Horsham District Council

Alder King Planning Consultants
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15 Pembroke Road
Bristol
BS8 3BA

Application Number: DC/23/1892

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

On behalf of: Sexton Holdings 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:

Variation of Condition 1 of previously approved application DC/20/1165 (Variation of Condition 1 of approved application DC/19/0295 (Hybrid application for the erection of petrol filling station with convenience store and sandwich bar, car wash, jet wash and car parking; motorcycle showroom and workshop with associated car parking; outline planning permission for flexible employment space (B1b/B1c/B2/B8) totalling 4,627sqm with associated car parking and appearance reserved); new access to the site from A272 and pedestrian link to footbridge over A29.) Relating to the site layout plan for Phase 1). To increase size of building for the provision of additional display space. Two car park spaces revised to electric charging spaces.

Land Off Platts Roundabout, Newbridge Road, Billingshurst, West Sussex

to be carried out in accordance with Application No. DC/23/1892 submitted to the Council on 13/10/2023 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 27/06/2024

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
Supporting Statement	Ecological Walkover Survey	784-B033054	12.01.2024
Supporting Statement	Lighting Assessment	784-A101561-3	31.01.2024

Details plan	Landscape Mitigation Strategy	A101561-1 LA10A.dwg	07.11.2019
Location plan	Location Plan	15464-PL01	07.02.2019
Site plan	Existing	6830-PL02	07.02.2019
Site plan	Proposed Masterplan	15464-PL03 E	24.06.2020
Details plan	Phasing Plan	WYG-A101561-01 D	20.09.2020
Floor plan	PFS Proposed Floor Plan	6830-P04	07.02.2019
Roof plan	PFS Proposed Roof PLan	6830-P05	07.02.2019
Elevation plan	PFS Proposed Elevations	6830-P03	07.02.2019
Site plan	PFS Proposed Site Plan	6830-P02	07.02.2019
Details plan	Highways General Arrangement	A101561-1100	16.10.2019
Details plan	Tree Constraints Plan	NONE	07.02.2019
Floor plan	Triumph (Showroom 2) Roof/Floor Plans	3492-DMWR-ZZ-DR-A-PL500	24.06.2020
Elevation plan	Triumph (Showroom 2) Elevations	3492-DMWR-ZZ-DR-A-PL501	24.06.2020
Details plan	First Hydrant Location Plan	NONE	04.09.2020
Supporting Statement	Air Quality Assessment	NONE	04.09.2020
Supporting Statement	Air Quality Additional Note	NONE	07.05.2019
Supporting Statement	Ecological Appraisal	V3	16.07.2019
Supporting Statement	Bat Activity Report	V2	16.07.2019
Supporting Statement	Interim Dormouse Survey	NONE	07.02.2019
Supporting Statement	Final Dormouse Survey	NONE	16.07.2019
Supporting Statement	Report to Inform HRA	V2	16.07.2019
Supporting Statement	Ecological Walkover Letter Report	A101561-1	24.06.2020
Supporting Statement	Energy Statement	NONE	07.02.2019
Supporting Statement	FRA and Drainage Strategy	NONE	07.02.2019
Supporting Statement	LVIA	A101561-1 V4	24.06.2020
Supporting Statement	Lighting Assessment	A117348 Issue 3	24.06.2020
Supporting Statement	Noise Report	NONE	07.02.2019
Supporting Statement	Road Design Audit	NONE	22.10.2019
Supporting Statement	Sequential Test	NONE	11.04.2019
Supporting Statement	Transport Assessment (Parts 1-4)	A101561	07.02.2019
Supporting Statement	Transport Assessment - Techincal Note	A101561-1 Note 05	16.07.2019
Supporting Statement	Travel Plan	A101651-1	07.02.2019
Supporting Statement	Tree Survey	NONE	07.02.2019
Supporting Statement	Covering Letter	NONE	14.03.2024
Details plan	Existing and Proposed Levels	3492-DMWR-RF-A-SK200	14.03.2024
Supporting Statement	Desk Study Contamination Report Part 1-5	NONE	24.03.2024

