

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

**The Hermitage Tower Hill Horsham West Sussex  
Construction of dwelling and detached garage/store building. Creation of new vehicle access  
from Parthings Lane.**

Your application DC/25/0115 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](https://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](https://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**

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

Application Number: DC/25/0115

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

On behalf of: Mr J Smith

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:

**Construction of dwelling and detached garage/store building. Creation of new vehicle access from Parthings Lane.**

**The Hermitage Tower Hill Horsham West Sussex**

to be carried out in accordance with Application No. DC/25/0115 submitted to the Council on 18/02/2025 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes  
Head of Development and Building Control

Date: 11/09/2026

- 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 |
|---------------------------|-----------------------------------|--------------------------|---------------|
| Supporting Docs           | Arboricultural Report             | AIA/AMS06542/20<br>240.2 | 24.01.2025    |
| Design & Access Statement |                                   | NONE                     | 24.01.2025    |
| Tree plan                 | Constraints                       | 06542 / 2024             | 24.01.2025    |
| Tree plan                 | Protection                        | 06542 / 2024             | 18.02.2025    |
| Supporting Docs           | Water Neutrality Report           | NONE REV P3              | 24.01.2025    |
| Supporting Docs           | Full SAP Calculation              | NONE                     | 24.01.2025    |
| Supporting Docs           | Energy & Sustainability Statement | NONE                     | 24.01.2025    |

|                       |                       |            |            |
|-----------------------|-----------------------|------------|------------|
| Location & Block plan |                       | HER/ORC/01 | 24.01.2025 |
| Site plan             |                       | HER/ORC/02 | 24.01.2025 |
| Elevation plan        | Proposed              | HER/ORC/04 | 24.01.2025 |
| Roof plan             | Proposed and Sections | HER/ORC/05 | 24.01.2025 |
| Supporting Statement  | Heritage              | NONE       | 07.02.2025 |

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:** No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

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).

- 4 **Pre-Commencement Condition:** No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery, or materials onto the site, until the following preliminaries have been completed in the sequence set out below:

- (a) All trees on the site shown for retention on approved drawing number [Tree Protection Plan: 06542 / 2024], as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).
- (b) Once installed, the fencing shall be maintained during the development works and until all machinery and surplus materials have been removed from the site.
- (c) Areas so fenced off shall be treated as zones of prohibited access and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policies 25 and 33 of the Horsham District Planning Framework (2015) and Policy 18 of the Southwater Neighbourhood Plan (2021).

- 5 **Pre-Commencement Condition:** No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery, or materials onto the site, until a Precautionary Working Methods Statement (PWMS) for Great

Crested Newts is provided by a suitable qualified ecology. The PWMS so approved shall be implemented prior to development and strictly adhered to during the construction phase.

Reason: To allow the Local Planning Authority 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 District Planning Framework (2015).

- 6 **Pre-Commencement (Slab Level) Condition:** A Biodiversity Enhancement Layout for the biodiversity enhancements listed in the Preliminary Ecological Appraisal (Ecology & Habitat Management Ltd., January 2025) shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Layout shall include the detailed designs or product descriptions for biodiversity enhancements and locations, orientations, and heights for biodiversity enhancements on appropriate drawings. The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species & habitats and allow the Local Planning Authority to discharge its duties under N6 of the NPPF 2026 and s40 of the NERC Act 2006 (as amended) in accordance with Policy 31 of the Horsham District Planning Framework (2015).

- 7 **Pre-Occupation Condition:** A lighting design scheme for biodiversity based on Guidance Note: 08/23 (Institute of Lighting Professionals) 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 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 Local Planning Authority 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 District Planning Framework (2015).

- 8 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until visibility splays of 2.4 metres by 43 metres have been provided at the proposed site vehicular access onto Parthings Lane in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metres above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 9 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the parking, turning and access facilities, cycling storage, and electrical vehicle charging point necessary to serve that dwelling have been implemented in accordance with the approved details as shown on plans HER/ORC/02 REV A and HER/ORC/06 and shall be retained for those purposes as such thereafter.

