Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/0562
19 Piries Place, Horsham, West Sussex, RH12 1EH

DESCRIPTION:
Variation of Condition 4 of previously approved application DC/21/0649 (Variation of Condition 3 of previously approved application DC/16/2506 (Partial redevelopment of Piries Place for mixed uses), as amended by DC/17/1522, relating to Unit 19 (trading as The M Bar) to allow opening between 8am and 2am Fridays, Saturdays, and Bank Holidays (retaining permitted opening hours on other days)) to allow use of the outdoor seating until 01.45(am) on Friday and Saturdays.

RELEVANT PLANNING HISTORY:

Piries Place as a whole:

DC/16/2506	Partial redevelopment, conversion and change of use of numbers 1-17 Piries Place, the former Waitrose service area for mixed uses comprising A1, A2, A3, A4, C1, D2 uses, new Piries Place public realm extending to Park Place, Carfax and widening to Copnall Way	Permitted 15-03-2017
DC/17/1522	Proposed variation of conditions 1 and 3 to previously approved application DC/16/2506 (Partial redevelopment, conversion and change of use of numbers 1-17 Piries Place, the former Waitrose service area for mixed uses comprising A1, A2, A3, A4, C1, D2 uses, new Piries Place public realm extending to Park Place, Carfax and widening to Copnall Way). Proposed minor material amendments to approved plans showing altered plant equipment locations, layouts and elevational changes, addition of opaque windows, changes to internal roof layout, external louvred plant area and addition of air bricks to hotel elevations. Proposed amendments to approved opening hours for Coffee shop uses to enable opening between 07:00-00:00 Monday to Saturday and 07:00 to 22:30 Sundays.	Permitted 18/09/2017
DISC/17/0183	Approval of details reserved by conditions 10, 13, 14 and 16 on DC/17/1522	Permitted 02/10/2017
DISC/17/0411	Application to approve details reserved by condition 12 on DC/16/2506	Permitted 13/12/2017
DISC/17/0492	Approval of details reserved by conditions 8 (surface water drainage) and 9 (foul and surface water disposal) on planning permission DC/17/1522	Permitted 14/02/2018
DISC/18/0278	Approval of details reserved by condition 17 (Twitten Canopy Details) on DC/16/2506 and DC/17/1522	07/05/2019

DISC/18/0303	Approval of details reserved by Condition 18 (Landscaping) on DC/16/2506	22/03/2019
DISC/18/0372	Approval of details reserved by conditions 22 (Service Plan) and 23 (Travel Plan) on DC/16/2506	Permitted 24/05/2019

Unit 1 (now known as 24D Piries Place):

DISC/18/0045	Approval of details reserved by condition 25 (plant or extraction system) on planning permission DC/17/1522 in relation to Unit 1, Piries Place, Carfax, Horsham ONLY	Permitted 22/03/2018

Unit 2 (now known as 17 Piries Place):

DISC/18/0398	Approval of details reserved by condition 25 (plant/extraction) on DC/17/1522 (Pursuant to Unit 2)	Permitted 01/02/2019
DC/18/2438	Non Material Amendment to previously approved application DC/16/2506 and DC/17/1522 (Partial redevelopment, conversion and change of use of numbers 1-17 Piries Place, the former Waitrose service area for mixed uses comprising A1, A2, A3, A4, C1, D2 uses, new Piries Place public realm extending to Park Place, Carfax and widening to Copnall Way) Relating to layout of unit 2 including installation of additional doors, a louvered grill and extract discharge.	Permitted 07/12/2018

Unit 3 (now known as 15 Piries Place):

DC/20/0205	Change of use of unit 15 from use class A1/A3 to flexible use within use classes A1, A2, A3, A4 or for mixed use A1/A4	Permitted 23/04/2020

Cinema unit (now known as 16 Piries Place):

DISC/18/0394	Approval of details reserved by condition 25 (plant/extraction) on DC/17/1522 (Pursuant to Cinema Unit)	Permitted 21/01/2019
DC/23/1484	Advertisement consent for 1 projected sign and 1 decal glazing sign.	Permitted 26/09/2023