Supporting Statement	CEMP Report	NONE	14.03.2024
Site plan		3492-DMWR-RF-A-PL099	13.10.2023
Site plan	Overlay	3492-DMWR-RF-A-PL100	13.10.2023
Section plan		3492-DMWR-XX-A-PL101	13.10.2023
Floor plan	Proposed Ground and First	3492-DMWR-ZZ-A-0100, REV B	13.10.2023
Elevation plan	Proposed Showroom	3492-DMWR-ZZ-A-0200, REV B	13.10.2023
Supporting Statement	Cover letter	EJ/GM/97321	13.10.2023
Supporting Statement	Water Neutrality	EJ/GM/97321	13.10.2023

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

2 **Regulatory (Time) Condition:**
(a) Approval of details relating to Phase 2 of the development as shown on the approved Phasing Plan [WYG-A101561-01D], including details relating to the scale and appearance of each building, access within the site, and landscaping of the development (hereinafter called "the Reserved Matters"); shall be obtained from the Local Planning Authority in writing before any development of this phase is commenced.
(b) Plans and particulars of the Reserved Matters referred to in condition (a) above, relating to the layout of the development, the scale of each building, the appearance of each building, access within the site and the landscaping of the development shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
(c) Application for approval of the Reserved Matters shall be made to the Local Planning Authority before 10 July 2021.
(d) The development of Phase 2 of the development hereby permitted shall be begun either before 10 January 2023, or before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development of the Outline element in detail and to comply with Section 92 of the Town and Country Planning Act 1990.

3 **Pre-Commencement Condition:** No development within Phase 1b of the development hereby permitted shall commence until a detailed strategy for the disposal of surface and foul water, including finalised surface water drainage designs and calculations for this part of the site, and a Surface Water Drainage Statement (based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development) have been submitted to and approved in writing by the Local Planning Authority. The drainage designs shall be coordinated with a detailed landscape scheme, and should demonstrate that the surface water runoff generated up to and including the 100 year, plus climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event. The drainage scheme shall subsequently be implemented prior to first occupation in accordance with the approved details and thereafter retained as such.

The development of Phase 1a of the site hereby approved, shall take place in full accordance with the drainage details submitted to and approved by the Council under application reference DISC/20/0101.

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 and 38 of the Horsham District Planning Framework (2015).

4 **Pre-Commencement Condition:** No development within Phases 1a and 1b of the development hereby permitted, including ground clearance pursuant to the permission granted, or bringing equipment, machinery or materials onto the site, shall take place until the following preliminaries have been completed in the sequence set out below:

- All hedgerows, trees and vegetation insofar as relates to that phase shown for retention on Landscape Mitigation strategy reference [A101561-1 LA10 Rev A.dwg], as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).
- Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.
- Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

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).

5 **Pre-Occupation Condition**: Prior to the first use of any part of Phases 1a and 1b of the development hereby permitted, full details of all hard and soft landscaping works relevant to that phase, shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained;
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details;
- Details of all hard surfacing materials and finishes;
- Details of all boundary treatments;
- Ecological enhancement measures and recommendations set out within the Ecological Appraisal (Rev 3, July 2019), Dormouse Survey Report (Rev 3, July 2019), Ecology Walkover Report [A117348, dated 09 April 2020], Revised Lighting Assessment [A117348 Issue 3, dated 30 April 2020] Updated Ecology Walkover and Ecology Review [B033054, dated 12 January 2024], and Lighting Assessment [A101563-3 Issue 3, dated 31 January 2024]

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development insofar as relates to that phase. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed planting, which within a period of 5 years, dies, is removed, or becomes 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 in accordance with Policy 33 of the Horsham District Planning Framework (2015).

