Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/1883
Lintot Square, Coop, Fairbank Road, Southwater, West Sussex, RH13 9LA

DESCRIPTION:
Variation of Condition 10 of previously approved application DC/15/0860 (S.73 application for the variation of condition 13 to allow for extended opening hours (DC/04/1901 dated 11/10/2004)) relating to extended delivery hours for newspaper and magazine deliveries only.

RELEVANT PLANNING HISTORY:

DC/15/0860	S.73 application for the variation of condition 13 to allow for extended opening hours (DC/04/1901 dated 11/10/2004)	Application Permitted on 05.08.2015
DC/21/1456	Installation of replacement mechanical plant in rear yard area.	Application Permitted on 14.10.2021
DC/24/0799	Installation of replacement mechanical plant in the rear yard area, including absorptive panel cladding and protection rail around the proposed a/c units.	Application Permitted on 30.07.2024
DISC/25/0127	Approval of details reserved by condition 3 to approved application DC/24/0799.	Application Permitted on 04.07.2025

DESCRIPTION OF THE SITE

The application site is within the village centre of Southwater. The supermarket building is located to the west of the village centre adjacent to Worthing Road and is occupied by Co-Op. Parking to the village centre is immediately to the south east, which serves the various smaller retail units.

DESCRIPTION OF THE APPLICATION

This application proposes an amendment to condition 10 of DC/15/0860 that restricts the hours of servicing of the supermarket

The existing condition reads as follows:

> *The supermarket hereby approved shall only be serviced between the hours of 7.00 am to 10.00 pm Monday to Saturday and 10.00 am to 5.00 pm Sunday unless otherwise approved in writing by the Local Planning Authority.*
>
> *Reason: To safeguard the amenities of nearby residents in accordance with Policy CP2 of the Council's Core Strategy 2007.*

The proposed wording of the condition is listed on the application form as:

> *'The supermarket hereby approved shall only receive HGV deliveries between the hours of 7.00 am to 10.00 pm Monday to Saturday and 10.00 am to 5.00 pm on Sundays, unless otherwise approved in writing by the Local Planning Authority.'*

This would allow for non HGV deliveries to be undertaken outside of these times. It is stated that the purpose of this is to be able to receive newspaper deliveries outside of this time, delivered by a smaller van.

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 12 - Strategic Policy: Vitality and Viability of Existing Retail Centres
Policy 13 - Town Centre Uses
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 42 - Strategic Policy: Inclusive Communities
Policy 43 - Community Facilities, Leisure and Recreation

Southwater Neighbourhood Plan
SNP.1. Core Principles

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 3: Settlement Expansion
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 27: Inclusive Communities, Health and Wellbeing
Strategic Policy 36: Town Centre Uses

Supplementary Planning Guidance:
Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Parish Design Statement:

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATIONS RESPONSES
Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:
INTERNAL CONSULTATIONS

HDC Environmental Health: No Objection
This department does not object to this amendment to delivery hours provided that the management plan is put into action. We would not accept this change without the management plan. It must specifically apply to newspaper and magazine deliveries only.

The noise management must be implemented and reviewed annually as described, i.e. training to be at least annual for delivery drivers. This training should be documented and signed off by drivers.

To clarify the wording of the application, it is perceived that this is an extension of delivery hours, not store opening hours.

The noise management plan detailed in the Delivery Noise Impact Assessment by Noise Solutions Ltd. referenced 91950/DNIA dated 17th October 2025 must be fully implemented and evidenced going forward. Records must be kept detailing the annual training of drivers (this must include all delivery persons to the site).

OUTSIDE AGENCIES

WSCC Highways: Advice

The existing condition restricts all deliveries outside of the permitted delivery hours of 7am – 10pm Monday to Saturday and 10am – 5pm on Sundays. It is understood that some deliveries are being made before 7 am.

