Horsham District Council

Mr Rory Aitkenhead
RA.
16 Iliffe Yard
London
SE17 3QA

Our ref:	DC/25/0213
Your ref:	Shiremark
Email:	planning@horsham.gov.uk
Direct Line:	01403 215 258
If Calling Please ask for:	Shazia Penne
Date:	25th July 2025

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 Change of Use of Agricultural Building to 2no. dwellings. Recladding of existing structure, thermal performance improvements and installation of new windows.

Shiremark Horsham Road Capel West Sussex

Further to the above prior notification which was received on 11 February 2025, 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) - (d) 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 an options appraisal.

d) Prior to the occupation of the dwellings, a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages,

maintenance and arrangements for contingency action where required, shall be submitted to and approved in writing by the Local Planning Authority.

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-Commencement (Relevant Works) Condition**: A schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing prior to any relevant works taking place, and all materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Additional information for applicant

West Sussex County Council - Public Right of Way
The applicant is advised that a public right of way (Capel Footpath 1319) crosses the site. This permission does not authorise any works which obstruct, divert, or otherwise affect the public right of way. The public footpath must remain unobstructed and available at all times, both during and after construction.

Any proposals to temporarily close, permanently divert, or otherwise alter the route of the right of way must be made under the appropriate statutory procedures and should be discussed in advance with the Public Rights of Way Team at West Sussex County Council.

Southern Water
The applicant is advised that insufficient information has been provided regarding the proposed means of foul and surface water drainage disposal. Construction of the development shall not commence until full details have been submitted to and approved in writing by the Local Planning Authority, in consultation with Southern Water.

It is noted that there are no public sewers in the vicinity of the proposed development. Under the New Connections Charging arrangements, it is the responsibility of the developer to provide the necessary sewerage infrastructure up to the point of practical connection.

The applicant is strongly encouraged to investigate the feasibility of a connection to the public sewer network or to explore alternative means of foul sewage disposal in consultation with the appropriate authorities.

For further advice, please contact Southern Water at:
Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX
Tel: 0330 303 0119
Website: www.southernwater.co.uk
Email: SouthernWaterPlanning@southernwater.co.uk

Water Neutrality:
Article 3(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended states that:

"Subject to the provisions of this Order and regulations 73 to 76 of the Conservation of Habitats and Species Regulations 2010 (general development orders), planning permission is hereby granted for the classes of development described as permitted development in Schedule 2."

Section 75 of the Conservation of Habitats and Species Regulations 2017 states that *"it is a condition of any planning permission granted by a general development order made on or after 30th November 2017, that development which -*
(a) Is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and
(b) Is not directly connected with or necessary to the management of the site, must not be begun until the developer has received written notification of the approval of the local planning authority under regulation 77 (approval of local planning authority)."

The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

On this basis, an application under Section 77 of the Conservation of Habitats and Species Regulations 2017 would be required.

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

Plan Type	Description	Drawing Number	Received Date
Elevation plan	Existing	004 REV P01	11.02.2025
Floor plan	Proposed roof	005 REV P03	30.06.2025
Elevation plan	Proposed	006 REV P03	30.06.2025
Location plan		001 REV P01	11.02.2025
Site plan	Proposed	002 REV P01	11.02.2025
Floor plan	Existing roof	003 REV P01	11.02.2025

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