Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/23/1797
Farmshop and Eatery, West Chiltington Road, Pulborough, West Sussex, RH20 2RZ

DESCRIPTION:
Variation of conditions 1 and 11 of previously approved application reference DC/18/2505 (erection of a farm shop and cafe building, with ancillary parking for customers) relating to varying of opening hours.

RELEVANT PLANNING HISTORY:

DC/18/2505	Erection of a farm shop and cafe building, with ancillary parking for customers	Application Permitted on 18.10.2019
DC/20/2298	Variation of Conditions 1 and 11 of previously approved application DC/18/2505 (Erection of a farm shop and cafe building, with ancillary parking for customers) Relating to the amended design and layout of building and revised opening times for trade or business.	Withdrawn Application on 03.02.2021
DISC/22/0305	Approval of details reserved by conditions 3, 4, 5, 7 and 8 to approved application DC/18/2505.	Application Permitted on 02.05.2023
DC/23/0431	Retention of decking with safety rail around existing pond (Retrospective).	Application Permitted on 14.08.2023
DC/21/1552	Erection of decking with safety rail around pond for a temporary period of 2 years.	Application Permitted on 19.11.2021
DC/20/1495	Prior notification for the erection of an agricultural building.	Prior Approval Not Required 18.09.2020

SITE AND SURROUNDS

The application site is located outside the built-up area and within a countryside location. The site occupies a corner location situated at the junction of West Chiltington Road and Coolham Road which is bound by hedgerows to the site boundaries. The surrounding area is characterised by large agricultural arable fields and fragmented hedgerows which contribute to the largely rural nature of this area.

The wider agricultural holding extends to 16.2 hectares (40 acres) and the northerly part of the site has been planted with 6 acres of vines in May 2018. A Public Right of Way (no.2398) is located approximately 250m to the south of the site providing a link between West Chiltington Road and Coolham Road.

The site is accessed via an existing vehicular access and hardstanding from West Chiltington Road which was established under application DC/17/1149 (July 2017). At the end of 2018, an application was submitted for the erection of a farm shop on the site, to serve as a café building for

More recently, application DC/23/0431 has regularised the installed decking around the pond on the site allowing its use as an events space, but limiting its use to no more than 28 days per calendar year and only between the hours of 08:00 – 21:00 hours daily. Furthermore, no external floodlighting is allowed within this area, in order to limit the potential impacts on the rural area.

DETAILED DESCRIPTION

A S73 application has been submitted to vary the hours of use as set out under condition 11 of DC/18/2505. The current consent restricts the operating hours: -

The premises shall not be open for trade or business except between the hours of 07:00 hours - 19:00 hours Monday to Saturday and 08:30 - 19:00 hours Sunday and Bank Holidays.

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

The proposal seeks to replace this with a newly worded condition, extending the hours of use on three days of the week:

The premises shall not be open for trade or business except between the hours of 09:00 hours - 19:00 hours Monday to Wednesday, 08:00 – 22:00hours Thursday to Saturday, and 08:30 - 19:00 hours Sunday and Bank Holidays.

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

The s73 has been amended to include for the revision of the floor plans, particularly in relation to the increased mezzanine floor, to be varied under condition 1 of DC/18/2505.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 9 - Employment Development
Policy 10 - Rural Economic Development
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 40 - Sustainable Transport
Policy 41 - Parking
Policy 43 - Community Facilities, Leisure and Recreation

Thakeham Parish Neighbourhood Plan:
Policy 1 – A Spatial Plan for the Parish
Policy 6 – Design
Policy 9 – Development in the Countryside
Policy 10 – Green Infrastructure & Valued Landscapes

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 Economic Development: No Objection

- Support for the original application DC/18/2505 as it was in line with Priority 5 on the Economic Strategy - Promoting the District Offer, which details the importance of supporting the development of the visitor economy in the District. Horsham District has a strong culture of encouraging food and drink businesses and supporting the wider food and drink industry. Food and drink in the District is a major draw for visitors because of the variety on offer.
- Support for application DC/23/1797 as the business seeks to extend trading hours to ensure the business flourishes - Economic Strategy (Priority 2) indicates that we need to support our local businesses to become more productive and resilient to facilitate long-term economic growth. Supporting change that allows an increase in opening time to increase customer numbers will support this and other local businesses thereby bringing benefits to the local economy.

