Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/0322
Four Seasons Fuel, Coneyhurst Road, Coneyhurst, Billingshurst, West Sussex, RH14 9DG

DESCRIPTION:

Erection of an agricultural storage building

RELEVANT PLANNING HISTORY:

DC/17/0596	Change of Use of land for the outside storage of fuels, erection of building for the loading and unloading of gas bottles, extension of concrete areas, creation of a balancing pond, relocation of portacabin offices and shipping containers, erection of security fencing, change of use of existing timber storage building for the storage of fuels, packaging, equipment and machinery, improvements to access and construction of car park (part retrospective)	Application Permitted on 30.06.2017
DISC/17/0386	Approval of details reserved by conditions 2a, b and c to approved application DC/17/0596	Application Permitted on 21.12.2017
DC/21/0293	Erection of two-storey office building and the provision of car parking facilities	Application Permitted on 28.05.2021
DC/21/0294	Erection of warehouse and boundary fence.	Application Permitted on 28.05.2021
DC/23/1212	Erection of lean-to extension to existing office building (Retrospective)	Application Permitted on 18.09.2024
DC/23/1213	Variation of conditions 1 and 3 of previously approved application DC/21/0294 (Erection of warehouse and boundary fence) Variation sought to allow for a change to the location of the approved warehouse and associate parking area	Application Permitted on 05.10.2023

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 10 - Rural Economic Development
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 31 - Green Infrastructure and Biodiversity

Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 - Parking

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 2.9 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

Billingshurst Parish Neighbourhood Plan (BPNP) 2019 - 2031:
Policy Bill 1 – Billingshurst Built-Up Area Boundary
Policy Bill 3 – Energy Efficiency and Design

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:

HDC Environmental Health: No Objection (Subject to Condition)
Environmental Health recommended conditions regarding both contaminants and water. Conditions were recommended due to the commercial use of the application site and the potential for contaminated soils to be present and proximity to residential dwellings to protect the neighbouring amenity and to ensure safety of water used.

OUTSIDE AGENCIES

Ecology Consultant: Comment

Have reviewed the Ecological Impact Assessment (South Downs Ecology, January 2024) relating to the likely impacts of development on designated sites, protected & Priority species and habitats, and identification of appropriate mitigation measures.

Note from the Ecological Impact Assessment (South Downs Ecology, January 2024) that the buildings and habitats onsite have negligible bat roost potential. Therefore agree that no further surveys for bats are required.

The site lies approximately 6.8km east of The Mens Special Area of Conservation (SAC) and therefore lies within the 12km Wider Conservation Area for the SAC (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol). The qualifying feature for the SAC is Barbastelle bats, but there are no records for this species within 2km of the site (Sussex Biodiversity Records Centre (SxBIS) - accessed under licence and MAGIC maps).

No European Protected Species Mitigation Licenses (EPSML) have been granted within 2km of the site (MAGIC maps). There are approximately 25 records for bats within 2km of the site, including Common Pipistrelle, Natterer's bat, Brown Long-eared bat and Soprano Pipistrelle bat (SxBIS – accessed under licence). The site lies approximately 11.7km east of Ebernoe Common SAC and is therefore outside the Wider Conservation Area for the SAC. The sites lies approximately 7.5km northeast of the Arun Valley SAC, SPA and Ramsar site.

Understand from the submitted documents that the site is currently used for storage and comprises hard standing, sparsely vegetated urban land and scattered scrub. There are no hedgerows or woodlands within the red line boundary. Therefore, there will be no severance to the flight lines of foraging or commuting bats from the SAC and habitat connectivity within the site will be maintained.

Satisfied that there is sufficient ecological information available for determination of this application. This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable. This will enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended).

The mitigation and enhancement measures identified in the Ecological Impact Assessment (South Downs Ecology, January 2024) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly those recorded in the locality.

Support the proposed reasonable biodiversity enhancements for protected and Priority species, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 180d and 186d of the National Planning Policy Framework (December 2023). The enhancement measures should be outlined within a Biodiversity Enhancement Layout and secured by a condition of any consent for discharge prior to slab level.

Natural England:

Comment – Further Information (24/06/2024)

Natural England required further information to determine the significance of impacts on designated sites and the scope for mitigation and ask for a revised water neutrality statement that illustrates the proposals water usage and appropriate mitigation.

No Objection (23/09/2024)

Natural England commented: Concur with the conclusion of your authority's HRA appropriate assessment insofar that adverse effects on the integrity of the Arun Valley Designated sites can be ruled out, as such: We have no objections subject to the: delivery, management and maintenance of measures identified in the water neutrality statement to achieve water neutrality.