Premier Inn Unit (now known as 14 Piries Place):

DISC/19/0076	Approval of details reserved by condition 25 (plant/extraction) on DC/16/2506 (Pursuant to the Premier Inn Unit Only).	Permitted 12/04/2019

Units 6, 7, part of unit 9 (now known as 6, 7, and 19 Piries Place):

DC/19/0218	Non Material amendment to previously permitted application DC/16/2506 (Partial redevelopment, conversion and change of use of numbers 1-17 Piries Place, the former Waitrose service area for mixed uses comprising A1, A2, A3, A4, C1, D2 uses, new Piries Place public realm extending to Park Place, Carfax and widening to Copnall Way). Proposed revisions include: the omission of curved extension to the southern block (Unit 6 and 7), addition of a corner infill extension, new shop front glazing, new first floor glass	Permitted 18/02/2019

	balustrade to replace existing, first floor wall cladding change from brick to render on former B52 (Part unit 9).	
Unit 7		
DC/20/2166	External alterations to unit including the installation of 1x external illuminated projected sign and external awning over external seating. Alterations to existing fascia sign including louvre to east facing side elevation. Installation of a mechanical plant located on the rear roof area on the south facing elevation.	Permitted 11/02/2021
Unit 9 (now Unit 19)		
DC/21/0649	Variation of Condition 3 of previously approved application DC/16/2506 (Partial redevelopment of Piries Place for mixed uses), as amended by DC/17/1522, relating to Unit 19 (trading as The M Bar) to allow opening between 8am and 2am Fridays, Saturdays, and Bank Holidays (retaining permitted opening hours on other days).	Application Permitted on 17.09.2021
DC/23/1410	Variation of condition 27 (Noise Management Plan) of previously approved application reference DC/21/0649 (Variation of Condition 3 of DC/16/2506 (Partial redevelopment of Piries Place for mixed uses), as amended by DC/17/1522, relating to Unit 19 (trading as The M Bar) to allow opening between 8am and 2am Fridays, Saturdays, and Bank Holidays (retaining permitted opening hours on other days) to allow revised location and management hours of smoking area.	Withdrawn Application on 19.09.2023

DESCRIPTION OF THE SITE

The application site is located within the Built-up Area Boundary of Horsham. The site is located within the Defined Town Centre Boundary, and within the Horsham Main Shopping Area and Primary Retail Frontage.

Piries Place is a modern urban square, recently subject to redevelopment (DC/16/2506 refers). It is located immediately east of the Carfax in Horsham town centre, and comprised of a mix of commercial uses. This includes restaurants and drinking establishments, and hotel and cinema.

No. 19 Piries Place is a two-storey building facing out onto the west side of the square, which is accessed between alleyways linking Piries Place to the Carfax and the pedestrianised public realm abutting the multi-storey car park to the east up to Park Place. It is currently occupied by a business trading as ‘The M-Bar’, described as an Asian inspired tapas bar, at ground floor, with ancillary over. This unit and those adjoining units (20-22 inclusive) were identified as ‘unit 9’ under DC/16/2506, with permission for planning Use Class A1/A3/A4. There is an outdoor seating area at the front serving The M Bar.

The western half of the square closest to the Carfax sits within the Horsham Conservation Area and a Site of Archaeological Importance. Various Grade II Listed Buildings exist in the vicinity, including at the rear of No. 10 Piries Place.

The buildings facing onto Piries Place all form primary retail frontage within the Horsham Town Centre Primary Shopping Area as identified in the Horsham District Planning Framework.

DESCRIPTION OF THE APPLICATION

The application seeks to vary condition 4 of the most recently varied application DC/21/0649, which currently reads:-

The outside seating at ground floor level serving the development as detailed on approved plan drawing no. A-00-120 Rev O received on 2 August 2017 on planning permission DC/17/1522 shall not be used except between the hours of 08:00 and 22:30 daily.

