Horsham District Council

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

Our ref:	DC/25/1039
Your ref:	Swains farm 8 units
Email:	planning@horsham.gov.uk
Direct Line:	01403 215538
If Calling Please ask for:	Hannah Darley
Date:	19th August 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 8no. dwellinghouses.

Swains Farm Brighton Road Henfield West Sussex

Further to the above prior notification which was received on 25 June 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 as-sociated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

a) An intrusive site investigation scheme, based on the preliminary risk assessment submitted and hereby approved to provide information for 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 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 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 com-ponents 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).

Additional information for applicant

The Applicant is advised that 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 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 to be submitted, and development subject of this Prior Approval application cannot be carried out until a decision of such application has been made.

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 Docs	Phase 1 Desk Study by Albury S.I. Ltd dated July 2024	24/12940/JAM	25.06.2025

Elevation plan	Existing Elevations	2308SW_2025_102 REV 00	25.06.2025
Floor plan	Existing Ground Floor Plan	2308SW_2025_100 REV 00	25.06.2025
Block plan	Block Plan	2308SW_2025_001 REV 00	25.06.2025
Location plan	Location Plan	2308SW_2025_000	25.06.2025
Elevation plan	Proposed Elevations	2308SW_2025_106 REV 00	25.06.2025
Floor plan	Proposed First Floor Plan	2308SW_2025_105 REV 00	25.06.2025
Floor plan	Proposed Ground Floor Plan	2308SW_2025_104 REV 00	25.06.2025
Elevation plan	Existing Elevations	2308SW_2025_103 REV 00	25.06.2025

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