To address this matter and regularise the current situation, the Applicant seeks to vary Condition 10 so that it applies specifically to HGV deliveries only, while allowing flexibility for smaller van deliveries. The revised wording proposed is as follows:
"The supermarket hereby approved shall only receive HGV deliveries between the hours of 7.00 am to 10.00 pm Monday to Saturday and 10.00 am to 5.00 pm on Sundays, unless otherwise approved in writing by the Local Planning Authority."

Comments
The existing hours of operating are duly noted. The addition of deliveries for newspapers will not have seen a material change in vehicular movements over an extended period. These movements would not be anticipated to be particularly significant and would not be expected to exacerbate any existing issues, nor warrant an objection on the basis of safety or capacity. Whilst the Planning Authority will no doubt wish to consider matters of amenity for local residents, no highway objection would be raised.

PUBLIC CONSULTATIONS:

Representations:
Five letters of Objection have been received from five addresses, objecting to the application on the following grounds:

- Noise and disturbance concerns from lorries unloading/ loading and metal cages rolling
- No exceptional circumstances to require night time deliveries
- Residential area where extending operating hours in unacceptable.

Parish Comments:
Southwater Parish Council: No Objection

Report assessment in agreement within the planning application.

These deliveries are undertaken by small vans and only add a single daily vehicular trip outside of the existing opening/delivery hours.

There will clearly be other vehicular movements on the road network and in the area prior to 7am from residents going to work etc. the addition of a single van delivery will cause no adverse noise impact.

This is evidenced in the submitted Noise Impact Assessment, composed by Noise Solutions Limited, and is submitted to support this application.

The Noise Impact Assessment conducted for early morning store deliveries at the Site examined potential impacts between 06:00 and 07:00 hours. Using the BS 4142:2014 standard, the results indicated that the noise generated during this period would be classified as having a "Low impact." When additional

context was considered, assessments following BS 8233:2014 and WHO guidelines also demonstrated that the noise levels would be acceptable for nearby residential properties.

To support the assessment, a baseline noise survey was undertaken to record existing environmental sound levels near the closest residential receptors.

Reference measurements from a similar operating Co-op store were used to predict the likely noise impact of deliveries.

These results were then evaluated in accordance with relevant national standards and policies, including the National Planning Policy Framework and the Planning Practice Guidance. Overall, the study concluded that delivery-related noise, particularly from activities near the closest residence, would remain within acceptable limits.

Consequently, early morning delivery operations, including newspaper deliveries, between 06:00 and 07:00 hours are not expected to cause significant disturbance and should not be grounds for refusing planning permission.

However, we request a condition stipulating that deliveries prior to 06:00 are expressly forbidden and that the placement of deliveries be done with consideration to avoid additional noise disturbance from the metal locker that is utilised for these deliveries

Member Comments:
None received

HUMAN RIGHTS AND EQUALITY:
The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

The primary issue in the assessment of this application is whether the proposed change in permitted delivery hours to the supermarket would result in an unacceptable level of noise and disturbance to nearby residential occupiers.

Officers note that there are a large number of residential units within close proximity to the site, including above the supermarket itself and above other retail units within the square. There is also a public house adjacent to the site which is restricted in terms of opening until 11pm Monday to Thursday, Midnight Friday to Saturday and 10.30 on Sunday.

DC/15/0860 extended the opening hours of the Co-Op to 23.00hrs Monday to Saturday.

The applicants have submitted a Noise Impact Assessment that was conducted for early morning store deliveries at the Site. Using the BS 4142:2014 standard, the results indicated that the noise generated during this period would be classified as having a “Low impact.” When additional context was considered, assessments following BS 8233:2014 and WHO guidelines also demonstrated that the noise levels would be acceptable for nearby residential properties.

To support the assessment, a baseline noise survey was undertaken to record existing environmental sound levels near the closest residential receptors. HDC Environmental Health has reviewed this report and has considered the proposal. They have raised no objection to the scheme, subject to the procedures

in the Noise Management Plan being adhered to (driver training). Similarly WSCC Highways have raised no objection to the scheme as no highway concerns are raised.