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

The variation sought is an extension to the hours of use for the seating at ground floor level to allow use of the outdoor seating until 01.45(am) (the following day) on Friday and Saturdays for Unit 19. The application form also confirms this is to be applied to Bank Holidays.

The permitted opening hours on other days for all other units is being retained. All other conditions are to be retained. This includes condition 3 which would continue to restrict the opening hours of the premises.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 11 - Tourism and Cultural Facilities
Policy 12 - Strategic Policy: Vitality and Viability of Existing Retail Centres
Policy 13 - Town Centre Uses
Policy 14 - Shop Fronts and Advertisements
Policy 24 - Strategic Policy: Environmental Protection
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities
Policy 43 - Community Facilities, Leisure and Recreation

Horsham Blueprint Business Plan
Policy HB1: Location of Development
Policy HB2: Meeting Local Housing Needs
Policy HB3: Character of Development
Policy HB4: Design of Development
Policy HB5: Energy Efficiency and Design
Policy HB6: Retaining and Enhancing the Vitality and Viability of Horsham Town Centre
Policy HB8: Horsham as a Sustainable Visitor Destination
Policy HB9: Protecting Existing and Encouraging New Commercial Premises and Land
Policy HB12: Encouraging Sustainable Movement

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 4: Horsham Town
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 11: Environmental Protection

Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Strategic Policy 27: Inclusive Communities, Health and Wellbeing
Policy 28: Community Facilities, Leisure and Recreation
Strategic Policy 29: New Employment
Strategic Policy 30: Enhancing Existing Employment
Strategic Policy 34: Tourism Facilities and Visitor Accommodation
Strategic Policy 35: Town Centre Hierarchy and Sequential Approach
Strategic Policy 36: Town Centre Uses
Strategic Policy 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs
Policy 39: Affordable Housing
Policy 40: Improving Housing Standards in the District

Horsham Town Plan (2012) SPD September 2021

Supplementary Planning Guidance:
Horsham Town Design Statement
Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

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:

INTERNAL CONSULTATIONS

HDC Environmental Health: Comment
[Summary]

The nearest residential properties are some distance away, and the hotel is well protected via it's build quality. This department does not have any noise complaints about the premises on file at all in it's operating history. The management/owners play an active role in the business, and are usually on site. They have demonstrated their competence to manage noise at the premises, and are keen to cooperate and take advice on board.

We are convinced that the management controls in place will adequately control the noise emitted from the use of the outside area. There are door staff permanently placed at the threshold, plus on the doors to the premises. This ensures that the doors are not held open for longer than necessary for ingress and egress to the bar, plus they will also ensure that patrons do not cause too much noise outside. The music is turned off outside at 23:00, and the level of 60dB(A) should not require people to raise their voices to speak over.

The only difference to the other businesses nearby is that the M Bar would have more people outside after 23:00, but this is in a controlled way as excessively noisy parties will be asked to leave the outside space. They should not notice the difference.

Previous comment confirmed insufficient information has been provided.

OUTSIDE AGENCIES

Sussex Police: Comment
[Summary]

Despite the reassurances as indicated within the accompanying noise management plan - from a crime prevention perspective my main concern with these proposed variations in conditions is that of noise. As the area has a high density of surrounding residential dwellings, it may cause unreasonable harm to the amenity of residents through noise and activity at unsociable hours due to extended drinking outside until 01.45 (am) on Friday and Saturdays.

The applicant and their partners are also strongly advised to consult directly with the licensing team at Sussex Police with regards to these proposed changes. The Sussex Police Licensing Team may have some of their own requirements to be implemented into the premises before they are satisfied it meets licensing objectives on the day-to-day operation of the premises which is why it is extremely important the applicant contacts them as soon as is practicable.

PUBLIC CONSULTATIONS
Representations:

One (1) letter of Objection has been received from one (1) address, objecting to the application on the following grounds:

- Privacy light and noise.
- Noise impact on surrounding residents and hotel.

