Horsham District Council

Gareth Glennon
Peacock and Smith
Central House
47 St Paul's Street
Leeds
LS1 1TE

Horsham Leisure Park, Bowling Alley Albion Way Horsham West Sussex
Demolition of conservatory/canopy. Erection of new entrance/shop front. Change of use from indoor skating arena to new leisure unit incorporating inter alia: tenpin bowling alley, games area, laser tag, karaoke rooms, escape rooms and change of hours of opening.

Your application DC/24/0553 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.

Biodiversity Net Gain Condition
Please note the requirement within the Environment Act 2021 for development to deliver a minimum of 10% net gain in biodiversity may be applicable to your development. In the event your development is required to achieve a minimum 10% net gain in biodiversity then a Biodiversity Net Gain Condition (separate to the main list of conditions) will appear on your decision notice requiring the submission of a Biodiversity Gain Plan for approval prior to development commencing.

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

Gareth Glennon
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Leeds
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Application Number: DC/24/0553

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

On behalf of: Tenpin Ltd

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:

Demolition of conservatory/canopy. Erection of new entrance/shop front. Change of use from indoor skating arena to new leisure unit incorporating inter alia: tenpin bowling alley, games area, laser tag, karaoke rooms, escape rooms and change of hours of opening.

Horsham Leisure Park, Bowling Alley Albion Way Horsham West Sussex

to be carried out in accordance with Application No. DC/24/0553 submitted to the Council on 19/06/2024 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 22/11/2024

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	Cover letter/Planning	GG/6230/01CoU	09.04.2024
Supporting Statement	Lighting	07951L-SDS=XX-XX-RP-E-08001	14.06.2024
Block plan		1995-142	03.06.2024
Elevation plan	Proposed North, South and Rear	1995-141	03.06.2024
Location plan		1995-130B	03.06.2024
Floor plan	Existing Ground	1995-100B	09.04.2024
Floor plan	Existing Upper Ground	1995-101B	09.04.2024

Floor plan	Proposed Ground	1995-102E	03.06.2024
Floor plan	Proposed Upper Ground	1995-103E	03.06.2024
Elevation plan	Proposed front	1995-138 REV B	06.06.2024
Elevation plan	Existing Front and Rear	1995-139	09.04.2024
Elevation plan	Existing North and South	1995-140	09.04.2024

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 **Pre-Commencement Condition**: No development shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing. This shall include the materials and design details of the proposed balcony and balcony roof covering. All materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4 **Pre-Commencement Condition**: No development shall commence until full details of water efficiency measures to be incorporated in the development, including details of replacement fixtures and fittings, have been submitted to and approved in writing by the Local Planning Authority. The development shall take place in strict accordance with the agreed details and shall be maintained 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), and to enable the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

5 **Pre-Occupation Condition**: Notwithstanding the submitted Noise Management Plan, the development hereby permitted shall not be brought into use until a revised Noise Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include but not be limited to:

i. Management responsibilities during all operating hours
ii. Full details on how the applicant will control outbreak of noise from any amplified/acoustic music or sound at the site. Noise from these sources should not be audible to noise sensitive premises. Sufficient acoustic controls must be applied to ensure no noise breakout.
iii. Ensure that customers are requested to keep noise levels to a minimum to prevent causing a nuisance to residents and other customers. There should be a dispersal policy to control customers leaving the premises quickly and quietly, taxis to turn off their engines when waiting for passengers, staff to ensure that all customers are not causing a nuisance and move away from the vicinity of the premises.

iv. Display signage respectfully asking customers to respect neighbours by being quiet and orderly. This request applies to customers standing outside the premises and/or when customers are leaving the premises.

v. Ensure that management are trained how to deal with incidents of anti-social behaviour and how to recognise potential incidents. The management will keep a written log to record any such incidents. The log will be made available to the Police and Environmental Health upon request.

The Noise Management Plan shall be implemented in accordance with the agreed details and shall be complied with thereafter for the duration of the use/development.

Reason: In order to ensure that the safe operation of the development and to protection of the amenities of nearby residents, in accordance with Polices 33 and 40 of the Horsham District Planning Framework (2015).

6 **Pre-Occupation Condition**: The development hereby permitted shall be not be brought into use until details of the means of ventilation for the extraction and disposal of cooking odours have been submitted to and approved by the Local Planning Authority in writing. These details shall include times of operation of the ventilation system, means to control noise, vibration and odour, and the proposed maintenance programme. Thereafter, the ventilation system shall be installed, operated and maintained in accordance with the approved details.

Reason: In the interests of the amenities of nearby residents and users and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

7 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until details for the provision and storage of refuse and recycling has been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling storage area shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

8 **Pre-Occupation Condition**: No part of the development hereby permitted shall be first occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of soft landscaping to the existing ramped frontage
- Details of any hard surfacing materials and finishes

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed or retained planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

9 **Pre-Occupation Condition**: No internally and/or externally located plant, machinery equipment or building services plant shall be operated until an assessment of the acoustic impact arising from the operation of all such equipment has been undertaken and has been submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken in accordance with BS 4142:2014 and shall include a scheme of attenuation measures to mitigate any adverse impacts identified in the acoustic assessment and ensure the rating level of noise emitted from the proposed building services plant is no greater than background levels. The scheme as approved by the Local Planning Authority shall be fully installed prior to first operation of the plant and shall be retained as such thereafter.

Reason: To safeguard the amenities of the nearby residents and users and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

10 **Regulatory Condition**: The external balcony area shall only be used between the hours of 09:00 and 21:00 daily. At all other times the doors to the balcony shall we kept shut. No live or recorded music to be played on the balcony at any time.

Reason: In order to minimise the acoustic and/or lighting impact of the approved development and to ensure development does not result in unacceptable harm to the amenities of nearby occupiers/users of land in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

11 **Regulatory Condition**: No amplified, live-music or personal address equipment shall be installed or played on the balcony.

Reason: In order to minimise the acoustic impact of the proposed development, and to ensure the approved development does not result in unacceptable harm to the amenities of nearby occupiers/users of land in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

12 **Regulatory Condition**: No Deliveries and Commercial Waste collections shall take place except for between the hours of:

- 08.00 - 19.00 Monday to Friday,
- 09.00 - 18.00 Saturdays
- And at no times on Sundays or Bank Holidays.

Reason: In order to ensure that the safe operation of the development and to protection of the amenities of nearby residents, in accordance with Polices 33 and 40 of the Horsham District Planning Framework (2015).

13 **Regulatory Condition**: The premises shall not be open for trade or business except between the hours of:

- 08:00 - 00.30 Sunday to Wednesday (and Bank Holidays),
- 08:00 - 01.30 Thursday to Saturday, and
- 08.00 - 04.00 New Years Eve only.

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

14 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and/or re-enacting that Order), the premises shall be used solely for purposes falling within

Class E(d) and shall not be used for any other purpose(s) whatsoever without express planning consent from the Local Planning Authority first being obtained.

Reason: Changes of use as permitted by the Town and Country Planning (General Permitted Development) Order or Use Classes Order 1987 are not considered appropriate in this case due to the constraints of the site and relationship with surrounding development, 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.

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.