Horsham District Council

Mr Ben Kirk
Manorwood
Suite 114
26 The Hornet
Chichester
PO19 7BB

Our ref:	DC/23/1873
Your ref:	grainingfold class Q
Email:	planning@horsham.gov.uk
Direct Line:	01403 215184
If Calling Please ask for:	Kate Turner
Date:	4th December 2023

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 dwellinghouses (C3 Use class).

Land To The North of Grainingford Farmhouse Horsham Road Five Oaks West Sussex

Further to the above prior notification which was received on 10 October 2023, 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), as recommended by the Desktop Study Report reference YEX4162 by Your Environment dated May 22 has been submitted to and approved, in writing, by the local planning authority:

(a) 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.

(b) 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.

(c) 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.

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 appropriately addressed in accordance with

Paragraph Q.2(1)(c) of Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) in addition to paragraphs 178 and 179 of the National Planning Policy Framework (2021).

2 **Pre-Commencement Condition**: Prior to the commencement of the development hereby permitted a noise impact assessment which quantifies and assesses the impact of road traffic noise on the residential amenity of future occupiers of the dwellings shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall include details of a scheme to protect future residents from any adverse noise impacts. The scheme shall be carried out in accordance with the agreed details prior to the occupation of the dwelling and shall be retained as such thereafter.

Reason: To safeguard the amenities of future residents of the development hereby permitted, in accordance with the National Planning Policy Framework (2021).

3 **Pre-Commencement (Slab Level) Condition**: No development above ground floor slab level of any part of the development hereby permitted shall take place until 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 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 the National Planning Policy Framework (2021).

4 **Pre-Occupation Condition:** A lighting design scheme for biodiversity 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 (Priority habitats & species) and to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

5 **Pre-Occupation Condition**: Prior to the first occupation of any part of the development hereby permitted, a plan showing the layout of the proposed development and the provision of car parking spaces for vehicles shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the parking spaces associated with it have been provided in accordance with the approved details. The areas of land so provided shall thereafter be retained for the parking of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of all highways in accordance with the National Planning Policy Framework (2021).

6 **Regulatory Condition**: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Reptile Survey and Mitigation Strategy (The Ecology Co-Op 5th August 2022) and Biodiversity Enhancement layout (The Ecology Co-Op 5th August 2022).

This may 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 (Priority habitats & species) and to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

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
Supporting Statement	Structural Report Relating To Stability of Grainingfold Barn by vkhp-consulting	MVK/ATB/443120	20.11.2023
Location plan	Site: Location Plan	200218_000 Rev 2	10.10.2023
Block plan	Site: Block Plan	200218_001 Rev 2	10.10.2023
Elevation plan	Existing: Elevations	200218_100 Rev 2	10.10.2023
Floor plan	Existing: Floor Plan Roof Plan	200218_101 Rev 2	10.10.2023
Elevation plan	Proposed: Elevations	200218_200 Rev 2	10.10.2023
Floor plan	Proposed: Floor Plans	200218_201 Rev 2	10.10.2023
Supporting Statement	Biodiversity Enhancement Layout by The Ecology Co-Op dated 5 August 2022	NONE	10.10.2023
Supporting Statement	Reptile Survey Report & Mitigation Strategy by The Ecology Co-Op dated 5 August 2022	P3941	10.10.2023

Supporting Statement	Appendix A - Proposed Redevelopement Plans by Your Environment dated May 22	YEX4162	10.10.2023
Supporting Statement	Desktop Study Report by Your Environment dated May 22	YEX4162	10.10.2023

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