Three (3) letters for Support have been received from three (3) addresses, supporting the application on the following grounds:

- Support for the night time economy.
- Beneficial for the local independent business.
- Matters of personal safety.
- Noise is well controlled at the site.
- Fairness of trading.
- Design
- Privacy, light and noise.

Neighbourhood Council Comments:

Horsham Denne Neighbourhood Council: Objection

Horsham Denne Neighbourhood Council objects to extended hours due to the close proximity to residential properties and the Hotel. We note that the applicant refers to another premises having later hours but HDNC has no information on this.

Member Comments:
None received

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

Principle of Development:

Horsham Town Centre is identified in the HDPF as being the primary retail centre of the District. Piries Place sits within the identified Town Centre boundary and forms primary retail frontage. Policy 12 of the HDPF seeks to secure positive measures to improve Horsham town centre as the primary retail centre, and to promote and encourage activities in town centres so they continue to be the prime focus for community life in the District by (amongst others):

- In the larger centres encouraging variety in the "offer", which for Horsham town centre has meant the identification of distinct "quarters" that define character and ambiance

The Horsham Town Plan SPD identifies Piries Place as falling within an area called 'The Quarter'. Within the SPD, General Guidance 3 sets out that proposals that will enhance the restaurant offer and night time economy should be concentrated on 'The Quarter'. The SPD provides more detailed site specific guidance for 'The Quarter' within Site Specific Guidance 2, identifying that this area would benefit from the strengthening of the night time economy offer.

The proposal would strengthen the evening economy identity that would improve the wider overall offer of this quarter of the town centre, as specifically aspired for within the Horsham Town Plan SPD. The proposal is therefore considered in compliance with Policies 11 & 12 of the HDPF and the specific guidance and aspiration for the area as set out within the Horsham Town Plan SPD. Policy 13 of the HDPF states that main Town Centre uses will be encouraged within the defined areas of Town and Village Centres.

Design, Appearance and Heritage:

Policies 32 and 33 of the HDPF require development to be of a high standard of design and layout. This change of use includes no external alterations to the unit. This area has seen substantial change through the redevelopment of Piries Place. The area has a distinct new character and ambience as a bustling piazza style location serving both the daytime and evening economy. The proposal would complement this character, which is not harmful to the qualities and significance of adjacent designated heritage assets.

Residential Amenity:

Policy 33 of the HDPF provides that development will be required to ensure unacceptable harm to the occupiers/users of nearby property and land.

In terms of sensitive noise receptors, No. 19 is primarily surrounded by other commercial uses. However particular consideration is given to the Premier Inn within Piries Place (the nearest noise sensitive receptor) and the impact in respect of noise. The nearest residential properties are located immediately rear of proposed Unit 5 in the southeast corner of Piries Place. The eight properties are set in a single block fronting Stans Way, a pedestrian route leading from East Street into Piries Place. Further residential units are located on Park Place in excess of 50m from the nearest unit within the development.

The units within Piries Place are restricted in their use of outside seating until 10.30pm daily via condition 4, with their opening hours more generally controlled under condition 3. Unit 19 is expressly permitted to be open until 1am on weekdays and 2am on Fridays, Saturdays and Bank Holidays via condition 3.

The proposal is not seeking to extend the opening hours of the venue, only the hours of use for the outdoor space. Whilst condition 4 restrictions the hours of use for outdoor seating within Piries Place it

is understood this may not be reflected in their licenses. Anecdotally therefore it may be that some of the premises do use these outdoor spaces post 22:30. The latest licensable opening hours are D'Arcy's Wine Bar at up to 02:00 and Turkuaz for which hours run to 01:30. Restrictions on how alcohol is to be consumed outside are in place within the licenses; however, the hours of outside use are not restricted beyond the licensable hours.