The proposed amended wording has been changed slightly to ensure that the additional deliveries are limited to non-HGV newspaper deliveries only. It is noted that the Parish Council have requested that a condition stipulates that deliveries prior to 06:00 are forbidden and that the placement of deliveries be done with consideration to avoid additional noise disturbance from the metal locker that is utilised for these deliveries. The applicants have confirmed that the newspaper deliveries are done as part of a wider round of deliveries. This is mostly carried out after 6am but as the round is sometimes changed, on infrequent occasions the deliveries are sometimes before 6am. To expressly limit this time to 6am would be too restrictive in business terms, but in reality would be adhered to most of the time. An additional condition is attached to ensure compliance with the Delivery Noise Impact Assessment. This specifically refers to training and management procedures that should be complied with, including the door of the external delivery box should be fitted with damping mechanism to minimise impact upon closure, and regular training.

It is noted that some concern has been raised by nearby residents in relation to potential noise and disturbance. Whilst there may be some impact of additional movement on the site, the additional deliveries will be limited to non- HGV vehicles and newspapers only. Some objections relate also to the noise of deliveries at other times and by different vehicles, which is outside of the scope of this application. Officers do not consider that the proposed flexibility to delivery hours for newspapers would result in an unacceptable level of harm to neighbouring residents, particularly as the site is within the main village retail centre, and therefore consider that this proposal is acceptable.

As the granting of this application would result in a fresh permission for the Lintot Square development it is reasonable and necessary to impose conditions which were secured as part of the previous scheme, and which are still relevant bearing in mind the development has been completed for some time.

As this application is an amendment to a condition (Section 73 application) if granted this would become the most up to date permission for the site.

Recommendation: Application Permitted

Conditions:

1 Plans list

2 No public address or other sound amplification system shall be installed or used without the prior written consent of the Local Planning Authority.

Reason: In the interests of the amenities od nearby residents in accordance with Policy CP2 of the Council's Core Strategy 2007.

3 The supermarket hereby approved shall only be open for trading between the hours of 0700 and 2300 Monday to Saturday and 1000 to 1700 on Sundays and at no other time without the prior written approval of the Local Planning Authority."

Reason: To safeguard the amenities of nearby residents in accordance with Policy CP2 of the Council's Core Strategy 2007.

4 The restaurant bar hereby permitted shall not be open other than between the hours of 7.30 am and 11.00 pm Monday to Thursday, 7.30 am to midnight Fridays and Saturdays and 10.00 am to 10.30 pm Sundays and Bank Holidays.

Reason: To safeguard the amenities of nearby residents in accordance with Policy CP2 of the Council's Core Strategy 2007.

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or Orders amending or revoking and re-enacting the same, the offices hereby permitted shall be used for B1 purposes only.

Reason: To retain office accommodation in accordance with Policy DC19 of the General Development Control Policies 2007

6 The approved parking areas shall be permanently retained for the parking of vehicles and shall not thereafter be used for any other purpose.

Reason: To ensure that adequate and safe provision is made for the accommodation of vehicles clear of the highway in accordance with Policy DC40 of the General Development Control Policies 2007

7 The refuse storage areas and enclosures as illustrated on drawing number 24 received 27.08.04 shall be provided prior to the first occupation of Blocks B - F and shall thereafter be permanently retained for the purpose of refuse storage only.

Reason: In the interest of ensuring the provision of refuse storage facilities to meet the needs of the development.

8 The service roads at the rear of Blocks B - F shall be used for servicing purposes between the hours of 7am to 10 pm only and shall not be used outside this period by service vehicles unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of nearby residents in accordance with Policy CP2 of the Council's Core Strategy 2007.