HDC Environmental Health: No Objection (Conditions advised)

- Kinsbrook Vineyards Ltd hold a Premise Licence issued by this department under the Licensing Act 2003 with Licence Conditions to regulate noise. If Planning Permission is granted the applicant will have to apply for a Premises Licence Variation
- Planning Condition to restrict the use of the external decking hereby between the hours of 08:00 and 21:00 daily.

WSCC Highways: No Objection

- No highways comments no change to the Local Highway Authority's previous assessment of the approved development (DC/18/2505).

Parish Comments: No Objection

Members have concerns regarding the effect of the application's proposal to extend opening hours on nearby houses in terms of increased noise. They also have concerns about the effect of light pollution on biodiversity in the area, and in contravention of the South Downs Dark Skies initiative. Despite this, they appreciate the benefits that this extension would provide to the business, and therefore to the local economy. Provided mitigating factors are included and enforced, they have No Objection to the application. Members made the following suggestions:

- To mitigate the undesirable effects of light and noise, Members request the following conditions:
- Canopies are installed on all windows to direct light downwards.
- Any external lighting is directed downwards to reduce light pollution.
- Set specific noise limits that the restaurant must adhere to. This can include maximum decibel levels at the property boundary or other designated points.
- Access to the balcony of the eatery is prevented after 9pm to reduce noise pollution.
- Screening: Require the installation of acoustic barriers or screening measures to minimise noise transmission from the restaurant to neighbouring properties.
- Air conditioning is installed so that windows and doors are not required to be left open during hot weather, reducing the noise impact on surrounding residents.
- Timers and Sensors: Mandate the use of timers and motion sensors for outdoor lighting to ensure that lights are only in use when necessary.
- Public Awareness: Ensure that the restaurant provides information to patrons about the local community and the importance of minimising noise and light pollution, encouraging responsible behaviour.
- Regular Monitoring and Reporting: Include a condition for regular monitoring and reporting by the restaurant to demonstrate compliance with noise and light limits. This can involve periodic assessments and submission of reports to the local authorities.

Representations:

24 letters of representation were received for the application. Of these, 20 were provided from Householders and 1 from a member of parliament. The following is noted:

- 11 letters of support were received within the consultation period from 8 Householders within the District.

- 2 letters of support were received within the consultation period but from 2 householders outside of the District.
- 2 letters of support were received within the consultation period from 2 Householders outside the District.
- 6 letters of objection were received within the consultation period from 6 Householders within the District.
- 4 letters of objection were received outside the consultation period from 4 householders within the district.

The reasons for support can be summarised as follows:

- Employment opportunities in Thakeham Parish
- Provide a valuable social amenity for residents who wish to go out for a social evening and support local tourism in the area
- Support local businesses and tourism in the area / popular destination
- Producers of a local Sussex wine / support for agricultural uses
- Small extension for three evenings a week only will make a substantial difference to this new and dynamic young business and enable it to continue to make a positive impact to the rural economy of West Sussex
- Appears comparable with larger vineyards in Sussex, which have already been granted these hours, and therefore it seems only right that Kinsbrook should be able to join the likes of Rathfinny, Wiston and Tillingham in continuing to grow the rural economy

The reasons for objection can be summarised as follows:

- At its core, Kinsbrook is a vineyard with a cafe and shop area. It is not a restaurant and, on the occasions, when it has utilised Temporary Event Licences / variation is for an evening entertainment venue/restaurant based around alcohol which is surely more suited to buildings within the villages not in the middle of nowhere / proposed variation will lead to a fundamental change to the original approved application that should trigger a wholly new planning application for the Kinsbrook business
- Extending the café's hours from 19:00 to 22:00 will lead to light pollution / impact on dark nigh skies
- Increased vehicle uses at night leading to higher carbon emissions / harm to the natural environment
- Use of the balcony until late evening would also generate noise pollution in our quiet area. The topography here means that any voices, laughing, singing, music, shouting, cars and car doors will be heard by all local residents / harm to neighbours' amenity
- There is a minimal bus service in this area and nothing after 17:00hours, there are no pavements and there are limited footpaths which will be dark by 22:00hours

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

Background:

The associated planning history reveals that Kinsbrook Vineyard is supplied by produce grown both at the site itself and at the family farm, Orchard Farm (Kinswood Eggs), which lies some 6.5km north of the application site, where vines were was first established in 2017 as part of the farm's diversification program. Planting of the application site began in 2018, with the intention to plant some 20ha of vines across both sites. It was envisaged that the wine harvested from the first plantings would be ready for sale in 2020 (three years after planting).

