County Planning
County Hall
Chichester
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APPLICATION NUMBER: WSCC/019/24
COUNTY MATTER WASTE

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

To: Dale Mayhew
dowsettmayhew Planning Partnership
Mocatta House
Trafalgar Place
Brighton
United Kingdom
BN1 4DU

In pursuance of their powers under the above mentioned Act and Orders, West Sussex County Council hereby notify you that they **PERMIT** the following development:

Proposed Extension of Time (variation of condition 3 of application WSCC/050/21) to enable the Approved Development to be Completed Prior to 31st December 2027 at Knepp Castle, West Grinstead, Horsham RH13 8LJ

to be carried out in accordance with your application and plans (as modified by the under-mentioned conditions) submitted to this Council on 03/07/2024 and subject to the conditions specified hereunder:

Approved Plans

1. The proposed development shall not take place other than in accordance with the approved drawings and documents:

- Figure 01: Masterplan (drawing no. RCo201/Fig 01 Rev. 06, dated 09/05/19);
- Site Location Plan (drawing no. 260-04-010 Rev A, dated 07/2020);
- Public Car Park Layout (drawing no. RCo.201/15 – Rev 03 dated 06/02/20);
- Acoustic Fencing Detail (drawing no. RCo.201/14 dated 06/02/20);
- Existing Tree Schedule (Ramsay and Co. Landscape Architecture, Rev 02, 18/12/19);
- Landscape Sections (Proposed Landscape Area as Designed by Kim Wilkie - drawing no. KW/Knepp/100T, dated July 2020);
- Knepp Castle Sections (drawing no. KW/KNEPP/SECTIONS dated 19/10/20);
- Tree Protection Drawings 01 to 05 (drawing no. RCo201/07 – Rco201/11, Rev 02, dated 20/11/19);
- Location and Design of Access (MAT/KC/02-10/15408revA, Figure 8);
- Written Scheme of Investigation for a Programme of Archaeological Works at Knepp Castle, West Grinstead, West Sussex. Part IV II: Buck Barn, Hill House

Date: 10/01/2025 Signed: **Michael Elkington**, Head of Planning Services

IT IS IMPORTANT THAT YOU READ THE NOTES IN APPENDIX A

Farm and Floodgate Farm Evaluation Trenches Works (West Sussex Archaeology, December 2021);

- Landscape Masterplan (Ramsay and Co. Landscape Architecture drawing RCo 201/12 Rev05 and 201/13 Rev04 dated 10/02/20);
- Soft Landscape Establishment and Management Plan (dated 15th October 2020 – Rev:02); and
- Arboricultural Impact Assessment and Method Statement (Ramsay and Co. Landscape Architecture, Rev. 01, 18/12/19);

save as varied by the conditions thereafter.

Reason: To secure a satisfactory development.

Restoration Timescales

2. Restoration shall take place as soon as possible after the deposit of waste. In the event of the cessation of the delivery of waste materials to the site for a period of one month, the operator shall provide the County Planning Authority within the following month a scheme of rehabilitation of the works so far carried out. This scheme when given the written approval of the County Planning Authority shall be implemented within one month of the approval or such extended period as may be approved in advance and in writing by the County Planning Authority.

Reason: To secure a satisfactory restoration of the site and protect visual amenity.

Cessation of Operations

3. All works approved by this permission, including but not limited to the deposition of waste, shall cease by 31 December 2027.

Reason: To ensure the development is carried out in accordance with the proposed timescales within the application, to protect local residents and the environment from the impacts of the development.

Site Records

4. A copy of this decision notice together with the approved plans and any schemes and/or details subsequently approved pursuant to this permission shall be kept at the site offices at all times, and the terms and contents thereof shall be made known to supervising staff on the site.

Reason: To ensure the site operatives are conversant with the terms of the planning permission.

Temporary Construction Facilities

5. (i) The area used for temporary contractors' buildings, plant, parking of vehicles, quarantine and the loading and unloading of vehicles (in accordance with the approved Site Parking Scheme (ref. Matthews, Rev.1, 25.06.2013) shall be retained for these purposes throughout the period of work on the site and thereafter will be removed in accordance with details to be submitted to and approved in advance and in writing by the County Planning Authority; and

(ii) Outside the contractors' areas, as identified on Site Infrastructure (MAT/KC/02-10/15409revB, Figure App 9), no temporary buildings, skips, containers or plant required during construction operations hereby approved shall be erected or stored.

Reason: To ensure efficient operation of the site and in the interests of protecting the visual amenity and character of the area.

Prohibited Activities

6. No mechanical processing of imported fill material shall be undertaken on site and the site shall not be used as a storage area or as the operating base for vehicles, plant, machinery or equipment not required for the operations approved under this permission.

Reason: To protect the amenities of local residents.