6 **Pre-Occupation Condition:** Prior to the first use of any part of Phase 1a of the development hereby permitted, details of the proposed acoustic fence (including location and appearance) shall have been submitted to and approved in writing by the Local Planning Authority. No use hereby permitted shall commence until the acoustic fence has been implemented as approved. The acoustic fence shall thereafter be maintained in accordance with the approved details.

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

7 **Pre-Occupation Condition:** Prior to the first use of any part of Phase 1a or 1b of the development hereby permitted, a Landscape and SuDS Management and Maintenance Plan (including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility) for all landscape areas and SuDS infrastructure (existing and proposed) relating to that phase of development, shall have been submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policies 25, 31 and 33 of the Horsham District Planning Framework (2015).

8 **Pre-Occupation Condition:** Prior to the first use of any part of Phase 1a or 1b of the development hereby permitted, a verification report demonstrating that the SuDS drainage system has been constructed in accordance with the approved design drawings relating to that phase of development shall be submitted to and approved by the Local Planning Authority. The development shall be maintained in accordance with the approved report.

Reason: To ensure a SuDS drainage system has been provided to an acceptable standard to the reduce risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015).

9 **Pre-Occupation Condition:** Within 3 months of the first use of any part of Phase 1a or 1b of the development hereby permitted, a post-completion noise assessment relating to that phase of development, shall be undertaken to confirm that each building performs in accordance with the conclusions of the Noise Assessment prepared by WYG and dated January 2019. Any additional steps required to mitigate noise shall be detailed and implemented, as necessary. The post-completion noise assessment shall be submitted to and approved in writing by the Local Planning Authority, and the details as approved shall thereafter be permanently retained.

Reason: As this matter is fundamental in the interest of the amenity of nearby residents, and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

10 **Pre-Occupation Condition:** Prior to the first use of any part of Phase 1a or 1b of the development hereby permitted, a scheme of air quality mitigation (including the provision for the charging of electric vehicles by way of both fast and rapid charging points) relating to that phase of development, shall have been submitted to and been approved in writing by the Local Planning Authority. The details shall have regard to the Council's latest air quality guidance, as well as West Sussex County Council's 'Guidance on Parking at New Developments' (May 2019) to ensure that the minimum number of rapid/fast electric vehicle charging points are provided.

Reason: To mitigate the impact of the development on air quality within the District, to

sustain compliance with and contribute towards national objectives for the emission of pollutants and to promote the use of electric vehicles in accordance with Policies 24 and 41 of the Horsham District Planning Framework (2015).

11 **Pre-Occupation Condition:** Prior to the first use of any part of Phase 1a or 1b of the development hereby permitted, a Travel Plan relating to that phase of development shall have been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority, and shall include details to mitigate impacts on air quality as set out in the Council's latest air quality guidance, as well as provisions contained within West Sussex County Council's 'Guidance on Parking at New Developments' (May 2019). The applicant shall use all reasonable endeavours to work with other businesses in the immediate area to co-ordinate the measures within the Travel Plan. The Travel Plan once approved shall thereafter be implemented as specified within the approved document.

Reason: To encourage and promote sustainable transport and mitigate the impacts of the development on air quality in accordance with Policies 35, 40 & 41 of the Horsham District Planning Framework (2015).

12 **Pre-Occupation Condition:** Prior to the first use of any part of Phase 1a or 1b of the development hereby permitted, details for the provision and storage of refuse and recycling bins shall have been submitted to and approved in writing by the Local Planning Authority. The details shall include the size of bins, their location, means of enclosure and the details of the proposed refuse collector, relating to that phase of development. These facilities shall thereafter be retained for use at all times in accordance with the approved details.

