Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/0469
Tesco Express , Redkiln Way, Horsham, West Sussex, RH13 5QH

DESCRIPTION:

Non Material Amendment to previously approved application DC/25/0029 (Replacement of existing fuel tanks, fills, pipework and forecourt with alterations to existing parking arrangements) for the size increase of 2no. Underground Fuel Storage Tanks from 65k to 70k Litres per tank.

RELEVANT PLANNING HISTORY:

DC/19/1709	Advertisement consent for the erection of an internally illuminated pylon sign to entrance	Application Permitted on 11.10.2019
DC/20/1387	Removal of Condition 3 of previously approved application DC/13/2084 (Removal of Condition 13 of NH/100/95 (Erection of a petrol service station and car wash) in order to permit 24 hour opening) to allow for unrestricted, 24-hour delivery times of petrol and/or diesel tankers.	Application Permitted on 23.10.2020
DC/25/0029	Replacement of existing fuel tanks, fills, pipework and forecourt with alterations to existing parking arrangements.	Application Permitted on 24.03.2025
DC/25/0030	Retention of existing freestanding sign, and proposed petrol pump signage (with retention of existing), and new canopy fascia signage with 'Eyebrow' LED down light lighting strips.	Application Permitted on 24.03.2025

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 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 41 - Parking

North Horsham neighbourhood plan:
North Horsham Neighbourhood Plan area was designated, then the area voluntarily withdrew the designation.

REPRESENTATIONS AND CONSULTATIONS RESPONSES

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

The main consideration of this application is whether the proposed alterations can be considered as non-material amendments to the approved scheme in accordance with Section 96A of the Town and Country Planning Act 1990 (as inserted by S190 of the Planning Act 2008). The discretion rests with the Council to decide to whether the revisions would constitute a non-material amendment to a planning permission, which would not take it outside the scope of the original permission.

The proposed amendments to increase the size of 2no. Underground Fuel Storage Tanks from 65k to 70k Litres per tank, would not appreciably impact on the appearance of the building and site, or the amenities of adjacent occupiers, and would give rise to no other material impacts. The amendment would not introduce any uses which could not already take place within the site. The proposed amendments would be contained within the boundaries of the site and would not be readily seen from adjoining properties and land. The amendments are therefore considered non-material under Section 96A of the Town and Country Planning Act 1990.

Recommendation: Application Permitted

Plans list for: DC/25/0469
(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
Plans	Proposed General Arrangement	020P Revision A	25.03.2025
Plans	Proposed Tank Details	025P Revision A	25.04.2025

DELEGATED

Case Officer sign/initial Meg Bayliss Date: 15/04/2025

Authorising Officer sign/initial Tamara Dale Date: 22/04/2025