The planning assessment of the proposed vineyard farm shop / café building in 2019 (DC/18/2505) took account of the promotion of and selling of local produce, as well as the farm's own wine, within the shop and café. A s106 legal agreement was entered into as part of the approved application to restrict occupation of the farm shop and café only in conjunction with the existing Kinswood Eggs farm diversification program, and to ensure the farm shop and café remain ancillary to the agricultural / viticultural use of the application site. Furthermore, a planning condition was imposed to ensure that no less than 80% of the retail products and produce sold at the site would originate from the Kinswood Eggs farm and other Sussex and Surrey food and craft produces (Cond 13). Furthermore, a planning condition was included to require the cafe to remain ancillary to the farm shop use (Cond 14), and that no further changes of use occur (Cond 12).

The consented application considered the site to be located sufficiently distanced from noise sensitive receptors (such as residential properties) so as to not lead to any significant harm, although the low background noise levels for the area were noted. A planning condition restricted hours of use for the farm shop and café, limited to between 07:00 hours - 19:00 hours Monday to Saturday and 08:30 - 19:00 hours Sunday and Bank Holidays (Cond 11).

Justification:

It is noted that the sister business, Kinswood Eggs, have recently suffered an avian flue outbreak which resulted in an enforced close-down of the egg production facility for a period of deep cleaning and subsequent 'rest' before any new stock can be brought on site, affecting the wider farm holding's financial viability, thus focussing on the Kinsbrook Vineyard as the primary business model at the current time. The applicants have created additional permissive paths over their land to the PRoW to the south, and have therefore managed to capture increased trade from hikers as well as cyclists. The Kinsbrook Vineyard website also promotes various activities on site such as tasting and vineyard tours, art exhibitions, craft workshops. Furthermore, pop-up events at the vineyard can be facilitated at and around a small pond to the south of the farm shop and café for up to 28 days per calendar year, with hours of use permitted between 08:00 – 21:00 hours daily (DC/23/0431 and DC/21/1552).

The applicant outlines in the submitted Planning Statement that to meet the need for evening trade capacity, extending the opening hours to 22:00 Thursday – Saturday (their busiest days) would enable the vineyard to offer dining facilities alongside wine tasting whether this be as a café or restaurant. It also states that the proposed extended opening hours would align with similar establishments within the wider area providing examples that have alcohol licensing.

Assessment of variation of Condition 11:

As currently worded, Condition 11 currently restricts the hours of use of the farm shop and ancillary café to the following:

The premises shall not be open for trade or business except between the hours of 07:00 hours - 19:00 hours Monday to Saturday and 08:30 - 19:00 hours Sunday and Bank Holidays.

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

As part of the current application, objections are noted to have been received raising concerns with noise impact, light pollution, traffic and the changing nature of activity on site, with a number of such objections raised by neighbouring properties situated closest to the application site, around 270m to the east. Officers recognise a clear line of sight exists between the application building and these eastern

neighbours on account of the flat landscape character, and lack of intervening landscape features, and acknowledge the prevailing rural nature of the site.

To address potential adverse noise events extending into the quieter evening periods, particularly in the summer months when the use of the elevated decking may be used in association with the ancillary café use. Following consultation with HDC Public Health and Licensing, it is noted that Kinsbrook Vineyards Ltd holds a Premise Licence issued by this department under the Licensing Act 2003 with Licence Conditions to regulate noise. The Council's Environmental Health team has also requested that the use of the external elevated deck be restricted beyond 21:00hours, thus limiting external noise events. Officers consider this to be reasonable and would align with the hours of use imposed on the decked external area around the pond (as granted consent under DC/23/0431).

It is recognised that the application site is located within the countryside and is characterised by rural sporadic residential development and agricultural activity, and that the proposed hours would introduce new noise activity between the hours of 19:00 – 22:00 (Thursday – Saturday). The application site is an appreciable distance from neighbouring noise-sensitive properties (+270m), and as background noise levels in this location are low, officers acknowledge that increased levels of activity which extend into the evening period would likely be noticeable, particularly in the summer months, when doors and windows are open. It is considered on balance that as the extended operating hours to until 22:00 relate only to 3 days in the week (Thursday – Saturday), this would overall still be acceptable given the precedents examples of other establishments within the wider area. Therefore, it is not considered that the revised opening hours on the stated days of Thursday – Saturday, would not result in significant noise or disturbance to justify a reason for refusal, noting the proposed new condition to limit the use of the external decking and seating area beyond 21:00hours.

