Horsham District Council

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

Application Number: DC/25/0560

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

On behalf of: Mr A Jevon

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:

Variation of conditions 1, 3, 4, 5, 6, 7, 8, 9, 10, 12 and 13 of previously approved application DC/24/0553 (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.) Relating to approved layout and external appearance (1 and 3), water efficiency measures (4), Noise Management Plan (5), ventilation and extraction equipment (6), refuse and recycling storage (7), landscaping (8), acoustic assessment of plant noise (9), hours of use of the external balcony area (10), hours for deliveries and collections (12) and opening hours (13).

Horsham Leisure Park, Bowling Alley Albion Way Horsham West Sussex

to be carried out in accordance with Application No. DC/25/0560 submitted to the Council on 03/04/2025 and subject to compliance with the plans/documents and conditions specified hereunder.

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.

Emma Parkes
Head of Development and Building Control

Date: 20/11/2025

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
Elevation plan		1995-141A	03.04.2025
Block plan		1995-142	03.04.2025
Supporting Statement	DC/24/0553	NONE	03.04.2025
Supporting Statement	Technical submission	NONE	03.04.2025
Supporting Statement	Plant Noise Assessment	NONE	03.04.2025
Supporting Statement	Noise management plan	NONE	03.04.2025
Floor plan	Existing ground	1995-100B	03.04.2025
Floor plan	Existing upper ground	1995-101B	03.04.2025
Floor plan	Proposed upper ground	1995-103F	03.04.2025
Floor plan	Proposed ground	1995-102J	03.04.2025
Elevation plan	Existing	1995-139	03.04.2025
Floor plan		1995-118A	03.04.2025
Location plan		1995-130B	03.04.2025
Elevation plan	Existing	1995-140	03.04.2025

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

2 **Standard Time Condition**: The development hereby permitted must be commenced by the 22.11.2027.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3 **Pre-Commencement (Roof Terrace) Condition**: No development relating to the roof terrace balcony structure hereby permitted shall take place until details of materials have been submitted to and approved in writing by the Local Planning Authority. The development shall take place in accordance with the agreed details.

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 Not used.

5 **Regulatory Condition**: The use hereby permitted shall take place in accordance with the measures set out in the Noise Management Plan (prepared by Peacock + Smith) received 03.04.2025. 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 use(s) hereby permitted shall not commence until details of any new external ventilation and extraction plant and machinery have been submitted to and approved in writing by the Local Planning Authority. The plant and machinery shall be installed in accordance with the agreed details and shall be retained as such thereafter

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 **Regulatory Condition**: The bin and recycling area as shown on plan ref: Ground floor proposed block layout plan (ref: 1995-102 J shall be fully implemented prior to the use commencing.

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

8 **Regulatory Condition**: The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved plan 1995- 118A.

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).

9 **Regulatory Condition:** The cumulative Rating sound level from all new external plant, together with any associated ducting shall not exceed the Background sound level (LA90 15min) at the nearest noise sensitive premises. The plant Specific sound level shall be 5 dB(A) or more below the background sound level in this location. The Background, Rating and Specific sound levels shall be calculated in full accordance with the methodology of BS4142:2014 Methods for rating and assessing industrial and commercial sound.

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 22:00 daily. At all other times the doors to the balcony shall be kept shut.

Reason: In order to minimise the acoustic impact of the development and to ensure development does not result in unacceptable harm to the amenities of nearby occupiers/users of land in accordance with Policy 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 development and to ensure development does not result in unacceptable harm to the amenities of nearby occupiers/users of land in accordance with Policy 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
- 10:00 - 16:00 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, with the exception of Bank / Public Holidays which shall be 08:00 - 01.30,
- 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).

Biodiversity Net Gain Condition
Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

Under Regulations 4, 5, 7 & 8 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024 the statutory biodiversity gain condition required by Schedule 7A to the Town and Country Planning Act 1990 (as amended) does not apply in relation to planning permission for development which:

1. 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
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 (a hedgerow habitat or watercourse habitat identified for the purposes of the biodiversity metric);

2. is the subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015;

3. 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 (In determining whether a development is undertaken solely or mainly for this purpose, 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);

4. consists of no more than 9 dwellings, is carried out on a site which has an area no larger than 0.5 hectares, and consists exclusively of dwellings which are self-build or custom housebuilding ("Self-build or custom housebuilding" has the same meaning as in section 1(A1) of the Self-build and Custom Housebuilding Act 2015 (as amended)).

In addition, the Biodiversity Gain Plan Condition does not apply to applications for major development made before 12 February 2024, or non-major development made before 2 April 2024.

Based on the information submitted in the planning application documents, the Planning Authority considers that this permission is exempt from biodiversity net gain, and as such does not require approval of a biodiversity gain plan before development is begun.

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.