9 The collection of refuse from the refuse storage areas at the rear of Blocks B to P shall take place between the hours of 7 am to 6 pm Monday to Saturday only and at no time on Sunday unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of nearby residents in accordance with Policy CP2 of the Council's Core Strategy 2007.

10 **Regulatory Condition**: Other than non-HGV vehicles delivering newspapers only, the supermarket hereby approved shall only be serviced between the hours of 7.00 am to 10.00 pm Monday to Saturday and 10.00 am to 5.00 pm Sunday unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of nearby residents in accordance with Policy CP2 of the Council's Core Strategy 2007.

11 **Regulatory Condition**: All deliveries carried out outside of the hours referred to in condition 10 shall at all times be carried out in accordance with the Noise Management Plan within the submitted Delivery Noise Impact Assessment (Noise Solutions Ltd 17th October 2025) which shall be implemented and complied with thereafter for the duration of the use/development.

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).

NOTE TO APPLICANT

POSITIVE AND PROACTIVE STATEMENT

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.

Plans list for: DC/25/1883
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	Cover letter	NONE	
Supporting Statement	Delivery Noise Impact Assessment	NONE	

Schedule of plans/documents Approved under DC/15/0860:
Location plan Drwg no. 100A Received: 27.08.2004
Location & Block plan Drwg no. 101G Received: 27.08.2004
Details plan Drwg no. 240C Received: 27.08.2004
Details plan Drwg no. 241 Received: 27.08.2004
Details plan Drwg no. 400C Received: 27.08.2004
Details plan Drwg no. 401C Received: 27.08.2004
Details plan Drwg no. 402D Received: 27.08.2004
Details plan Drwg no. 510F Received: 27.08.2004
Details plan Drwg no. 511F Received: 27.08.2004
Details plan Drwg no. 513H Received: 27.08.2004
Details plan Drwg no. 600A Received: 27.08.2004
Details plan Drwg no. 603G Received: 27.08.2004
Details plan Drwg no. 700B Received: 27.08.2004
Details plan Drwg no. 720B Received: 27.08.2004
Details plan Drwg no. 800A Received: 27.08.2004
Details plan Drwg no. 802D Received: 27.08.2004
Details plan Drwg no. 900C Received: 27.08.2004
Details plan Drwg no. 902E Received: 27.08.2004
Details plan Drwg no. 912D Received: 27.08.2004
Details plan Drwg no. 1000D Received: 27.08.2004
Details plan Drwg no. 1001D Received: 27.08.2004
Details plan Drwg no. 1012C Received: 27.08.2004
Details plan Drwg no. 1100A Received: 27.08.2004
Details plan Drwg no. 1101A Received: 27.08.2004
Details plan Drwg no. 1102H Received: 27.08.2004
Details plan Drwg no. 1200C Received: 27.08.2004
Details plan Drwg no. 1202D Received: 27.08.2004
Details plan Drwg no. 1302F Received: 27.08.2004
Details plan Drwg no. 1305A Received: 27.08.2004
Details plan Drwg no. 1306A Received: 27.08.2004
Details plan Drwg no. 1400C Received: 27.08.2004
Details plan Drwg no. 1402C Received: 27.08.2004
Details plan Drwg no. 1500F Received: 27.08.2004
Details plan Drwg no. 1501F Received: 27.08.2004
Details plan Drwg no. 1502F Received: 27.08.2004
Details plan Drwg no. 1505E Received: 27.08.2004
Details plan Drwg no. 300G Received: 27.08.2004
Details plan Drwg no. 301D Received: 27.08.2004
Details plan Drwg no. 330C Received: 27.08.2004

Details plan Drwg no. 331C Received: 23.09.2004
Details plan Drwg no. 340C Received: 23.09.2004
Details plan Drwg no. 341C Received: 23.09.2004
Details plan Drwg no. 103D Received: 23.09.2004

DELEGATED

Case Officer sign/initial Kate Turner Date: 25/2/26

Authorising Officer sign/initial Adrian Smith Date: 25/02/2026