Horsham District Council

Miss Sophie Burstow
Silver Fox Management Services Limited
Unit 19 Piries Place
Horsham
West Sussex
RH12 1EH

Application Number: DC/25/0562

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

On behalf of: Unit 19 Piries Place

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:

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.

19 Piries Place, Horsham, West Sussex, RH12 1EH

to be carried out in accordance with Application No. DC/25/0562 submitted to the Council on 23/04/2025 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 07/08/2025

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
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

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

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 Unit 19 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 Unit 19 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:
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.

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.