Horsham District Council

Ms Tara Everson
Planit Consulting
3 Innovation Place
Douglas Drive
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Rowhook Hill Farm Bognor Road Broadbridge Heath West Sussex
Change of use of building to flexible/dual use. Vehicle sales workshop for display and sale of vehicles together with vehicle preparation, valeting and carrying out of pre-sales safety checks (Sui Generis), office and MOT centre (Use Class E(g)). Installation of new windows and mezzanine.

Your application DC/25/2011 has now been determined and I enclose the decision notice. The decision notice contains important information. Please take a moment to read it as further action may be required.

Conditions
Before you start work, information must be submitted for any conditions that require discharge before development can begin. The decision notice will set out what information need to be sent.

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

Failure to discharge conditions before commencing development could result in the development being unlawful or enforcement action being taken. You can notify us of your intention to initiate development by completing a pre-commencement notification which will help us to monitor your development. There is no fee to use this service. To do this, or for further information about discharging planning conditions, visit us online at horsham.gov.uk/planning/discharging-a-planning-condition

Community Infrastructure Levy (CIL)
If this development is CIL liable, the requirements of CIL must be met before you start work. Failure to do so could result in additional financial penalties. For further information relating to CIL visit horsham.gov.uk/planning/planning-policy/community-infrastructure-levy/cil-charges-and-how-to-pay

If you have any questions about the decision notice, you can call us and speak to a member of the team on 01403 215187 between 9AM - 5PM, Monday to Friday.

If you are acting as the planning agent for this application, please ensure that the applicant is given a copy of the decision notice and this letter.

Yours Sincerely,
Development Management

Horsham District Council

Ms Tara Everson
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Application Number: DC/25/2011

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

On behalf of: Mr S Slater

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:

Change of use of building to flexible/dual use. Vehicle sales workshop for display and sale of vehicles together with vehicle preparation, valeting and carrying out of pre-sales safety checks (Sui Generis), office and MOT centre (Use Class E(g)). Installation of new windows and mezzanine.

Rowhook Hill Farm Bognor Road Broadbridge Heath West Sussex

to be carried out in accordance with Application No. DC/25/2011 submitted to the Council on 04/12/2025 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 24/03/2026

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
Block plan		NONE	04.12.2025
Location plan	Location Plan	15-000/P/001	04.12.2025
Floor plan	Proposed Ground Floor Plan	03 of 05	04.12.2025
Floor plan	Proposed Mezzanine Floor Plan	04 of 05	04.12.2025
Elevation plan	Existing Elevations	02 of 05	04.12.2025
Floor plan	Existing Ground Floor Plan	01 of 05	04.12.2025
Elevation plan	Proposed Elevations	05 of 05	04.12.2025

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

2 **Standard Time Condition**: The development hereby permitted shall begin before the expiration of three years from the date of this permission.

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

3 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any Order revoking, re-enacting or modifying that Order), the premises shall be used only for:

(a) the display and sale of motor vehicles, together with vehicle preparation, valeting and other associated activities including repairs and servicing to vehicles for sale, forming part of the established lawful use of the site; and

(b) purposes falling within Class E(g)(iii) of the Use Classes Order, limited to the undertaking of MOT testing and associated inspection activities, as described in the application, only.

No other use shall take place, including any general motor vehicle repair, servicing, bodywork, fabrication, paint spraying or mechanical engineering operations, without the prior grant of planning permission.

All MOT activities shall be undertaken within the building unless otherwise agreed in writing by the Local Planning Authority.

Reason: To define the scope of this flexible permission to prevent an intensification into a general industrial or repair use, and to safeguard the character of the rural area and the amenities of nearby residential occupiers, in accordance with Policies 10, 26, and 33 of the Horsham District Planning Framework (2015).

4 **Pre-Occupation Condition**: Prior to the first use of the premises for MOT testing, a noise impact assessment shall be submitted to and approved in writing by the Local Planning Authority (LPA).

The assessment shall be undertaken in accordance with BS 4142:2014+A1:2019 (or any subsequent superseding equivalent) and shall assess the impact of noise arising from the development on the nearest noise-sensitive receptors.

The assessment shall demonstrate that noise arising from the use, including any plant or equipment, does not exceed the existing background sound level (LA90) at the nearest residential properties. It shall also identify any acoustic features, including tonality, impulsivity, or intermittency.