Given the above, late-night activities are not out of keeping for the area. The applicants have submitted an updated Late Night Noise Management Plan pursuant to condition 27 to control the noise emitted from the use of the outside area. This states that door staff would be permanently placed at the threshold, plus on the doors to the premises. This would ensure that the doors are not held open for longer than necessary for ingress and egress to the bar, plus they will also ensure that patrons do not cause too much noise outside. Further to this the updated Management Plan would ensure the music is turned off outside at 23:00, and the sound level of the music would not be at a level which would require people to raise their voices to be heard. In addition, the Environmental Health Officer has confirmed the Council does not have any noise complaints about the premises on file.

Whilst the mitigations within the proposed noise management plan would assist in the proposal limiting its impact on neighbouring amenity, nevertheless there remains the risk of late night noise disturbance given the very late 1.45am close of the outside space. Whilst the nearest residential properties are set away from the site and the build quality of the Premier Inn provides it some protection from noise, noise would nevertheless carry at a time when background levels are otherwise low.

Whilst it is not expected that the proposal will cause unacceptable impact on amenity, Officers nevertheless have concerns about a use until 01:45am continuing in perpetuity in the event harm occurs. Given this, Officers consider that a temporary one-year permission would allow for the economic benefits of the proposal to take place whilst allowing for the continued assessment of the impact on neighbouring amenity.

It is noted that the applicant has also requested that the outside space be open until 1.45am on Bank Holidays. As Bank Holidays are normally on a Monday, this means opening until the early hours on a Tuesday morning. Given there are residential uses in the locality it is not considered at this stage appropriate to allow for such late use at a time where it cannot be ruled out as disturbing residents who would need to work or go to school the following day. As such Bank Holidays are excluded from these extended hours until such time that an evidence base has been put together to demonstrate that no harm would arise.

Highways Impacts:
The site is in a very sustainable town centre location easily accessible by foot, bicycle and public transport, and with a number of nearby public car parks.

It is not anticipated the proposal will result in additional customers to the premises but rather the retention of customers already using the garden space to 22:30. Furthermore, the hours of use are not being extended for the overall premises and this is not expected to give rise to significant additional traffic and would not be expected to exacerbate any existing issues.

The highway impacts of the proposal would also be reviewed further should an extension beyond the temporary year condition be applied for.

Water Neutrality:

The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be

addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

The proposal does not extend the premises, nor does it extend the opening hours of the premises. Given these factors, combined with the limited outdoor seating area, it is not considered that extending the times of opening outdoors will result in additional customers to a level where additional water consumption will occur. Accordingly no adverse impacts on the integrity of the Arun Valley sites is anticipated.

Other Matters:

Biodiversity Net Gain (BNG):
Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG (unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024) and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

The Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool, and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

The development qualifies as 'de minimis' under Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024

Conclusions:

Given the town centre location and mixed use character of the surroundings, the proposed operations would reflect the character and ambience of the mixed use area. Means to mitigate the potential adverse noise and disturbance arising from the extended outdoor opening hours are set out in the submitted updated Noise Management Plan secured under condition 27. While this has been agreed by the Council's Environmental Protection team officers acknowledge that 01:45 would nevertheless still potentially add to late night noise and would not be in accordance with the original outdoor seating restrictions of the area.

On balance, whilst the proposal is not expected to result in an unacceptable impact on neighbouring amenity, officers nevertheless consider it appropriate to permit the change for a temporary one year period at this stage, and exclude Bank Holidays, to enable an evidence base as to the actual impacts to be collated. This is in line with the approach the LPA took under DC/12/0523 (for 7-9 Park Place now Mungos Bar) where a temporary extension of hours was granted by the LPA to allow for further monitoring.

Recommendation: Application Permitted

Conditions:

2 N/A

3 **Regulatory Condition**: The A3, A4 and D2 commercial premises hereby permitted shall not be open for trade or sale except between the hours of:

(a) 08:00 to 00:00 of the same day Monday to Saturday (inclusive) and 08:00 to 22:30 Sundays in the case of premises in Class A3 use (other than coffee shops as defined in the Notes to Applicant, below);

(b) 07:00 to 00:00 of the same day Monday to Saturday (inclusive) and 07:00 to 22:30 Sundays in the case of premises in Class A3 Coffee Shop use only (as defined in the Notes to Applicant, below).