Permitted Imported Materials

7. Imported materials shall constitute only inert, uncontaminated material and soils.

Reason: To avoid pollution through contamination of the soil, water and/or air.

Hours of Operation

8. No construction operations or deliveries of inert waste materials shall take place and no plant, machinery or vehicles associated with the construction of the development hereby permitted shall operate outside the hours of:

- 07.30 and 18.00 Monday to Friday;
- 07.30 to 13.00 Saturdays;
- and no operations whatsoever as authorised by this planning permission shall occur on Sundays, Bank or Public Holidays.

Reason: To protect the amenities of occupiers of nearby residential properties.

Storage of Potential Pollutants

9. Any oil, fuel, lubricant and other potential pollutants shall be handled on the site in such a manner as to prevent pollution of any watercourse or aquifer. For any liquid other than water, this shall include storage in suitable tanks and containers which shall be housed in an area surrounded by bund walls of sufficient height and construction so as to contain 110% of the total contents of all containers and associated pipework. The floor and

walls of the bunded areas shall be impervious to both water and oil. The pipes should vent downwards into the bund.

Reason: To minimise the risk of pollution to controlled waters.

Record of Deposited Materials

10. A record shall be kept on site of the volumes of inert waste material deposited at the site for each working day during the construction period. The records shall detail the number of HGV loads, the volume/tonnages of material for deposit within each HGV load, and shall be a complete record from the first day of deposition. The record shall remain on site and be made available for inspection upon request of the County Planning Authority.

Reason: To protect the amenities of local residents.

Noise Mitigation

11. The mitigation measures set out in Section 10 of the Noise Impact Assessment (Acoustic Associates, Issue 2, dated 04/12/2019) will be implemented in full throughout the course of the development hereby approved, including the 'more focused interventions' set out (including, for the avoidance of doubt, the creation of a bund south of Buck Barn Bungalows).

Reason: To protect residents from the noise impact of the operations.

Vehicular Noise Controls

12. Vehicles coming to and operating at the site that are required to emit reversing warning noise, shall use only white noise/broadband alarms rather than single tone alarms.

Reason: To protect the amenities of local residents.

Operational Noise Controls

13. During construction works the corrected noise level* for operational noise from the site shall not exceed 55dB(A) (free field as a L(A) eq over a time period of 60 minutes) during permitted working hours set out in condition 11. The noise levels shall be determined at the facades of the nearest residential premises.

*A 5 dB correction shall be added if one or more of the following features occur:

- the noise contains a distinguishable, discrete, continuous note (whine, hiss, screech, hum, etc.);
- the noise contains distinct impulses (bangs, clicks, clatters, or thumps);
- the noise is irregular enough to attract attention.

Reason: To protect the amenities of local residents.

Noise Attenuation Scheme

14. Should the approved operations fail to comply with the noise limits set out in Condition 13, all use of plant/machinery shall cease until a scheme to attenuate noise to acceptable limits has been submitted and approved in writing by the County Planning Authority. Thereafter, the approved additional attenuation shall be implemented in full.

Reason: To protect the amenities of local residents.

Control of Dust

15. The dust control measures set out in Table 4 of the Dust Assessment (MJCA ref. MAT/KC/SPS/1396/02/Dust dated May 2010) shall be implemented in full throughout the course of the development hereby approved.

Reason: To contain dust within the site, minimising the impact of the project on people and the environment

Lighting

16. There shall be no artificial lighting installed on the site.

Reason: In the interests of the visual amenities of the area.

Vegetation Clearance

17. Vegetation shall only be cleared from the site during late autumn/winter in any calendar year and shall be carried out under the supervision of an Ecological Clerk of Works.

Reason: To avoid detrimental impact on reptiles and breeding birds and also in accordance with the Wildlife and Countryside Act 1981 and Section 40 of the Natural Environment and Rural Communities Act 2006.

Protection of Heronry

18. No works approved through this permission shall take place within the southern area of Mill Pond shall be undertaken between 1 January and 30 June in any calendar year.

Reason: To avoid detrimental impact on an important heronry and also in accordance with the Wildlife and Countryside Act 1981 and Section 40 of the Natural Environment and Rural Communities Act 2006.

Knepp Castle to Old Castle Ruin Vista

19. Prior to the completion of the approved development, the vista from Knepp Castle to the old castle ruin, as shown on drawing MAT/KC/02-10/001G, shall be made clear so that views between the two sites are inter-visible. Once cleared, the vista shall be maintained as such thereafter.

Reason: To ensure that the historic value of the Registered Park and Garden is maintained.

Access onto A272

20. The approved access onto the A272, as shown on drawing 'Location and Design of Access' (MAT/KC/02-10/15408revA, Figure 8), shall be maintained as approved, including visibility splays which shall be maintained free of any undergrowth or obstruction to visibility in excess of one metre in height above the level of the highway at the access point at all times.