Reason: To ensure the adequate provision of refuse and recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

13 **Pre-Occupation Condition:** Prior to the first use of any part of Phase 1a or 1b of the development hereby permitted, the vehicle parking and turning spaces shown on approved masterplan [CHQ.18.15646-PL03E] which relate to that phase of development, shall have been constructed and made available for use. The vehicle parking spaces shall show a minimum of 2x disable parking bays within each of Phase 1a and 1b of the site. The vehicle parking spaces shall thereafter be retained at all times for their designated use.

Reason: To ensure adequate parking facilities are available to serve the development in accordance with Policy 41 of the Horsham District Planning Framework (2015).

14 **Pre-Occupation Condition:** Prior to the first use of any part of Phase 1a or 1b of the development hereby permitted, details of secure and covered cycle parking facilities relating to that phase of development shall have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking facilities shall implemented in accordance with the approved details, and thereafter be retained at all times for their designated use.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies, and to ensure that there is adequate provision for the parking of cycles in accordance with Policies 40 and 41 of the Horsham District Planning Framework (2015).

15 **Pre-Occupation Condition:** Prior to the first use of any part of the development hereby permitted, the vehicular access, Right Turn Lane, and VMS signage serving the development shall have been constructed in accordance with the details shown on the drawing titled 'Visibility Splays' and numbered [A101561-1800 Rev P2].

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

16 **Pre-Occupation Condition:** Prior to the first use of any part of the development hereby permitted, the proposed footway and pedestrian at-grade crossing at the north-east of the site (linking the development to the existing footpath network) shall have been implemented in accordance with the approved details.

Reason: To encourage and promote sustainable transport and mitigate the impacts of the development on air quality in accordance with Policies 35, 40 & 41 of the Horsham District Planning Framework (2015).

17 **Pre-Occupation Condition:** Prior to the first use of any part of the development hereby permitted, visibility splays of 4.5 meters by 120 and 87 meters shall have been provided at the proposed site vehicular access onto the A272 in accordance with the approved planning drawing titled 'Visibility Splays' and numbered [A101561-1800 Rev P2]. 160 metre forward visibility splays shall also have been provided onto the A272 in accordance with the approved planning drawing titled 'Visibility Splays' and numbered [A101561-1800 Rev P2]. Once provided, the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6m above adjoining carriageway level, or as otherwise agreed.

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

18 **Pre-Occupation Condition:** Prior to the first use of any part of the development hereby permitted, a fire hydrant shall have been installed in the location shown on the 'Fire Hydrant Local Plan' (received by the Council on 04.09.2020). The fire hydrant shall be installed to BS 750 standards, and shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner / occupier if the installation is retained as a private network.

Reason: In the interests of amenity and in accordance with Policies 32, 33 and 39 of the Horsham District Planning Framework 2015), as well as the Fire and Rescue Services Act 2004

19 **Regulatory Condition:** All works within Phase 1a and 1b of the development hereby permitted shall be carried out in full accordance with the mitigation and enhancement measures and/or works contained within the following documents: Ecological Appraisal [WYG Version 3, submitted 16th July 2019], Bat Activity Report [WYG Version 2, submitted 16 July 2019], Final Dormouse Survey Report [WYG Version 3, submitted 16 July 2019], Updated Ecology Walkover Report [A117348, dated 09 April 2020], Revised Lighting Assessment [A117348 Issue 3, dated 30 April 2020], Updated Ecology Walkover and Ecology Review [B033054, dated 12 January 2024], and Lighting Assessment [A101563-3 Issue 3, dated 31 January 2024]

Reason: To conserve and enhance protected and priority species in accordance with the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981, s40 of the NERC Act 2006, and Policy 31 of the Horsham District Planning Framework (2015).

20 **Regulatory Condition:** No deliveries or dispatches (excluding deliveries of fuel) shall take place within Phase 1a or 1b of the development hereby permitted, except between the hours of 06:00 to 23:00 Monday to Saturday, and 07:00 to 20:00 on Sundays and public holidays.

Reason: To safeguard the tranquillity of the countryside and amenities of neighbouring occupiers in accordance with Policies 24, 25, 26 & 33 of the Horsham District Planning Framework (2015).