(c) EXCLUDING NO. 19 PIRIES PLACE 08:00 to 01:00 the following day Monday to Saturday (inclusive) and 08:00 to 23:30 Sundays in the case of premises in Class A4 use;
(d) 08:00 to 01:00 the following day, daily in the case of the Class D2 cinema use;

(e) In relation to No. 19 Piries Place ONLY 08:00 to 01:00 the following day Monday to Thurs (inclusive), 08:00 to 02:00 the following day Fridays, Saturdays, and Bank Holidays, and 08:00 to 23:30 Sundays.

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

4 **Regulatory Condition**: Other than the outside seating area associated with and fronting Unit 19 (as delineated on the location plan received 23/04/2025) the outside seating at ground floor level serving the development as detailed on approved plan drawing no. A-00-120 Rev O received on 2 August 2017 on planning permission DC/17/1522 shall not be used except between the hours of 08:00 and 22:30 daily.

The outside seating area associated with and fronting 19 Piries Place (as delineated on the location plan received 23/04/2025) shall, for a temporary period of one year from the date of this permission only, shall not be used except between the hours of 08:00 and 22:30 on Sundays to Thursdays and shall not be used except between the hours of 08:00 and 01:45 the following day on Friday, Saturdays. Following the expiration of one year following the date of this permission, the outside seating area to Unit 19 shall thereafter not be used except between the hours of 08:00 and 22:30 daily.

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

5 **Regulatory Condition**: The first floor terraces serving the development as shown on drawing no. A-00-121 REV L received 10 July 2017 on planning permission DC/17/1522 shall not be used except between the hours of 08:00 and 22:30 daily.

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

6 **Regulatory Condition**: No servicing of the development hereby permitted shall take place from Park Place except between the hours of 07:00 and 12:00 (noon) daily.

Reason: In the interests of highway safety and to protect the amenities of adjacent occupiers to accord with Policies 33 & 40 of the Horsham District Planning Framework (2015).

7 **Regulatory Condition**: The development hereby permitted shall be carried out in full accordance with the ecological mitigation measures set out in Chapter 7 of the Preliminary Ecological Appraisal (SLR ref:406.01455.00007 no:1 dated October 2016) received on 4 November 2016.

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).

8 **Regulatory Condition**: The development hereby permitted shall be carried out in full accordance with the surface water drainage system approved under planning reference DISC/17/0492, which shall be maintained in accordance with the approved design.

Reason: As this matter is fundamental to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 & 38 of the Horsham District Planning Framework (2015).

9 N/A

10 **Regulatory Condition**: Development of the Copnall Way service layout and adjacent buildings shall be carried out in full accordance with details approved under planning reference DISC/17/0183.

Reason: As this matter is fundamental to ensure that finished highway gradients are satisfactory and that there is no significant level difference between the highway and service entrances to ensure that the road surface and footway development is properly drained and to comply with Policies 38 & 40 of the Horsham District Planning Framework (2015).

11 N/A

12 N/A

13 **Pre-commencement Condition**: The development shall take place in accordance with the Construction Environment Management Plan approved under planning reference DISC/17/0183.

Reason: As this matter is fundamental in the interests of good site management, highway safety, and to protect the amenities of adjacent businesses and residents during construction works to accord with Policies 33 & 40 of the Horsham District Planning Framework (2015).

14 N/A

15 N/A

16 N/A

17 N/A

18 **Regulatory Condition**: The approved hard and soft landscaping works and lighting scheme shall be fully implemented in accordance with the details approved under planning reference DISC/18/0303.

Any plants approved as soft landscaping works under DISC/18/0303, which within a period of 5 years, die, are removed, or become 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, and to safeguard the ecology and biodiversity of the area in accordance with Policy 31 & 33 of the Horsham District Planning Framework (2015).