West Sussex Fire and Rescue: Comment

The nearest fire hydrant for the supply of water for firefighting is 125 metres away, 35 metres further than the 90-metre distance required for a commercial premises. If an alternative supply of water for firefighting is to be considered it will need to conform with the details identified in Approved Document—B (AD-B) Volume 2: 35 section 16 and agreed with West Sussex Fire & Rescue Service.

The agent responded to a request for information detailing that there is a reservoir on site, constructed as part of the fire requirements of gas installations.

Reading Agricultural Consultants: Comment

Reading Agricultural Consultants (RAC) initially commented on the application that "the space requirements of the equipment and processing area have not been detailed in the submitted documents or identified on a floor plan. … A floor plan showing how the building would meet the identified storage requirement and therefore justify its size and be compliant with policy would be appropriate".

This was requested by the Council with the agent responding: "In terms of the layout of the proposed building, the main honey extraction process is to be contained within a special room fitted out to Health and Hygiene standards. The length of this is determined by the equipment. There will be a warming room which is sealed in order to keep the honey warm so that it flows easily while being extracted or jarred up. The rest of the area is for storage of spare equipment, mending hives, storage of packaging". A couple of example buildings were also referred to by the agent for additional context as well as additional information regarding that the amount of hives had increased from 400 to 500.

Comment

RAC were reconsulted with this information and commented that "the additional information provided by the Agent and the increase of an additional 100 hives since the application was originally submitted, the proposed building is justified in terms of its size for the beekeeping and honey production enterprise and is compliant with national and local planning policy"

West Sussex County Council Local Highways Authority: No Objection

West Sussex County Council Local Highways Authority (WSCCLHA / LHA) considered the proposal would not have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 115), and that there are no transport grounds to resist the proposal.

Nature Space: No Comment

Nature Space had no comments in regard to this application

Parish Comments: Objection

Billingshurst Parish Council considered that the proposed building is too large, is incompatible with current uses on the site and will lead to an increase in traffic movements

Representations:

None received

Member Comments:

None received

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

This application is for the erection of an agricultural storage building at Four Seasons Fuel, Coneyhurst Road, Coneyhurst, Billingshurst, West Sussex. Four Seaons Fuel. The site comprises an established commercial enterprise. The application site is located to the south of Coneyhurst Road, outside of any designated built-up area boundary therefore located within a countryside location in policy terms.

The main considerations material to this application relate to:

- The Principle of Development
- Design and Appearance
- Amenity Impact
- Highways Impact

Principle of Development:

Policy 1 of the Horsham District Planning Framework (HDPF) states that the council will take positive approach to development proposals, aligning with the National Planning Policy Framework's emphasis on sustainable development. It collaborates proactively with applicants to find solutions that enable project approval and enhance economic, social, and environmental conditions. Planning applications that comply with the Local Plan and relevant neighbourhood plans will be approved promptly unless material considerations suggest otherwise. If policies are absent or outdated, the Council will grant permission unless significant adverse impacts outweigh the benefits, or specific policies in the Framework restrict development.

Policy 10 of the HDPF seeks to support sustainable rural economic development, and the productive use of land that maintains the relative tranquillity of the countryside in order to generate local employment opportunities and socio-economic benefits for local communities. Policy 10 stipulates that development should be appropriate to its countryside location and must contribute to diverse and sustainable farming enterprises, or the wider recreational offer or rural economy, and, in addition, be contained within suitably located buildings which are appropriate for conversion, or result in substantial environmental improvement.

In conjunction, paragraph 88 of the National Planning Policy Framework (NPPF) states that planning decisions should enable sustainable growth and expansion of all types of business in rural areas, both through conversions of existing buildings and well-designed new buildings as well as enabling the development and diversification of agricultural and other land-based rural businesses

Policy 25 of the HDPF seeks that the natural environment and the local character of Horsham District including the landscape, the landforms and development pattern will be protected from inappropriate development. The policy aims to:

- Protects, conserves and enhances the landscape and townscape character, considering areas identified as being of landscape importance, the individual settlement characteristics, and maintains settlement separation.
- Maintain and enhances the Green Infrastructure Network and addresses any identified deficiencies in the District.
- Maintains and enhances the existing network of geological sites and biodiversity, including safeguarding existing designated sites and species, and ensures no net loss of wider biodiversity and provides net gains in biodiversity where possible.
- Conserve and where possible enhance the setting of the South Downs National Park.