21 **Regulatory Condition:** No B2 manufacturing processes shall take place in connection with any buildings within Phase 1b shown on the site masterplan [ref: CHQ.18.15464-PL03E] and

Phasing Plan [WYG-A101561-01D], except between the hours of 07:00 to 23:00 Monday to Sunday.

Reason: To safeguard the tranquillity of the countryside and amenities of neighbouring occupiers in accordance with Policies 24, 25, 26 & 33 of the Horsham District Planning Framework (2015).

22 **Regulatory Condition:** The car wash and jet wash facilities shown on the site masterplan [ref: CHQ.18.15464-PL03E] hereby permitted, shall not be operated except between the hours of 07:00 to 22:00 Monday to Sunday.

Reason: To safeguard the tranquillity of the countryside and amenities of neighbouring occupiers in accordance with Policies 24, 25, 26 & 33 of the Horsham District Planning Framework (2015).

23 **Regulatory Condition:** No external lighting or floodlighting shall be installed within Phase 1a of the development hereby permitted other than in strict accordance with details contained within the updated Lighting Assessment [Issue 3, received 24 June 2020]. Particular regard should be made to the lighting locations and details shown within [Figure 5: Simplified Lighting Scheme], and the lux levels shown within plan reference [001 Rev 4] contained within Appendix A.

Within Phase 1b no external lighting or floodlighting shall be installed other than in strict accordance with details contained within the approved Lighting Assessment [A101563-3 Issue 3, dated 31 January 2024]. Particular regard should be made to the indicative lighting locations, luminaire types and details shown at figure 5.1 of the Lighting Assessment and modelled illuminance levels at ecological receptors E1-E4 at table 5.2.

All such lighting shall be maintained in accordance with the details contained within the Lighting Assessments.

Reason: To safeguard the ecology and tranquillity of the countryside and amenities of adjacent occupiers in accordance with Policies 24, 25, 26, 31 & 33 of the Horsham District Planning Framework (2015).

24 **Regulatory Condition:** No externally located plant or equipment within Phase 1a or 1b of the development hereby permitted shall be installed or operated without the prior written approval of the Local Planning Authority by way of formal application.

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

25 **Regulatory Condition:** No external storage of any materials or waste shall take place at any time within Phase 1a or 1b of the development hereby permitted.

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

26 **Regulatory Condition:** No works for the implementation of Phase 1a or 1b 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).

27 **Regulatory Condition:** The development of Phase 1a of the site hereby approved, shall take place in full accordance with the external levels plan [0100 Rev P1] submitted to and approved by the Council pursuant to application reference DISC/20/0101 (dated 15 July 2020).

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

28 **Regulatory Condition:** The development of Phase 1a of the site hereby approved, shall take place in full accordance with the ground investigation details submitted to and approved by the Council under application reference DISC/20/0101.

The development of Phase 1b shall be undertaken in strict accordance with Geo-Environmental Desk Study Report [ref: GE22224 - DSv2WH240304 version 1.0, dated: March 4th 2024] as approved by the Local Planning Authority pursuant to reference: DISC/24/0037.

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).

29 **Regulatory Condition:** The development of Phase 1a of the site hereby approved, shall take place in full accordance with the CEMP details submitted to and approved by the Council under application reference DISC/20/0101.

The development of Phase 1b of the site hereby approved shall be undertaken in full accordance with the Construction Environmental Management Plan (CEMP) [H2Ogeo, ref: 20231101P1, version 2.0, dated 20.05.2024] submitted to and approved by the Council pursuant to application reference DISC/24/0037.

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).

30 **Regulatory Condition:** The development of Phase 1a and Phase 1b of the site hereby approved, shall take place in full accordance with the archaeological details submitted to and approved by the Council under application references DISC/20/0101 and DISC/20/0192.