19 **Pre-occupation Condition**: Prior to the first occupation of any unit within the development hereby permitted, the refuse and recycling storage facilities indicated on the approved plans under planning permissions DC/16/2506 and DC/17/1522 shall have been fully implemented and made available for use. 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).

20 **Pre-occupation Condition**: Prior to the first occupation of any unit within the development hereby permitted, the cycle parking facilities shown on the approved plans under planning permissions DC/16/2506 and DC/17/1522 shall have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development 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).

21 **Regulatory Condition**: The glazing and mechanical ventilation measures as set out within the Planning Noise Report (Sandy Brown ref:16292- R02-B dated 12 October 2016) approved under planning permission DC/16/2506 shall be fully implemented to the hotel use hereby permitted and retained at all times thereafter.

Reason: In the interests of the amenities of occupiers of the hotel to accord with Policy 33 of the Horsham District Planning Framework (2015).

22 **Regulatory Condition**: All units shall operate in strict accordance with the Service Plan approved under planning reference DISC/18/0372.

Reason: In the interests of highway safety to accord with Policy 40 of the Horsham District Planning Framework (2015).

23 **Regulatory Condition**: All units shall operate in strict accordance with the Green Travel Plan approved under planning reference DISC/18/0372.

Reason: To encourage sustainable transport modes to accord with Policy 40 of the Horsham District Planning Framework (2015).

24 N/A

25 **Pre-occupation Condition**: Prior to the occupation of any particular unit within the development hereby permitted, full details of any plant or extraction systems necessary to serve that unit shall have been submitted to and approved in writing by the Local Planning Authority, with the following exceptions listed below which already benefit from approval under separate planning permissions/references:-

Unit 1 (24D Piries Place) under DISC/18/0045
Unit 2 (17 Piries Place) under DISC/18/0398
Cinema unit (16 Piries Place) under DISC/18/0394
Premier Inn Unit (14 Piries Place) under DISC/19/0076
Unit 7 (7 Piries Place) under DC/20/2166
Unit 15 under DC/20/0205

The details shall demonstrate compliance with the recommendations set out in Chapter 7 of the Planning Noise Report (Sandy Brown 16292-R02-B dated 12 October 2016) approved under application DC/16/2506 or as approved under separate permission. The plant and extract systems shall be installed in full accordance with the approved details and maintained as such thereafter.

Reason: To protect the amenities of adjacent occupiers to accord with Policy 33 of the Horsham District Planning Framework (2015)

26 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order) no development falling within Part 16 of Schedule 2 of the Order shall be erected, constructed or placed on the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity in accordance with Policies 33 & 34 of the Horsham District Planning Framework (2015).

27 **Regulatory Condition**: The premises of No. 19 Piries Place shall operate in strict adherence to The M Bar Friday-Saturday Late Night Noise Management Plan 2am, Licensable received 30th of July 2025. This includes a maximum inside volume on the sound system (85dB) and a maximum outside level (60dB). Where any management practices give rise to substantiated reports of impact to local amenity received by the operator or Horsham District Council, any necessary changes to the management plan shall be submitted to and approved in writing by the local planning authority and the premises shall operate in accordance with the revised management plan thereafter.

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

NOTE TO APPLICANT

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/25/0562
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	The M Bar Friday-Saturday Late Night Noise Management Plan (2am) Dated 30 July 2025		30.07.2025
Supporting Docs	Agent's email dated 28 July 2021. 60db external accepted		28.07.2021
Supporting Docs	Letter Ref: 20390-L01-A 25 May 2021 by Sandy Brown Ltd Consultants in Acoustics, Noise & Vibration		03.06.2021
Supporting Docs	NOISE IMPACT ASSESSMENT by Sandy Brown Ltd 20390-R01-B 04 March 2021		18.03.2021
Plans	Unt 19 Location Plan		23.04.2025

Case Officer sign/initial Alice Johnson Date: 05/08/2025

Authorising Officer sign/initial Adrian Smith Date: 07/08/2025