Horsham District Council

Miss Taylor Holdstock
Kent Design Studio Ltd
The Workshop
Rose Cottage Farm, North Street
Biddenden
Ashford
TN27 8BA

Sayers Farm Two Mile Ash Horsham West Sussex
Extension to existing riding menage and construction of a horse walker.

Your application DC/24/0377 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.

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

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Application Number: DC/24/0377

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

On behalf of: Mr and Mrs Leach

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:

Extension to existing riding menage and construction of a horse walker.

Sayers Farm Two Mile Ash Horsham West Sussex

to be carried out in accordance with Application No. DC/24/0377 submitted to the Council on 18/03/2024 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 26/07/2024

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 Statement	Technical Note - Non-licensed Precautionary Method Statement for Hazel Dormouse (The Ecology Partnership, June 2024)	Technical Note	04.06.2024
Supporting Statement	Proposed Biodiversity Enhancement Layout	4617 - 15 Biodiversity Enhancment	28.06.2024
Elevation plan	Proposed	4617 - 13	07.03.2024
Supporting Statement	Preliminary Ecological Appraisal	NONE	07.03.2024

Location & Block plan		4617 - 01 REV A	07.03.2024
Block plan	Proposed	4617 - 17 Inc horse walker	03.04.2024
Elevation & Floor plan	Proposed section	4617 - 11	07.03.2024
Elevation & Floor plan	Proposed details	4617 - 12	07.03.2024
Block plan	Existing	4617 01B Existing	13.05.2024
Supporting Statement	Heritage and planning	NONE	18.03.2024
Block plan	Proposed	4617 10B Proposed	13.05.2024
Supporting Statement		NSP certificate/license	07.05.2024
Supporting Statement		Impact Plan Gt Crested Newts	02.04.2024
Supporting Statement		NatureSpace Best Practive Principles	02.04.2024
Supporting Statement		NatureSpace Mitigation Principles	02.04.2024

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 **Regulatory Condition**: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Technical Note - Non-licensed Precautionary Method Statement for Hazel Dormouse (The Ecology Partnership, June 2024) and Preliminary Ecological Appraisal (The Ecology Partnership, March 2024) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the Precautionary Method Statement for mobile species Sections 4.22 and 4.27 of the Preliminary Ecological Appraisal (The Ecology Partnership, March 2024), and the Biodiversity Enhancement Layout (ref. 4617-15).

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: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and the Wildlife & Countryside Act 1981 as amended, and s40 of the NERC Act 2006 (as amended).

4 **Regulatory Condition**: The materials and finishes of the development hereby permitted shall strictly accord with the submitted plans, details and application form.

Reason: In the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

5 **Regulatory Condition**: The sand school shall not be used for commercial purposes or in connection with any form of riding establishment.

Reason: In the interests of amenity, to enable the Local Planning Authority to regulate and control the development and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

6 **Regulatory Condition**: No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR136 , or a 'Further Licence') and with the proposals detailed on plan "Sayers Farm: Impact plan for great crested newt District Licensing (Version 1)" dated 27th March 2024

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence (WML-OR136, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

7 **Regulatory Condition**: No development hereby permitted shall take place except in accordance with Part 1 of the Great Crested Newt Mitigation Principles, as set out in the District Licence (WML-OR136, or a 'Further Licence'), and in addition in compliance with the following:
o Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML-OR136, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

Note to Applicant
It is recommended that the NatureSpace Best Practice Principles are taken into account and implemented where possible and appropriate.

It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority which permits the development to proceed under the District Licence (WML-OR136, or a 'Further Licence') are not licensed under the great crested newt District Licence. Any such works or activities have no legal protection under the great crested newt District Licence and if offences against great crested newt are thereby committed then criminal investigation and prosecution by the police may follow.

It is essential to note that any ground investigations, site preparatory works and ground / vegetation clearance works / activities (where not constituting development under the Town and Country Planning Act 1990) in a red zone site authorised under the District Licence but which fail to respect controls equivalent to those detailed in the planning condition above which refers to the NatureSpace great crested newt mitigation principles would give rise to separate criminal liability under the District Licence, requiring authorised developers to comply with the District Licence and (in certain cases) with the GCN Mitigation Principles (for which Natural England is the enforcing authority); and may also give rise to criminal liability under the Wildlife & Countryside Act 1981 (as amended) and/or the

Conservation of Habitats and Species Regulations 2017 (as amended) (for which the Police would be the enforcing authority).

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.