Horsham District Council

Mrs Dawn Richardson
BackUp Oakwood Football Club
Tinsley Lane
Three Bridges
Crawley
RH10 8AT

Application Number: DC/19/1283

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

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:

Retrospective application for the change of use of existing vacant building to a club for teaching of various martial arts

Capons Hill Farm Unit 3 Station Road Cowfold West Sussex

to be carried out in accordance with Application No. DC/19/1283 submitted to the Council on 07/08/2019 and subject to compliance with the plans/documents and conditions specified hereunder.

Barbara Childs
Director of Place

Date: 22/11/2019

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 & Floor plan	Proposed	KDL-HMMAA-0002	02.07.2019
Details plan	Visibility Splay	NONE	17.09.2019
Details plan	Car Parking	KDL-HMMAA-0003 1	02.07.2019
Location plan		NONE	07.08.2019
Block plan		NONE	07.08.2019

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

2 **Regulatory Condition**: Within 3 months of the date of the approval hereby given, a Noise and Event Management Plan shall be submitted and approved in writing by the Local Planning Authority. The Plan shall include, but not be limited to:

- Hours of operation;
- Management responsibilities during all operating hours;
- Measures to manage the number and impact of events throughout the year (including the number and nature of events to be held; the number of participants and spectators attending each event; coach and participant etiquette during events; and measures to manage noise and activity throughout each event (including use of amplified sound systems and any public announcement system, and coach and participant responsibilities during arrival and departure);
- Measures to control noise from all activities and operations at the site (including the operation of any equipment, plant or building services); and
- Measures to minimise noise from vehicles, deliveries, collections and servicing.

The Noise Management Plan shall be implemented and 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).

3 **Regulatory Condition**: Within 3 months of the date of this planning consent, maximum visibility splays shall be provided at the site access onto the A272 (Station Road) in accordance with a plan to be submitted to and approved by the planning authority. These splays shall thereafter be kept clear of all obstructions to visibility above a height of one metre above the adjoining road level.

Reason: In the interests of road safety, and in accordance with Policy 41 of the Horsham District Planning Framework (2015).

4 **Regulatory Condition**: The use hereby approved shall be for a Mixed Martial Arts Studio and for no other purpose.

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 countryside location and the proximity to the neighbouring properties under Policies 26 and 33 of the Horsham District Planning Framework (2015).

5 **Regulatory Condition**: The premises shall not be open for trade or business except between the hours of 09:00 and 21:00 Monday to Friday and 09:30 and 14:00 on Saturdays and Sundays.

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

6 **Regulatory Condition**: At no time shall the number of participants exceed more than 10 individuals and 1 instructor.

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

7 **Regulatory Condition**: No amplified music or public address system shall be played within the building except between the hours of 09:00 and 21:00, and shall at no times be played outside of the building.

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

8 **Regulatory Condition**: No external lighting or floodlighting shall be installed other than with the permission of the Local Planning Authority by way of formal application.

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

Note to Applicant
The Applicant is advised that the existing Parish Council signage on public highway land may require re-siting to achieve the appropriate visibility splay. The re-siting of the sign will need to be agreed with the Parish Council as it is their sign and the applicant is likely to have to fund the re-siting of the sign. To undertake the works a Street Works Permit would also be required from West Sussex County Council Highways.

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**.

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 daniel.raymond@horsham.gov.uk or phone 01403 733144.

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.