Horsham District Council

Ms Kathryn Sadler
Sadler Planning Limited
108 College Lane
Hurstpierpoint
West Sussex
BN6 9AJ

Senlac, Shoreham Road, Henfield, West Sussex
Erection of a E(g)(iii) / B8 building (as an amendment to planning permission DC/20/0049 to alter the window and door locations, amend the parking layout and landscaping, relocation of cycle store, extension of timber cladding to meet brick plinth, erection of solar panels on the western roof slope, insertion of a small mezzanine within Unit 3).

Your application DC/23/2064 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.

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 Kathryn Sadler
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108 College Lane
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West Sussex
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Application Number: DC/23/2064

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

On behalf of: Mr and Mrs Alex Cole, Coles Automotive Property Ltd

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:

Erection of a E(g)(iii) / B8 building (as an amendment to planning permission DC/20/0049 to alter the window and door locations, amend the parking layout and landscaping, relocation of cycle store, extension of timber cladding to meet brick plinth, erection of solar panels on the western roof slope, insertion of a small mezzanine within Unit 3).

Senlac, Shoreham Road, Henfield, West Sussex

to be carried out in accordance with Application No. DC/23/2064 submitted to the Council on 29/11/2023 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 19/04/2024

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
Location & Block plan		2.01 REV D	17.04.2024
Site plan	Proposed	2.03 REV H	17.04.2024
Layout plan	Proposed General Arrangement	2.04 REV G	17.04.2024
Layout plan	Proposed Masterplan	2.02 REV F	17.04.2024
Floor plan	Proposed	2.05 REV C	10.11.2023
Elevation plan	Proposed	2.06 REV D	26.03.2024

Details plan	Detailed Planting Scheme, Tree Pit Detail and 5 Year Management Plan	PDA-ENT-LD-001-3 REV A	19.12.2023
Details plan	Detailed Planting Scheme, Tree Pit Detail	PDA-ENT-LD-001-4 REV A	19.12.2023
Details plan	Tree Survey and Arboricultural Constraints	PDA-ENT-TS-001 REV A	10.11.2023
Details plan	Amended Hard and Soft Landscape Scheme	PDA-ENT-LD-001-5 REV F	17.04.2024
Details plan	Amended Hard and Soft Landscape Scheme	PDA-ENT-LD-001-6 REV C	14.02.2024
Supporting Statement	Biodiversity Enhancement Plan	19019 REV 4	17.04.2024
Supporting Statement	Construction Environmental Management Plan - Biodiversity	19019 REV 4	17.04.2024
Supporting Statement	Preliminary Ecological Appraisal	NONE REV 1	10.11.2023
Supporting Statement	Transport Technical Note	NONE	19.12.2023
Supporting Statement	Water Neutrality	NONE	10.11.2023
Photos	Timber Bollard Detail		
Details plan	Construction Logictics Plan	2.09	17.04.2024
Details plan	Eco Cycle Shelter		15.04.2024

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

2 **Regulatory (Time) Condition:** The development hereby permitted shall be begun 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 **Pre-Commencement Condition**: The development shall be carried out in accordance with the Construction Environmental Management Plan (CEMP) by Chalk & Weald Ltd dated 9 March 2021 (as approved under DISC/21/0081 pursuant to DC/20/0049) and submitted plan 2.09 unless an alternative Plan has been submitted to, and approved in writing by, the Local Planning Authority prior to commencement of development. The approved Plan shall be implemented and adhered to throughout the entire construction period.

Reason: In the interests of highway safety and the amenities of the area in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

4 **Pre-Commencement Condition**: The development shall be carried out in accordance with the approved drainage strategy (Flood Risk Assessment & Drainage Strategy (GTA Civils Ltd) dated August 2019 as approved under DISC/21/0081 and submitted plan 2.03 Rev H Proposed Site Plan, unless alternative details have been submitted to, and approved in writing by the Local Planning Authority prior to commencement of development.

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).

5 **Pre-Commencement Condition**: The development herby permitted shall only be implemented in strict accordance with the approved Ground-Gas Risk Assessment Report (dated 28 April 2021) provided by GGS Ltd and the Ground Contamination Risk Assessment

report (dated 8th November 2019) prepared by Ashdown Site Investigation Limited and approved under DISC/21/0158 and DISC/23/0040 unless alternative details have been submitted to, and approved in writing by the Local Planning Authority prior to commencement of development.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

6 **Pre-Commencement Condition**: The development herby permitted shall only be implemented in strict accordance with the approved CEMP Biodiversity Rev 4 (by CT Ecology dated 16 April 2024) unless an alternative CEMP biodiversity has been submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of development. The approved Plan shall be implemented and adhered to throughout the entire construction period.

Reason: To enhance Protected and Priority Species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham District Planning Framework.

7 **Pre-Occupation Condition**: No part of the development shall be first occupied until Electric Vehicle Charging spaces have been provided in accordance with the approved site plan (drawing number 2.03 Rev H). These spaces shall thereafter be retained at all times for their designated purpose unless an alternative scheme has been submitted to and approved in writing by the Local Planning Authority.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

8 **Pre-Occupation Condition**: Prior to the first occupation of the development, the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of a minimum 30 megabytes per second through full fibre broadband connection shall be provided to each premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policies 10 and 37 of the Horsham District Planning Framework (2015).