Concerns have been raised in relation to light pollution emanating from the premises through the extended opening hours of 19:00 – 22:00 on Thursday – Saturday and its impact on neighbouring amenity and dark skies policy, given the proximity of the Dark Skies reserve within the South Downs National Park (approx. 4.8km south). It is considered that given the existing operating hours running to 19:00 (Monday to Saturday), the additional 3 hours between Thursday – Saturday (19:00 – 22:00) would be proportionate to and linked to the associated diversification of the enterprise. The overall level of light emanating from the premises during the additional hours hereby being sought is not considered significant so as to warrant a refusal, nor extending for a period that would significantly and adversely impact on the dark skies reserve within the South Downs National Park.

WSCC Highways has been consulted on the extended operating hours for the premises and in which they considered would not change the Local Highway Authority previous assessment of the approved development (DC/18/2505).

Assessment of variation of Condition 1:

Following officers site visit carried out in December 2023, it is evident that the mezzanine level has not been carried out in accordance with the plans approved under DC/18/2505, where a kitchen and additional tables/seating area are now provided. The internal layout still relates to the stated use of the premises as a farm shop and café but with the additional ability of preparing hot food as part of the enterprise. The farm shop occupies the entirety of the ground floor, calculated as being some 144sq.m, while the ancillary café occupies the mezzanine, calculated as being some 102sq.m. The approved layout under DC/18/2505 indicated a café on the ground and mezzanine levels, with a cumulative floor area of around 96sq.m.

The amended floor plan to the approved scheme would not significantly alter the scale, form or design of the previously approved scheme, nor would it introduce a significantly larger proportion of the floor space for use as the café element. The as-built layout now provides an increased sales floor area for local produce, resulting in an additional 36sq.m of floor space accommodated within the approved building. The proposed alterations are considered to be appropriate additions to the building and would not have an adverse impact on either the character of the site or wider surrounding area.

As such, the amended mezzanine and layout to the approved scheme, would enable the primary focus of the farm shop to remain the sale of locally grown and produced food, drink and other goods, with the

café use remaining an ancillary part of the overall business. It is therefore considered to be acceptable and would be in accordance with policies 10, 26, 32 and 33 of the Horsham District Planning Framework, and policy 9 of the Thakeham Neighbourhood Plan.

Water Neutrality:

The application site falls within the Sussex North Water Supply Zone where mains-water is supplied by way of groundwater abstraction within the Arun Valley. The Local Planning Authority received a 'Position Statement' from Natural England in September 2021, advising that the effects of existing groundwater abstraction cannot be objectively demonstrated to be compatible with the conservation objectives of a number of habitat sites. The habitat sites named within the Natural England position statement include the Arun Valley SAC, SPA and Ramsar sites.

Within its Position Statement of September 2021, Natural England advise that decisions on planning applications should await the development of a water-neutrality strategy on a strategic basis. In the current absence of a strategic solution to achieving water-neutrality, Natural England advise that individual plans and projects, where it is critical that these proceed, must demonstrate net-neutrality in respect of the use of mains-water such as to avoid contribution to the known adverse effect upon the integrity of Arun Valley habitat sites by reason of water-use.

Officers have calculated that the approved hours of use permitted under Cond 11 of DC/18/2505 would allow the farm shop and café to open for a total of 82.5 hours per week. The stated hours being sought under this variation would also result in a cumulative weekly total of 82.5hours.

The resulting operating hours would remain principally the same as existing. As such, there is no clear or compelling evidence to suggest the nature and scale of the proposed development would result in a more intensive occupation of the dwelling necessitating an increased consumption of water that would result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. The grant of planning permission would not therefore adversely affect the integrity of these sites or otherwise conflict with policy 31 of the HDPF, NPPF paragraphs 185 and 186, and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Conclusions:

Although it is recognised that the revised opening hours would result in an increase of activity in this countryside location between the hours of 19:00 – 22:00 (Thursday – Saturday), it is considered on balance that the revised opening hours as proposed would not detract from the character or ambience of this countryside location and that of the amenity of neighbouring residential properties.

In addition, the 'as built' floor layout of the premises is considered to align with the existing use and would not raise any concerns beyond that of the original approval. It is thus considered that that the application as submitted for change of operational hours is acceptable. As this application would create a new planning permission for the development it is necessary to re-impose all relevant conditions from the original consent, and these form part of the recommendation.

Officers agree that conditions 1 and 11 currently attached to DC/18/2505 can be varied to enable the consented development to be lawfully regularised and carried out, whilst demonstrating a water neutral position.

