Horsham District Council

Miss Emma Sibley
Turley
The Pinnacle
20 Tudor Road
Reading
RG1 1NH

Application Number: DC/24/0772

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

On behalf of: Mr Robert Franks, Berkeley Homes (Southern) Ltd

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:

Non-Material Amendment to previously approved application DC/18/1246 (Reserved matters approval sought for layout, appearance, landscaping, scale and access for the erection of 214 dwellings (including 61 affordable dwellings) with associated access, parking and landscaping works pursuant to phases 3.2 and 4 of outline planning permission DC/14/0590.) Amendment to the description of development to remove the specified number of approved dwellings (214) from the description of development, and to apply a new planning condition which restricts the permitted number of units to the described 214. The new description of development to read: Reserved matters approval sought for layout, appearance, landscaping, scale and access for the erection of residential dwellings (including affordable dwellings) with associated access, parking and landscaping works pursuant to phases 3.2 and 4 of outline planning permission DC/14/0590.

Berkeley Homes Development Site, Worthing Road, Southwater, West Sussex

to be carried out in accordance with Application No. PP-13044277 as amended by application No. DC/24/0772 submitted to the Council on 17/05/2024 (as modified by relevant conditions, if any) and subject to compliance with the plans/documents and conditions specified.

Emma Parkes
Head of Development and Building Control

Date: 19/06/2024

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
Supporting Docs	COVER LETTER by Turley 10th May 2024 Re: NON-MATERIAL AMENDMENT APPLICATION TO AMEND THE DESCRIPTION OF DEVELOPMENT OF PLANNING PERMISSION DC/18/1246.	NONE	17.05.2024
Plans	Site LOCATION PLAN Phase 3.2 & 4	S8320/SLP/ PH3.2 & 4 REV A	17.05.2024

Reason: For the avoidance of doubt and in the interest of proper planning.

2 **Regulatory Condition:** The development hereby approved comprises 214 no. residential dwelling units including 61 affordable dwellings.

Reason: To enable the Local Planning Authority to provide the same level of control over the form and quantum of development as approved to accord with the quantum of development assessed as part of the planning application determination, in accordance with Policies 1, 2, 15, 16 and SD10 of the Horsham District Planning Framework (2015) and SNP1 and SNP2 of the Southwater Neighbourhood Plan (2021)

Note to Applicant:
Amended Description of Development:
The Applicant is advised of the amended Description of Development, following the grant of this Non-Material Amendment:

> Reserved matters approval sought for layout, appearance, landscaping, scale and access for the erection of residential dwellings (including affordable dwellings) with associated access, parking and landscaping works pursuant to phases 3.2 and 4 of outline planning permission DC/14/0590.

The applicant's attention is also drawn to planning condition (No. 2) of this Non-Material Amendment, to provide the same level of control over the form and quantum of development as approved to accord with the quantum of development assessed as part of the planning application determination.

Note to Applicant:
This decision only relates to the non-material amendments sought and is not a reissue of the original planning permission, which still stands. The two documents should be read together.

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 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.

Compliance with the Approved Plans and Conditions
The development hereby approved must be implemented in accordance with the approved plans and any conditions set out in the Notice. Some of the conditions may specify that works are to be carried out, and/or details submitted and approved before all or part of the development is started. These will appear in the 'Pre Commencement Conditions' section of the Notice.

If works on implementing this permission is started without these requirements being fully met, the development may be unauthorised and the permission invalidated, and could lead to enforcement proceedings or in some cases to prosecution.

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.

Conditions Compliance
Requests for confirmation of compliance with conditions associated with that permission should be made in writing or by using the application form 'Approval of Details Reserved by Conditions'.

A request may be for confirmation that one or more conditions imposed on the same permission have been complied with. We aim to respond within 8 weeks of receipt of the request.

Right of Appeals
There is no right of appeal against refusal of an application for a non-material amendment, or against conditions imposed. This is because non-material amendments are not covered the relevant legislation which sets out which types of application can be appealed (section 78 of the 1990 Town and Country Planning Act).

If you are aggrieved by the decision to refuse permission for your application, or to grant it subject to conditions, you would need to submit a planning application to seek approval for the proposed amendments. Please speak to your Case Officer for more details.