Horsham District Council

Mr Robert Thornton
Thornton Architecture + Design
The Studio
North View
Mill Road
West Chiltington
RH20 2PY

Application Number: DC/24/0619

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

On behalf of: Mr and Mrs Josh Chadwick

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:

Variations of conditions 1, 3, 4, 5 and 6 of previously approved application DC/23/1298 (Demolition of existing dwelling. Erection of 1no. replacement dwelling with detached garage, driveway, and altered access) Variation sought to allow for changes to design, external materials, fenestration, and enlargement of garage, and wording of conditions 3, 4, 5, and 6.

Half Acre Cottage Bashurst Hill Itchingfield West Sussex

to be carried out in accordance with Application No. DC/24/0619 submitted to the Council on 22/04/2024 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 17/06/2024

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
Site plan	Proposed Site Plan	2217-100B	22.04.2024
Floor plan	Proposed Lower Floor Plan	2217-101A	22.04.2024
Floor plan	Proposed Upper Floor Plan	2217-102A	22.04.2024
Roof plan	Proposed Roof Plan	2217-103A	22.04.2024

Elevation plan	Proposed Elevations SE	2217-105A	22.04.2024
Elevation plan	Proposed Elevations NW	2217-106A	22.04.2024
Section plan	Proposed Sections	2217-107A	22.04.2024
Section plan	Proposed Sections	2217-108A	22.04.2024
Section plan	Proposed Site Sections	2217-115A	22.04.2024
Plans	Proposed External Works Plan Site Levels	2217-130A	22.04.2024
Floor plan	Proposed Garage Floor Plan	2217-132A	22.04.2024
Roof plan	Proposed Garage Roof Plan	2217-133A	22.04.2024
Supporting Statement	Water Efficiency Measures	C2510 REV P	22.04.2024
Plans	Drainage Layout	101 REV PL1	22.04.2024
Plans	Construction Details	C2510_301 REV PL-	22.04.2024
Supporting Statement	Biodiversity Enhancements and Mitigation Plan by Wychwood Environmental Ltd dated March 2024	NONE	22.04.2024
Supporting Statement	Water Neutrality Report by cgs civils dated 08.09.2023	C2510 Rev P1	20.10.2023
Supporting Statement	Arboricultural Survey, Impact Assessment & Method Statement by Duckworths Arboriculture Ltd dated June 2023	SCD 06040/2023	04.07.2023
Supporting Statement	Ecological Appraisal Report by Wychwood Environmental Ltd dated June 2023	WEc_RH13	04.07.2023
Supporting Statement	Biodiversity Net Gain Report by Wychwood Environmental Ltd dated June 2023	WEc_RH13	04.07.2023

Reason: For the avoidance of doubt and in the interest of proper planning.

2 **Regulatory (Time) Condition**: The development hereby permitted must be commenced by the 5th of January 2027.

3 **Pre-Occupation Condition**: The development hereby permitted shall be undertaken in full accordance with the Water Neutrality Report reference C2510 Rev P1 dated 08.09.2023 and Water Efficiency Measures reference C2510 Rev - P dated 10.04.2024. The dwelling hereby permitted shall not 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, or to a similar or improved water performance.

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).

4 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the car parking spaces (including garages) necessary to serve it have been constructed and made available for use in accordance with approved site plan [drawing number 22217.100B. The car parking spaces permitted shall thereafter be retained as such for their designated use.

Reason: To provide car-parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

5 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved drawing number 22217.100B. The cycle parking facilities shall thereafter be retained as such for their designated use.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

6 **Regulatory Condition**: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Appraisal Report (Wychwood Environmental Ltd., June 2023), Biodiversity Net Gain Report (Wychwood Environmental Ltd., June 2023) and Defra Small Sites Metric (Wychwood Environmental Ltd.), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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: 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 Policy 31 of the Horsham Development Framework.

7 **Regulatory Condition**: All works shall be executed in full accordance with the submitted Arboricultural Impact Assessment/Method Statement [BS: 5837 Arboricultural Report, 04.07.2023].

Reason: To ensure the successful and satisfactory protection of important trees, shrubs and hedges on the site in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).

8 **Regulatory Condition**: All works shall be executed in full accordance with the submitted Biodiversity Enhancements and Mitigation Plan by Wychwood Environmental Ltd dated March 2024.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation Habitats and Species Regulations 2017 (as amended), the Wildlife and countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats and species).

9 **Regulatory Condition**: The development hereby permitted shall be constructed in accordance with the proposed finished floor levels and external ground levels as detailed on the Site Plan reference 2217.100B and Section Plan reference 2217.107A.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

10 **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).

11 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or reenacting that Order) the dwelling hereby permitted shall not be enlarged under Class A and AA of Part 1 within Schedule 2 of the Order without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and due to the constraints of the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

12 **Regulatory Condition**: No works for the implementation 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.

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

Note to Applicant – 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.

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.

Compliance with the Approved Plans and Conditions
The development hereby approved must be implemented in accordance with the approved plans and any conditions set out in the Notice. Some of the conditions may specify that works are to be carried out, and/or details submitted and approved before all or part of the development is started. These will appear in the 'Pre Commencement Conditions' section of the Notice.

If works on implementing this permission is started without these requirements being fully met, the development may be unauthorised and the permission invalidated, and could lead to enforcement proceedings or in some cases to prosecution.

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.

Conditions Compliance
Requests for confirmation of compliance with conditions associated with that permission should be made in writing or by using the application form 'Approval of Details Reserved by Conditions'.

A request may be for confirmation that one or more conditions imposed on the same permission have been complied with. We aim to respond within 8 weeks of receipt of the request.

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.