Reason: This matter is fundamental as the site is of archaeological significance and it is important that it is recorded by excavation before it is destroyed by development in accordance with Policy 34 of the Horsham District Planning Framework (2015).

Phase 2 Conditions:

31 **Pre-Commencement Condition:** No development within Phase 2 of the development hereby permitted, including any ground clearance or site levelling, shall commence until a Construction Environment Management Plan (CEMP) for that phase has been submitted to, and approved in writing by, the Local Planning Authority. The approved CEMP shall accord with the details contained within the Phase 1a and 1b CEMPs, and shall be a single document covering the development of that phase, and shall be strictly adhered to throughout the construction period. The CEMP shall provide for, but not be limited to:

i. An introduction consisting of construction phase environmental management plan, definitions and abbreviations and project description and location;
ii. A description of management responsibilities;
iii. A description of the construction programme which identifies activities likely to cause high levels of noise or dust;
iv. Site working hours and a named person for residents to contact;

v. Detailed Site logistics arrangements;
vi. Details regarding parking, deliveries, and storage;
vii. The anticipated number, frequency and types of vehicles used during construction;
viii. Details of construction traffic routing, including site access;
ix. Details of any construction-related floodlighting, including location, height, type, timing and direction of light sources and intensity of illumination;
x. Details regarding dust and noise (including vibration) mitigation measures to be deployed including identification of sensitive receptors and ongoing monitoring;
xi. Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network;
xii. Communication procedures with the local community regarding key construction issues - newsletters, fliers etc.
xiii. Locations and details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
xiv. The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
xv. Details of a scheme for the recycling/disposing of waste resulting from site clearance and construction works.

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).

32 **Pre-Commencement Condition:** No development within Phase 2 of the development hereby permitted shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until the following preliminaries have been completed in the sequence set out below:

- All hedgerows, trees and vegetation on the site shown for retention on Landscape Mitigation strategy reference [A101561-1 LA10 Rev A.dwg], as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).
- Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.
- Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

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).

33 **Pre-Commencement Condition:** No development within Phase 2 of the development hereby permitted shall commence until a detailed surface water drainage scheme including finalised surface water drainage designs and calculations for this phase, and a Surface Water Drainage Statement (based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development) have been submitted to and approved in writing by the Local Planning Authority. The drainage designs shall show full coordination with a detailed landscape scheme, and should demonstrate that the surface water runoff generated

up to and including the 100 year, plus climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event. The drainage scheme shall subsequently be implemented prior to first occupation in accordance with the approved details and thereafter retained as such.

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 and 38 of the Horsham District Planning Framework (2015).

34 **Pre-Commencement Condition:** No development within Phase 2 of the development hereby permitted shall commence until a Drainage Strategy detailing the proposed means of foul and surface water disposal within this phase 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).

35 **Pre-Commencement Condition:**
(i) No development within Phase 2 of the development hereby permitted shall take place until a programme of archaeological work for this phase has been secured in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.
(ii) Phase 2 of the development hereby permitted shall not be commenced until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under part [i] of this condition, and that provision for analysis, publication and dissemination of results and archive deposition has been secured and approved by the Local Planning Authority in writing.

Reason: This matter is fundamental as the site is of archaeological significance and it is important that it is recorded by excavation before it is destroyed by development in accordance with Policy 34 of the Horsham District Planning Framework (2015).

36 **Pre-Commencement Condition:** No development within Phase 2 of the development hereby permitted, including any ground clearance or site levelling, shall commence until the following components of a scheme to deal with the risks associated with contamination within this phase, (including asbestos contamination), has be submitted to and approved in writing, by the Local Planning Authority:

(a) A preliminary risk assessment which has identified;
- All previous uses;
- Potential contaminants associated with those uses;
- A conceptual model of the site indicating sources, pathways and receptors;
- Potentially unacceptable risks arising from contamination at the site.