Planning legislation enables the Local Planning Authority to grant a permission with new or amended conditions, which has the effect of creating a new and independent permission to carry out the same development as previously permitted, but which will be subject to the same 3 year duration as the original consent. The developer can then opt which consent to implement.

Officers therefore consider that the conditions stated above can be varied, and added, thus exercising the right to apply conditions of differing wording on the permission for the proposed amendments to DC/18/2505 under Section 73(2)(a) of the TCPA.

Recommendation: Application Permitted

Conditions:

2 **Regulatory Condition**: The materials to be used in the development hereby permitted shall strictly accord with those indicated on the Elevation Drawings 2893/5A and 2893/6A.

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).

3 **Regulatory Condition**: External refrigeration plant, mechanical extract ventilation and air conditioning units shall operate in accordance with the details submitted to and approved under DISC/22/0305 (dated 02.05.2023). The plant and ventilation system shall be installed, operated and maintained in accordance with the approved details.

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).

4 **Regulatory Condition**: The hard and soft landscaping works shall be carried out in accordance with the details submitted to and approved under DISC/22/0305 (dated 02.05.2023). 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 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).

5 **Regulatory Condition**: The provision for the storage of refuse and recycling shall be in accordance with the details shown on drawing number 2893/2A. These facilities shall thereafter be retained for use at all times.

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

6 **Regulatory Condition**: The secure and covered cycle parking facilities for staff and visitors shall be carried out in accordance with the details submitted to and approved under DISC/22/0305 (dated 02.05.2023), and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

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).

7 **Regulatory Condition**: The car parking shall be carried out in accordance with the details submitted to and approved under DISC/22/0305 (dated 02.05.2023). Once provided the spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide adequate car parking facilities for the development in accordance with Policies 40 and 41 of the Horsham District Planning Framework (2015).

8 **Regulatory Condition**: All ecological mitigation & enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Lizard Landscape Design and Ecology, November 2018) 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: As this matter is fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

9 **Regulatory Condition**: The premises shall not be open for trade or business except between the hours of 09:00 - 19:00 hours Monday to Wednesday, 08:00 - 22:00 hours Thursday to Saturday, and 08:30 - 19:00 hours Sunday and Bank Holidays.

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

10 **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 hereby permitted shall be used as a farm shop within Use Class E(a) and E(b), with associated ancillary uses, and for no other purposes 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 under Policies 26 and 33 of the Horsham District Planning Framework (2015).

11 **Regulatory Condition**: The farm shop hereby permitted shall sell no less than 80% of retail products from Kinswood Eggs and other food and craft producers in Sussex and Surrey.

Reason: In the interests of sustainability and rural economic development and in accordance with Policies 10 and 26 of the Horsham District Planning Framework (2015).

12 **Regulatory Condition**: The café use hereby permitted shall be used solely ancillary to the farm shop on site and shall not be used as an independent commercial unit.

Reason: The establishment of independent commercial unit would give rise to an over-intensive use of the site contrary to policy 26 of the Horsham District Planning Framework (2015).

13 **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 building hereby approved shall not be altered or extended in any way without express planning consent from the Local Planning Authority first being obtained.

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).

14 **Regulatory Condition**: The decked area associated with the ancillary cafe shall not be open for use expect between the hours of 09:00 - 19:00 hours Monday to Wednesday, 08:00 - 21:00 hours Thursday to Saturday, and 08:30 - 19:00 hours Sunday and Bank Holidays.

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

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/23/1797

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan	Location Plan	2893/1	23.11.2018
Site plan	Site and Roof Plans	2893/2 REV A	18.01.2019
Elevation plan	Proposed Elevations	2893/5 REV A	18.01.2019
Floor plan	First Floor Plan	2893-13 REV C	22.12.2023
Floor plan	Ground Floor Plan	2893-12 REV C	22.12.2023
Elevation plan	Proposed Elevations	2893/6 REV A	18.01.2019
Site plan	Approved Access Plan	NONE	16.10.2019
Supporting Docs	Preliminary Ecological Appraisal Survey	NONE	23.11.2018
Supporting Docs	Transport Statement	NONE	23.11.2018
Supporting Docs	Agricultural Appraisal	NONE	23.11.2018

DELEGATED

Case Officer sign/initial Nic Pettifer Date: 16.05.2024

Authorising Officer sign/initial RHERMITAGE Date: 12.06.2024