Policy 26 of the HDPF requires development in the countryside be of a scale that is appropriate to its countryside character and location and not lead, either individually or cumulatively, to a significant increase in the overall level of activity in the countryside. It also needs to be essential to its countryside location and to meet one of the following criteria:

- Support the needs of agriculture or forestry;
- Enable the extraction of minerals or the disposal of waste;
- Provide for quiet informal recreational use; or
- Enable the sustainable development of rural areas.

Policy Bill 1 of the Billingshurst Neighbourhood Plan states that development proposals outside the proposed built-up area boundary will only be supported where: it is in accordance with the development plan policies on appropriate uses in the countryside; it relates to necessary utilities; it represents the appropriate provision of tourism facilities, accommodation, attractions and activities, where it meets the requirements of Policy BILL11; or it is on sites allocated for those uses in the Horsham District Planning Framework or its successor.

The proposal is for the erection of an agricultural building for apiarian purposes. The unit would be multipurposed including for the storage of apiarian equipment, function as space for hive repair as well as having rooms for the warming and extraction of honey collected from the Applicant's hives around the local area. The unit would be able to support 500 hives. The unit is also proposed to be used as a teaching space for novice apiarists in small classes on a time to time basis.

The proposed enterprise would be considered to be agricultural under Section 336 of the Town and Country Planning Act (1990) defining agriculture as "includ[ing] horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and "agricultural" shall be construed accordingly".

It is recognised that the wider site operates as a commercial premises for the storage and distribution of fuel. It is not considered that the introduction of the proposed use and associated activities would intensify or generate a greater level of activity when considered alongside the established use and activities. In addition, the proposal would not jeopardise the function of the existing enterprise.

It is noted that the Planning Statement suggests that occasional bee keeping classes would be held at the site for no more than 10 people. Further information was requested regarding these activities, where it has been confirmed that no more than 2 classes would take place a year. The nature and frequency of these proposed activities are not considered to be of such degree to amount to a separate use of the building, with the suggested intensity and frequency considered to be ancillary to the primary agricultural use of the building. Should this change in the future, planning permission may be required.

The principle of the erection of apiarian related agricultural building is one that would not be resisted and is thought to satisfy the above policies.

Design and Appearance:

Policy 32 and 33 of the HDPF seeks to ensure that development promotes a high standard and quality of design in order to enhance and protect locally distinctive characters. The policies also seek to ensure that the scale, massing and appearance of development relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site, including any impact on the skyline and important views.

The unit to be built is for the purpose of storing apiarian related equipment and goods. It will measure 24 meters in length and 15 meters in width. The height will be 5 meters to the eaves and 7.3 meters to the ridge. The walls and roof will be finished with olive green box cladding similar to that of the office and large warehouse for Four Seasons Fuel. This helps create a coalescence between the structures and one that does not appear alien within the larger site. As such the site will become identifiably commercial in appearance, comprised of two larger buildings akin to warehouses and a smaller office.

The proposal itself is a large unit that sits approximately 30m to the rear of the Four Seasons Fuel office and would largely be shielded from public view. This is as it is sited behind the existing office and further obscured by the larger warehouse to the east of the office. These buildings are closer to the roadside than the proposed and as such would largely obscure the proposal from the roadside. It is considered that the unit itself is large but smaller than the larger warehouse which it is approximate to. In addition, it is comparable in size to other apiarian warehouse units that the applicant has shown

evidence off. This was considered by the Agriculture Consultant to be appropriately sized for the operations to be carried out on site.

The proposal is considered to be of a design, form and scale which is appropriate to the character and appearance of the existing dwelling, and which would not harm the character or appearance of the wider area. It is therefore considered that the visual impact of the proposal is acceptable and would accord with the above policies.

Amenity Impacts:

Policy 33 of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.

It is considered that the agricultural building would not harm the surrounding area to the detriment of the neighbouring amenity. It is appropriately sited away from neighbouring dwellings with their considered to be limited impact regarding extra traffic volume.

It is considered that the siting and layout of the proposed extension and the resulting relationship with adjoining properties would be sufficient to prevent any unacceptable harm to neighbouring amenity.

Highways Impacts:

Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.

Following consultation with the LHA, the proposal is not anticipated to severely increase the vehicle movements already operating at the site and thus no concern is raised to the operational capacity of the nearby road network.

The use of the unit as a teaching area to novice apiarists is to be limited to outside of the business hours of Four Seasons Fuels. This would reasonably be expected to counteract a conflict of use. It is considered there would be ‘no more than 10 vehicles will be attracted from this use at any one time and that the existing parking arrangements will support these additional cars. In addition, 3x tandem spaces are located south of the proposed building.