Reason: In the interests of highway safety.

HGV Numbers

21. The daily average of 29 HGVs entering the site and 29 HGVs leaving the site during permitted operating hours shall not be exceeded by more than 40% in any calendar month, or by more than 10% in any calendar year. A record of daily vehicle numbers, including arrival and departure times, shall be maintained and kept at the site office at all times and made available to staff of the County Planning Authority upon request.

Reason: In the interests of road safety and residential amenity.

Public Right of Way

22. The proposed Public Right of Way (as shown on drawing RCo201/Fig01 – Revision 06) shall not be brought into use until pedestrian access to the A272 has been designed/constructed in accordance with a scheme to be submitted to and approved in advance and in writing by the County Planning Authority. Once approved, the pedestrian access shall be implemented in full, and maintained thereafter.

Reason: In the interests of highway safety.

Public Car Park

23. The proposed public car park (as shown on drawing RCo.201/15 – Rev 03 dated 06/02/20); RCo201/Fig01 – Revision 06) shall be constructed and brought into use no later than 12 months from the completion of operational works. Once completed, the public car park shall be made available to members of the public and maintained thereafter.

Reason: In the interests of road safety and residential amenity.

Topographical Survey Reports

24. Every 12 months from the date of this permission until completion, the operator shall submit to the County Planning Authority detailed and updated topographical survey reports of the scheme. Following the completion of the deposit of imported waste, on-site won materials and soils within the approved restoration works and landscape enhancement features, a final detailed and up to date topographical survey report shall be undertaken and submitted to the County Planning Authority to confirm that the final, approved contours have been achieved.

Reason: To guide operations and to check and control the finished restoration levels to secure a satisfactory landform and restoration of the site in the interests of protecting and enhancing the landscape.

Date: 10/01/2025 Signed: **Michael Elkington**, Head of Planning Services

INFORMATIVES

A. The County Planning Authority has acted positively and proactively in determining the planning application by identifying issues of concern and considering whether planning conditions or a legal agreement could be used to satisfactorily address them. As a result, the County Planning Authority has been able to grant planning permission, in accordance with the presumption in favour of sustainable development as set out within the National Planning Policy Framework.

B. This planning permission should be read in conjunction with The Public Path Creation Agreement dated 10 March 2021, and any subsequent agreements which supersede that.

C. The Environmental Health Authority, Horsham District Council, may use their powers under the Control of Pollution Act 1974 (COPA) to enforce against any nuisance (including waste disposal, water pollution, noise, atmospheric pollution and public health; and for purposes connected with the matters aforesaid) from the site. For any queries on this matter, please contact the Environmental Health Department of Horsham District Council on 01403 215641.

D. The applicant is advised that should any direction issued by the Environment Agency have an impact on compliance with any of the above imposed conditions, the County Planning Authority be informed within seven working days.

E. The applicant is advised that should protected species be present on-site work must stop and Natural England be informed. A licence may be required from Natural England before works can re-commence, Natural England will advise.

This information is only intended as a summary of the reasons for the grant of planning permission. For further details on the decision, please see the report by contacting County Planning at West Sussex County Council or visiting the website at www.westsussex.gov.uk/planning.

APPENDIX A: TOWN AND COUNTRY PLANNING ACT 1990

YOUR ATTENTION IS DIRECTED TO THE FOLLOWING NOTES.

THEY ARE FOR INFORMATION ONLY AND DO NOT PRETEND TO SET OUT THE WHOLE OF THE LAW ON THE SUBJECT. IT IS RECOMMENDED THAT YOU CONSULT A SOLICITOR IF YOU ARE IN ANY DOUBT.

1 Appeals to the Secretary of State

(a) If you are aggrieved by the decision of your local planning authority 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.

(b) If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get online at https://www.gov.uk/appeal-planning-decision or by writing to the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

(c) 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.

(d) The Secretary of State need not consider an appeal if it seems 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.

(e) In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

2 Purchase Notices

(a) If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

(b) In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town and Country Planning Act 1990.

3 Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and

(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be West Sussex County Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.

2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and

(i) the original planning permission to which the section 73 planning permission relates[1] was granted before 12 February 2024; or

(ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

(i) the application for planning permission was made before 2 April 2024;

(ii) planning permission is granted which has effect before 2 April 2024; or

(iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

(i) 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

(ii) 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 (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which 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, (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).

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[1] "Original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

4.5 Self and Custom Build Development, meaning development which:

(i) consists of no more than 9 dwellings;

(ii) is carried out on a site which has an area no larger than 0.5 hectares; and

(iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high-speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High-Speed Rail (Preparation) Act 2013.

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.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

(i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and

(ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

The effect of Paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990

If the permission which has been granted has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).