The following aspects (b) - (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

(b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.
(c) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (b) and an options appraisal.
(d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

The development shall thereafter be carried out in accordance with the approved details. Any changes to these components require the consent of the local planning authority.

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).

37 **Pre-Commencement Condition:** No site levelling works within Phase 2 of the development hereby permitted shall take place until full details of the existing and final land levels and finished floor levels to be provided for development within that phase (in relation to nearby datum points) have been submitted to and approved by the Local Planning Authority in writing. The details shall include the proposed grading of land areas including the levels and contours to be formed, showing the relationship of proposed land levels to existing vegetation and surrounding landform. The site levelling works shall be completed in accordance with approved details prior to the commencement of development of any building within Phase 2.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

38 **Pre-Occupation Condition:** The use within Phase 2 hereby permitted shall not commence until a Noise Management Plan has been submitted and approved in writing by the Local Planning Authority. The Plan shall include but not be limited to, hours of operation, management responsibilities during all operating hours, measures to control noise from all activities and operations at the site (including the operation of any equipment plant, or building services) and minimising noise from vehicles, deliveries, collections and servicing. The Noise Management Plan shall be regularly reviewed to ensure that it takes account of current operational practices at the site. Where any activities or operations that give rise to concerns of impact to local amenity are received by the operator or the Local Planning Authority, the Noise Management Plan shall be reviewed. Any changes to the Noise Management Plan necessary to address these concerns shall implemented to the satisfaction of the Local Planning Authority. The use hereby permitted shall thereafter be operated in accordance with the approved details.

Reason: In order to ensure that the safe operation of the development and to protection of the amenities of nearby residents, in accordance with Polices 33 and 40 of the Horsham District Planning Framework (2015).

39 **Pre-Occupation Condition:** Prior to the first use of any part of Phase 2 of the development hereby permitted, full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained;
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details;
- Details of all hard surfacing materials and finishes;
- Details of all boundary treatments;
- Details of all external lighting
- Ecological enhancement measures and recommendations set out within the Ecological Appraisal (Rev 3, July 2019).

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after

completion of the development. Any proposed planting, which within a period of 5 years, dies, is removed, or becomes 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 in accordance with Policy 33 of the Horsham District Planning Framework (2015).

40 **Pre-Occupation Condition:** Prior to the first use of any part of Phase 2 of the development hereby permitted, a Landscape and SuDS Management and Maintenance Plan (including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility) for all landscape areas and SuDS infrastructure (existing and proposed) shall have been submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policies 25, 31 and 33 of the Horsham District Planning Framework (2015).

41 **Pre-Occupation Condition:** Prior to the first use of any part of Phase 2 of the development hereby permitted, a verification report demonstrating that the SuDS drainage system has been constructed in accordance with the approved design drawings shall be submitted to and approved by the Local Planning Authority. The development shall be maintained in accordance with the approved report.

Reason: To ensure a SuDS drainage system has been provided to an acceptable standard to the reduce risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015)

42 **Pre-Occupation Condition:** Prior to the first use of any part of Phase 2 of the development hereby permitted, a scheme of air quality mitigation (including the provision for the charging of electric vehicles by way of both fast and rapid charging points) shall have been submitted to and been approved in writing by the Local Planning Authority. The details shall have regard to the Council's latest air quality guidance, as well as West Sussex County Council's 'Guidance on Parking at New Developments' (May 2019) to ensure that the minimum number of rapid/fast electric vehicle charging points are provided.

Reason: To mitigate the impact of the development on air quality within the District, to sustain compliance with and contribute towards national objectives for the emission of pollutants and to promote the use of electric vehicles in accordance with Policies 24 and 41 of the Horsham District Planning Framework (2015).

43 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of Phase 2 of the development hereby permitted, a Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority, and shall include details to mitigate impacts on air quality as set out the Council's latest air quality guidance. The applicant shall use all reasonable endeavours to work with other businesses in the immediate area to co-ordinate the measures within the Travel Plan. The Travel Plan once approved shall thereafter be implemented as specified within the approved document.