It is considered that the proposal would accord with the above mentioned policies.

Water Neutrality

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.

Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

The applicants have shown that the proposed water usage at the site would be water neutral; satisfied by a self-sufficient system.

Biodiversity Net Gain (BNG):

Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This requires that development must achieve at least 10% BNG on all habitats within the development site.

In the event the application is approved, it is a condition of the planning permission that a Biodiversity Net Gain Plan, including a Metric Tool calculation, be submitted and approved in writing by the Local Planning Authority. This should show how the development will achieve BNG and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

The area of land where the building would be sited is currently laid to concrete. Less than 25sqm of habitat would therefore be impacted and the application is exempt from BNG on this basis.

Climate Change:

Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. The proposed development includes the following measures to build resilience to climate change and reduce carbon emissions:

- Water consumption self-sufficient for purposes related to the proposal.

Other Matters:

Horsham District Council recognises the views of the Parish Council. It is considered the proposal will sit in a larger commercial complex and should be suitably screened by the existing developments. As laid out by the LHA, there is not considered to be any highways risk due to the development.

Conclusions:

It is considered that the satisfies the above mentioned policies and is recommended for approval.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

It is considered that this development constitutes CIL liable development.

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	366.6		366.6
		Total Gain	
		Total Demolition	

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

Recommendation: Application Permitted

Conditions:

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 (Slab Level) Condition**: No development above ground floor slab level shall commence until full details of the water efficiency measures and rainwater/greywater harvesting system required by the approved water neutrality strategy (C3306 REV. P3 received 15/01/2024) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is water neutral 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), Paragraphs 185 and 186 of the National Planning Policy Framework (2023), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

4 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Ecological Impact Assessment (South Downs Ecology, January 2024), shall be submitted to and approved in writing by the local planning authority.

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 and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (as amended).

5 **Pre-Occupation Condition**: The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (WATER NEUTRALITY STATEMENT C3306 REV. P3 received 15/01/2025). No dwelling hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that dwelling has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.

Reason: To ensure the development is water neutral 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), Paragraphs 185 and 186 of the National Planning Policy Framework (2023), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

6 **Pre Occupation Condition**: The rainwater harvesting system hereby approved shall be installed, maintained and managed in accordance with the CGS Civils Ltd Water Neutrality Report (Rev - P3, dated 15.01.25) submitted in support of the application. The system shall be implemented in full prior to first occupation of any unit and shall be retained and maintained at all times thereafter. No alterations or revisions to the approved management plan shall be implemented without the written approval of the Local Planning Authority.

Reason: To ensure the development is water neutral 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), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

7 **Pre Occupation Condition**: The development hereby approved shall not be occupied/brought into use until evidence has been submitted to and been approved in writing by the Local

Planning Authority that water taken from the tap within the agricultural storage building hereby approved has been sampled by a person who has undertaken the DWI certification of persons scheme for sampling private water supplies, analysed by a laboratory that is accredited to the ISO 17025 Drinking Water Testing Specification and the findings submitted to the Local Planning Authority.

Reason: To ensure the development is water neutral 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), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

8 **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.

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).

9 **Regulatory Condition**: If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy has been submitted to and approved by the local planning authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: 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).

10 **Regulatory Condition**: No works relating to the construction of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays, unless otherwise agreed in writing by the Local Planning Authority.

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

11 **Regulatory Condition**: No deliveries of construction materials or plant and machinery and no removal of any spoil from the site, shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays, unless otherwise agreed in writing by the Local Planning Authority.

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

12 **Regulatory Condition**: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (South Downs Ecology, January 2024), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.
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 (as amended) and Policy 31 of the Horsham Development Framework.

POSITIVE AND PROACTIVE STATEMENT

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.

Plans list for: DC/24/0322
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Floor plan	Floor Layout	24-05-01	16.05.2024
Supporting Statement	Ecological Impact Assessment by South Downs Ecology dated 30.01.2024	GS271.FourSeasons Fuel.EclA.v1 Version 1	03.12.2024
Supporting Statement	Water Neutrality Report by cgs civils dated 15.01.2025	C3360 Rev - P3	15.01.2025
Site plan	Plan & Elevations & Site Plan	23-12-01	16.02.2024
Location plan	Site Plan	23-12-02	28.02.2024

DELEGATED

Case Officer sign/initial JBurrowes Date: 15/01/2025

Authorising Officer sign/initial TDale Date: 29/01/2025