Where mitigation measures are identified as necessary, these measures shall be fully implemented prior to the first use of the MOT facility and maintained thereafter.

The MOT facility shall not be operated until the LPA has confirmed in writing that the assessment and any mitigation measures are approved.

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

5 **Regulatory Condition**: Within three months of commencing use of the premises for MOT testing, a post-installation noise assessment shall be submitted to and approved in writing by the Local Planning Authority.

The assessment shall:

(i) Measure working noise levels at the position closest to the nearest residential dwelling.
(ii) Demonstrate that daytime noise (1-hour LAeq) and night-time noise (15-minute LAeq) do not exceed existing background levels.
(iii) Be undertaken in accordance with BS 4142:2014+A1:2019 (or any subsequent superseding equivalent) and current best practice, including full spectrum analysis to confirm that there is no tonality or other acoustically distinctive features present in the noise.
(iv) Identify any further mitigation measures necessary and confirm that they have been fully implemented.

The approved mitigation measures shall be permanently retained thereafter, and the development shall continue to operate in accordance with the approved details.

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

6 **Regulatory Condition**: All vehicle preparation, inspection and MOT testing activities shall be carried out within the building and not externally on the site. No such activities shall take place externally on the site at any time.

During MOT testing and any associated inspection activities, all external doors and windows to the building shall be kept closed, except for access and egress.

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

7 **Regulatory Condition**: The use hereby permitted shall operate and include arrivals and departures only between the following hours:

- 08:00 to 18:00 Monday to Friday;
- 08:00 to 13:00 Saturdays; and
- No operation on Sundays or Bank Holidays.

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

8 **Regulatory Condition**: No additional external lighting shall be installed unless details have first been submitted to and approved in writing by the Local Planning Authority.

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

9 **Regulatory Condition**: The existing areas for vehicle parking and turning within the site shall be retained and kept available for those purposes at all times and shall not be used for storage or any other purpose.

To ensure the continued safe operation of the site in the interests of highway safety and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

10 **Regulatory Condition**: No open storage shall take place within the curtilage of the site without the prior written approval of the Local Planning Authority.

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

Note to Applicant
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.

Statutory exemptions and transitional arrangements
There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at https://www.gov.uk/guidance/biodiversity-net-gain.

Irreplaceable habitat
If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

Note to Applicant
Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

ADDITIONAL INFORMATION

Planning Permission – Important Provisos
If planning permission has been granted, please note that your Notice of Decision refers only to consideration of your proposal under the Town and Country Planning Acts. It is not a building regulations approval and does not mean that you can disregard other Acts of Regulations or avoid any other legal obligations. Some of these obligations, of particular relevance to your proposal are referred to elsewhere in this note. Before you proceed with your proposal you should ensure that a Building Control application is not required or has been submitted. The Building Control Department can be contacted on 01403 215151.

If this permission relates to new dwellings, commercial premises or other buildings which will require a new postal address you should contact the Council's Street Naming & Numbering Department as soon as possible or before work commences on site. Further details are available on the Street Naming page on the Council's website or alternatively e-mail streetnaming@horsham.gov.uk or telephone 01403 215139.

It is the responsibility of the developer to provide bins for the development. If you are a developer and need to purchase bins, please email hop.oast.admin@horsham.gov.uk.

It must be stressed that the information included on this Notice of Decision may not include all your legal obligations, and it does not grant you rights to carry out works on or over lands, or to access land that is not within your control or ownership.

Amendments
Should alterations or amendments be required to the approved plans, it will be necessary to apply either under Section 96A of the Town and Country Planning Act 1990 for non-material alterations, or under Section 73 of the Act for minor material alterations. An application must be made using the standard application form and you should consult with us, to establish the correct type of application to be made.

Monitoring
Horsham District Council monitors the implementation of planning permissions. Please be aware that monitoring officers may visit the application site at various stages of the development to ensure compliance with the approved plans and conditions.

Right of Appeals
If you are aggrieved by the decision to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

You must appeal within 12 weeks of the date of the decision notice for a householder application or 'minor commercial' (shop front) development, and within 6 months for other types of planning applications. There are different timescale – usually 28 days – if an enforcement notice is/has been served for the same (or very similar) land and development. Please note, only the applicant possesses the right of appeal.

Appeals can be made online at: https://www.gov.uk/planning-inspectorate. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are at https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries.