



Miss Ellie Clark
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SN5 4LL

Application Number: DC/24/1207

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

On behalf of: Mr Kieran Berrett

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 12 and 13 of previously approved application DC/22/0083
(Retrospective application for the installation of a shipping container with open front shelter and covered seating area for use as shop/cafe) Relating to external lighting and opening hours.**

Browns Farm, Hollands Lane, Henfield, West Sussex

to be carried out in accordance with Application No. DC/24/1207 submitted to the Council on 09/08/2024 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 14/07/2026

- 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 & Site plan		KCC2985/08	19.01.2022
Block plan		KCC2985/07A	19.01.2022
Elevation & Floor plan	As existing	KCC2985/05	19.01.2022

Supporting Statement	Planning	NONE	19.01.2022
Supporting Statement	Essential Needs Appraisal	KCC2985	01.04.2022
Supporting Statement	Planning Statement	KCC2985 VOC Aug 24 Final	09.08.2024
Location plan		NONE	09.08.2024

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

- 2 **Standard Time Condition:** The development hereby permitted shall begin 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 Not Applicable

- 4 Not Applicable

- 5 **Regulatory Condition:** Cycle parking facilities serving shall have been provided within the site as approved under DISC/24/0073. 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).

- 6 **Regulatory Condition:** The storage of refuse and recycling shall be provided in accordance with the details agreed under DISC/24/0073 and be retained as such thereafter.

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

- 7 Not Applicable

- 8 **Regulatory Condition:** The use hereby permitted shall be used solely in connection with the agricultural activities at Browns Farm, in accordance with the Supporting Statement received 19 January 2022, and shall not be used as an independent commercial unit.

Reason: To ensure the café use is related to the farm diversification enterprise at Browns Farm and the local economy in the interests of sustainability and rural economic development and in compliance with Policies 10 and 26 of the Horsham District Planning Framework (2015).

- 9 **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), the development hereby permitted shall comprise a café and ancillary shop. The site shall not be used for any other purposes whatsoever, (including those falling within Class E 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 location of the buildings under Policies 26 and 33 of the Horsham District Planning Framework (2015).

- 10 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any order amending or revoking and re-enacting the same, the buildings hereby approved shall not be extended or the external appearance altered in any way unless planning permission has been granted by the Local Planning Authority. No externally located plant or equipment shall be installed or operated without the prior written approval of the Local Planning Authority.

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

- 11 **Regulatory Condition:** Notwithstanding any provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no hard surfaces for any purpose in relation to the development hereby approved shall be created without planning permission from the Local Planning Authority.

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with Policy 38 of the Horsham District Planning Framework (2015).

- 12 **Regulatory Condition:** No further external lighting or floodlighting shall be installed (other than the existing festoon lighting at the Site as detailed within the Planning Statement) unless the details have been submitted to and approved by the Local Planning Authority by way of formal application.

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

- 13 **Regulatory Condition:** The use hereby permitted shall not be open for trade or business except between the hours of
- Sunday - Tuesday 9:00am - 17.00pm
 - Wednesday - Thursday 9.00am - 21.00pm
 - Friday - Saturday 9.00am - 22.00pm

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

- 14 **Regulatory Condition:** No amplified music, live music, or public address system shall be played anywhere within the site after 6pm unless a Noise Management Plan has first been submitted to and been approved in writing by the Local Planning Authority. Any amplified music, live music, or public address system thereafter operated after 6pm shall be in full accordance with the approved Noise Management Plan.

Reason: To safeguard the amenities of neighbouring properties and 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>.