9 **Pre-Occupation Condition**: No part of the development shall be occupied until the road(s), footways, parking and turning areas serving the development have been constructed, surfaced, and drained in accordance with the approved details as shown on plan 2.03 Rev H and shall be thereafter retained as such.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

10 **Pre-Occupation Condition**: No building hereby permitted shall be occupied or use hereby permitted commenced until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved drawing number 2.03 Rev H and submitted eco cycle shelter details. The cycle parking facilities shall thereafter be retained as such for their designated use.

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).

11 **Pre-Occupation Condition**: The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (by Folkes Architects dated July 2023). No part of the development hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for the development has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

12 **Pre-Occupation Condition**: No building hereby permitted shall be first occupied (or use hereby permitted commenced) unless and until provision for the storage of refuse and recycling has been made for that building (or use) in accordance detailed Ground Floor Plan Drawing no 2.04 Rev G. 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).

13 **Regulatory Condition**: The development herby permitted shall only be implemented in strict accordance with the approved drawing number PDA -ENT-TS -001 Rev A (Tree Survey and Arboricultural Constraints plan by Furse Landscape Architects Ltd) unless alternative details have been submitted to and approved in writing by the Local Planning Authority prior to commencement of development.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

14 **Regulatory Condition**: The development shall strictly accord with the detailed scheme of hard and soft landscaping works (plan no PDA-ENT-LD-001-5 Rev F) approved by the Local Planning Authority unless an alternative scheme has been submitted to and approved in writing by the Local Planning Authority prior to development above ground floor slab level commencing.
Any plants which within a period of 5 years (from the date of when they are first planted) die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure a satisfactory development in the interests of amenity in accordance with Policy 25 of the Horsham District Planning Framework (2015).

15 **Regulatory Condition**: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Revision 1 (CT Ecology, October 2023), Construction Environmental Management Plan (CEMP): Biodiversity revision 4 (CT Ecology,16 April 2024) and Biodiversity Enhancement Plan Revision 4 (CT Ecology, 16 April 2024), as already submitted with the planning

application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham Development Framework.

16 **Regulatory Condition**: No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

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

17 **Regulatory Condition**: The building (Building 2) shall not be open for trade or business except between the hours of 07:00 hours to 20:00 hours Monday to Fridays and 07:00 hours to 18:00 hours on Saturdays and 09:00 hours to 14:00 hours on Sundays and Bank Holidays.

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

18 **Regulatory Condition**: Doors to all units are to be kept closed except for when access for people and vehicles is required and vehicle reversing alarms not to be used unless they are broadband (beep or white noise sound).

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

19 **Regulatory Condition**: No externally located plant to be installed or operated other than with the permission of the Local Planning Authority by way of formal application.

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

20 **Regulatory Condition**: No industrial activities other than loading or unloading shall be undertaken in the open air and no externally located storage of any materials or waste is permitted except as shown on the submitted plans at any time.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

21 **Regulatory Condition**: The vehicular access including visibility splays of 2.4 metres by 125m (leading traffic direction - looking south from the access) and 130m (trailing traffic direction - looking north from the access) and all other associated highways works serving the development as shown on drawing number 2.07 within the Transport Technical Note (revised) (GTA Civils & Transport December 2023) shall be maintained in perpetuity and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety and in accordance with Policies 40 and 41 of the Horsham District Planning Framework (2015).

22 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 and Town and Country Planning (Use Classes) Order 1987 (or any order amending or revoking and/or re-enacting that Order). The building (Building 2) shall only be used for uses falling within Classes E(g)(iii), and B8 and for no other purposes (including those falling within Class B2 as defined in the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without express planning consent from the Local Planning Authority first being obtained.

Reason: Changes of use as permitted by the Town and Country Planning (General Permitted Development) Order or Use Classes Order 1987 are not considered appropriate in this case due to the unknown and potentially harmful impacts on local amenity under Policy 33 of the Horsham District Planning Framework (2015).

23 **Regulatory Condition**: If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy has been submitted to and approved by the local planning authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

24 **Regulatory Condition**: The materials to be used in the development hereby permitted shall match the Anthracite Grey Cladding (as used on Building 1 further to DC/20/0049 as amended by DC/22/0977) unless detail of alternative materials have been submitted and approved in writing by the Local Planning Authority prior to development above ground floor slab level commencing.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

25 **Regulatory Condition**: The development shall strictly accord with the detailed Travel Plan (by GTA Civils) dated November 2019 as approved under DISC/21/0081 unless an alternative scheme has been submitted to and approved in writing by the Local Planning Authority, prior to occupation of the building.

Reason: To encourage and promote sustainable transport and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

Note to Applicant – Community Infrastructure Levy (CIL):
Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017. **This development constitutes CIL liable development**.

If you have not received a Liability Notice from the Council within 1 month of the decision date please contact the CIL Team at cil@horsham.gov.uk

CIL is a mandatory financial charge on development. To avoid additional financial penalties, the requirements of CIL must be managed before development is commenced (including in the event of any successful appeal).

Payment must be made in accordance with the requirements of the CIL Demand Notice issued.

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.