



**Horsham
District
Council**

Mr Jack Dunckley
Birchfield Nursery
Kidders Lane
Henfield
West Sussex
BN5 9AB

Our ref: DISC/26/0151
Discharging Condition 3,4 & 5
Demolition of existing
temporary coffee shop facility
and erection of a single-storey
permanent coffee shop
structure
Your ref:
Email: planning@horsham.gov.uk
Direct Line: 01403 215238
If Calling Please ask for: Nicola Pettifer
Date: 3rd June 2026

Dear Sir/Madam,

**Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure England)
Order 2015**

Application for Approval of Details Reserved by Conditions 3 (Drainage Strategy), 4 (External Materials) and 5 (Ecological Mitigation) to approved application DC/25/1828.

Birchfield Nursery Kidders Lane Henfield West Sussex

The Authority has considered your application, and I can confirm that the submitted information is acceptable pursuant to the following condition(s):

4. **Pre-Commencement (Slab Level) Condition:** Notwithstanding the submitted information no development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roof of the approved building has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

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) and Policy 12 of the Henfield Neighbourhood Plan (2021)

Date of approval - 3rd June 2026

5. **Pre-Commencement (Slab Level) Condition:** no development above ground floor slab level of any part of the development hereby permitted shall take place until a Biodiversity Enhancement Strategy for Protected and Priority species has been submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

- (a) Purpose and conservation objectives for the proposed enhancement measures;

- (b) Detailed designs to achieve stated objectives;
- (c) Locations of proposed enhancement measures by appropriate maps and plans;
- (d) Persons responsible for implementing the enhancement measures;
- (e) Details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the Local Planning Authority to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) and Policy 10 of the Henfield Neighbourhood Plan (2021)

Date of approval - 3rd June 2026

The development shall be implemented in accordance with the approved plans and details listed in the schedule below.

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Plans	Condition 5 - discharge	CON-05	12.05.2026
Materials		NONE	12.05.2026
Materials	Shop and coffee shop	DWL 02A	12.05.2026
Supporting Statement	Biodiversity Enhancement Strategy	NONE	12.05.2026

I can also confirm that the submitted information is **NOT** acceptable pursuant to the following condition(s):

3. **Pre-Commencement Condition:** No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

Note to Applicant:

Regarding Condition 3, the following issues below remain outstanding from HDC Drainage:

- The Drainage Strategy as submitted would allow untreated surface water to enter a groundwater source, which is not permissible. Under no circumstance would it be considered acceptable to direct surface water runoff into a well. Surface water must be managed, filtered, stored and released at an appropriate rate into a surface water ditch/ water course (if infiltration suitability is poor and soakaways will not be effective).
- Furthermore, the 'Condition 3 - Discharge' Plan shows grey water connected to the well. This is not permissible. Under no circumstance would it be considered acceptable to direct grey water into a well.
- These activities would be considered an offence under the Environmental Permitting Regulations 2016.

This letter constitutes a legal document which should be regarded as an addendum to the original planning application.

If you have any queries or require further information, please do not hesitate to contact the Case Officer.

Yours faithfully



Emma Parkes
Head of Development and Building Control

ADDITIONAL INFORMATION

Right of Appeals

If you are aggrieved by the decision to refuse permission for the proposed development 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>.