Reason: To encourage and promote sustainable transport and mitigate the impacts of the development on air quality in accordance with Policies 35, 40 & 41 of the Horsham District Planning Framework (2015).

44 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of Phase 2 of the development hereby permitted, full details of the proposed footpath link along the eastern boundary to the existing footbridge as shown on approved masterplan reference [CHQ.18.15646-PL03E] shall have been submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate that the potential for use of this footpath for cyclists has been explored. The footpath shall be implemented in accordance with the approved details prior to the first occupation (or use) of any part of Phase 2, and maintained as such thereafter.

Reason: To encourage and promote sustainable travel options to the site, and in the interests of visual amenity in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

45 **Regulatory Condition:** All works within Phase 2 of the development hereby permitted shall be carried out in full accordance with the mitigation and enhancement measures and/or works contained within the following documents: Ecological Appraisal [WYG Version 3, submitted 16th July 2019], Bat Activity Report [WYG Version 2, submitted 16 July 2019], Final Dormouse Survey Report [WYG Version 3, submitted 16 July 2019], Updated Ecology Walkover Report [A117348, dated 09 April 2020], and Revised Lighting Assessment [A117348 Issue 3, dated 30 April 2020].

Reason: To conserve and enhance protected and priority species in accordance with the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981, s40 of the NERC Act 2006, and Policy 31 of the Horsham District Planning Framework (2015).

46 **Regulatory Condition:** No operations or activities, including the operation of plant and machinery and deliveries/dispatches, shall take place in connection with any of the units within Phase 2 of the development hereby permitted; except between the hours of 06:00 to 23:00 Mondays to Saturdays, and 07:00-20:00 on Sundays and public holidays.

Reason: To safeguard the ecology and tranquillity of the countryside and amenities of adjacent occupiers in accordance with Policies 24, 25, 26, 31 & 33 of the Horsham District

47 **Regulatory Condition:** No external lighting, other than low level lighting to emergency exits, shall be operated within Phase 2 between the hours of 23:00 to 06:00 hours the following day on Mondays to Fridays, 23:00 to 07:00 hours the following day on Saturdays, and 20:00 to 06:00 hours the following day on Sundays and public holidays.

Reason: To safeguard the ecology and tranquillity of the countryside and amenities of adjacent occupiers in accordance with Policies 24, 25, 26 & 33 of the Horsham District Planning Framework (2015).

48 **Regulatory Condition:** No externally located plant or equipment within Phase 2 shall be installed or operated without the prior written approval of the Local Planning Authority by way of formal application.

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

49 **Regulatory Condition:** Following first occupation of each unit within Phase 2 of the development hereby approved, no mezzanine or additional floor levels (other than those identified on the approved drawings listed in Condition 1) shall be constructed within any unit without express planning consent from the Local Planning Authority first being obtained.

Reason: Reason: To ensure the traffic generation form the site is sustainable having regard the car park facilities within the wider development to ensure no overspill parking into surrounding roads to accord with Policies 40 & 41 of the Horsham District Planning Framework (2015).

50 **Regulatory Condition:** No external storage of any materials or waste shall take place at any time within Phase 2 of the development hereby permitted without the prior approval in writing of the Local Planning Authority.

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

51 **Regulatory Condition:** No works for the implementation of Phase 2 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).

52 **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 Classes F, G, H and J of Part 7 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of buildings within Phase 2 the development hereby permitted, without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity to protect the rural character of the area in accordance with Policies 25, 26, 27 & 33 of the Horsham District Planning Framework (2015).

53 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and/or re-enacting that Order), no change of use of the units within Phase 2 of the development hereby permitted from the uses granted for that unit by this permission shall take place without express planning consent from the Local Planning Authority first being obtained.

Reason: To ensure the development remains in employment use in accordance with Policies 7 & 9 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.

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.