Reason: To ensure adequate parking, turning and access, the parking of cycles, and provision of electric vehicle car charging space for use on site to serve the development in accordance with Policies 35, 40, and 41 of the Horsham District Planning Framework (2015) and Policies 14, 15, and 16 of the Southwater Neighbourhood Plan (2021).

- 10 **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).

- 11 **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. This shall include a commitment to 2:1 tree replanting with all replanting to satisfy the standards as set out in Policy 18 of the Southwater Neighbourhood Plan (2021) and enhanced landscaping to the west site boundary.
  - (c) Details of all hard surfacing materials and finishes
  - (d) Details of all boundary treatments

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 character of the surroundings, and in the interests of visual amenity in accordance with Policies 25 and 33 of the Horsham District Planning Framework (2015) and Policies 16 and 18 of the Southwater Neighbourhood Plan (2021).

- 12 **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 unless details of alternative materials have been submitted to and approved in writing by the Local Planning Authority prior to development above ground floor slab level commencing.

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) and Policy 16 of the Southwater Neighbourhood Plan.

- 13 **Regulatory Condition:** All works shall be executed in full accordance with the submitted Arboricultural Impact Assessment/Method Statement [Duckworths Arboriculture Ltd. AIA/AMS 06542 / 2024 0.2 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) and Policy 18 of the Southwater Neighbourhood Plan (2021).

- 14 **Regulatory Condition:** All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Ecology & Habitat Management Ltd Jan 2025). This includes the non-licensed Precautionary Method Statement for Hazel Dormouse in Section 4.4 and the Precautionary Method Statement for reptiles and mobile protected species in Section 4.4 of the Preliminary Ecological Appraisal (Ecology & Habitat Management Ltd Jan 2025).

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 protected and Priority species and allow the Local Planning Authority 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).

- 15 **Regulatory Condition:** The garage building hereby permitted shall be used only as private domestic garage for the parking of vehicles and domestic storage incidental to the use of the new dwelling 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) and Policy 14 of the Southwater Neighbourhood Plan.

- 16 **Regulatory Condition:** All works of demolition, construction, and ancillary activities, including deliveries and dispatch, shall be restricted to 08:00 - 18:00 hours on Monday to Friday, from 08:00 to 13:00 hours on Saturdays and at no time on Sundays or Bank Holidays.

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

- 17 **Regulatory Condition:** The dwellinghouse building hereby permitted shall meet the national technical standard for M4(2) Building Regulations.

Reason: To delivery on an accessibility baseline so the dwelling can be easily adopted for older or disabled occupants over time in accordance with Policies 9 and 16 of the Southwater Neighbourhood Plan.

- 18 **Regulatory Condition:** The dwelling(s) hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to no more than 110 litres per person per day. The subsequently installed water limiting measures shall thereafter be retained.

Reason: To limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015), and 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), the National Planning Policy Framework (2026), and to allow the Local Planning Authority to discharge its duties under the

### **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.

Under Regulations 4, 5, 7 & 8 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024 the statutory biodiversity gain condition required by Schedule 7A to the Town and Country Planning Act 1990 (as amended) does not apply in relation to planning permission for development which:

- 1. does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (a hedgerow habitat or watercourse habitat identified for the purposes of the biodiversity metric);
- 2. is the subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015;
- 3. is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the biodiversity gain planning condition which applies in relation to another development (In determining whether a development is undertaken solely or mainly for this purpose, no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee);
- 4. consists of no more than 9 dwellings, is carried out on a site which has an area no larger than 0.5 hectares, and consists exclusively of dwellings which are self-build or custom housebuilding ("Self-build or custom housebuilding" has the same meaning as in section 1(A1) of the Self-build and Custom Housebuilding Act 2015 (as amended)).

In addition, the Biodiversity Gain Plan Condition does not apply to applications for major development made before 12 February 2024, or non-major development made before 2 April 2024.

**Based on the information submitted in the planning application documents, the Planning Authority considers that this permission is exempt from biodiversity net gain, and as such does not require approval of a biodiversity gain plan before development is begun.**

### *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 1<sup>st</sup> 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](mailto: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](mailto: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](mailto: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](mailto: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>.