition:** Upon completion of the surface water drainage system, including any SuDS features, and prior to the first occupation or use of the development; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance approved plans and drawings as provided in the Flood Risk Assessment and Drainage Strategy dated 12/02/2025 (Revision B) and Technical Note TN03 - RFI Response to LLFA - 21st May 2025, including the methodology surrounding the management of the existing culverted system that crosses the site. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with the NPPF and local planning policy 38 in the Horsham District Planning Framework

23 **Regulatory Condition:** The development herby permitted shall be carried out in strict accordance with the approved plans and drawings as provided in the Flood Risk Assessment and Drainage Strategy dated 12/02/2025 (Revision B) and Technical Note TN03 - RFI Response to LLFA - 21st May 2025. The existing surface water sewer crossing the site shall be retained and repaired OR appropriately diverted through the development up to the site boundary line in both directions and shall be maintained thereafter.

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with the NPPF and local planning policy 38 in the Horsham District Planning Framework

24 **Regulatory Condition:** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Ecology Partnership, January 2025) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. 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 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 (as amended) and Policy 31 of the Horsham Development Framework.

25 **Regulatory Condition:** The development herby permitted shall be carried out in strict accordance with the Reasonable Avoidance Measures set out withing the 'Technical Response - Planning ref: DC/25/0523' (Ecology Partnership, 6 November 2025) as submitted with the planning application.

Reason: To ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with Policy 31 of the Horsham Development Framework, section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

26 **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays.

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

27 **Regulatory Condition:** The garage(s) hereby permitted shall be used only as private domestic garages for the parking of vehicles incidental to the use of the properties as dwellings and for no other purposes.

Reason: To ensure adequate off-street provision of parking in the interests of amenity and highway safety, and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

28 **Regulatory Condition:** All works shall be executed in full accordance with the submitted Arboricultural Method Statement (Archer Associates, November 2024).
Reason: To ensure the successful and satisfactory protection of important trees, shrubs and hedges on the site in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).

Note to Applicant
Biodiversity Net Gain Condition
Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:
(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission is Horsham District Council.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: Submit a biodiversity gain plan - GOV.UK (www.gov.uk)

Statutory exemptions and transitional arrangements

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at https://www.gov.uk/guidance/biodiversity-net-gain.
Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

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.