Horsham District Council

Alder King Planning Consultants
Pembroke House
15 Pembroke Road
Bristol
BS8 3BA

Application Number: DC/24/1770

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

On behalf of: Sainsbury's Supermarkets 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:

Removal of Condition 6 of previously approved application DC/22/0785 (Change of use of the vacant car showroom (sui generis) to retail unit (Class E(a)) with extensions to the ground floor and associated parking.) relating to EV charging spaces.

Sainsbury's 264A Crawley Road Horsham West Sussex

to be carried out in accordance with Application No. DC/24/1770 submitted to the Council on 15/11/2024 and subject to compliance with the plans/documents and conditions specified hereunder.

Biodiversity Net Gain Condition
Please note the requirement within the Environment Act 2021 for development to deliver a minimum of 10% net gain in biodiversity may be applicable to your development. In the event your development is required to achieve a minimum 10% net gain in biodiversity then a Biodiversity Net Gain Condition (separate to the main list of conditions) will appear on your decision notice requiring the submission of a Biodiversity Gain Plan for approval prior to development commencing.

Emma Parkes
Head of Development and Building Control

Date: 08/01/2025

1 **Plans Condition**: The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule below.

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Details plan	Off-Site Highway Works General Arrangement	5154-101	21.04.2022

Tree plan	Tree Constraints Plan	TCP-01	21.04.2022
Tree plan	Tree Protection Plan	TPP-01 a	21.04.2022
Location plan	Location Plan	6844(P)100 #	21.04.2022
Block plan	Block Plan	6844(P)100-1 #	21.04.2022
Site plan	Proposed Site Plan	6844(P)102 D	21.04.2022
Floor plan	Proposed Ground Floor Plan	6844(P)104 D	21.04.2022
Roof plan	Proposed Roof Plan	6844(P)106 B	21.04.2022
Elevation plan	Existing West Elevation & Proposed West Elevation	6844(P)200 B	21.04.2022
Elevation plan	Existing East Elevation & Proposed East Elevation	6844(P)201 C	21.04.2022
Elevation plan	Existing & Proposed North, Existing & Proposed South Elevations	6844(P)202 C	05.05.2022
Section plan	Proposed Section AA & Proposed Section BB	6844(P)300 B	21.04.2022
Supporting Statement	Transport Statement by ADL Traffic dated April 2022	ADL/AP/5154/13A	21.04.2022
Supporting Statement	Arboricultural Impact Assessment by Ace of Spades Gardens Ltd dated 26.08.2021	NONE	21.04.2022
Supporting Statement	Energy Statement by Future Planning and Development dated August 2021	1.0	21.04.2022
Supporting Statement	Operational Noise Impact Assessment by Noise Solutions Ltd dated 09.12.2021	90204 02	21.04.2022
Supporting Docs	Planning Statement	NONE	15.11.2024

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

1 **Standard Time Condition**: The development hereby permitted must be commenced by the 27th June 2027.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2 **Regulatory Condition**: The development hereby permitted shall be carried out strictly in accordance with the following plans and details:

- Off-Site Highway Works General Arrangement, Ref 5154-101
- Location Plan, Ref 6844(P)100
- Block Plan, Ref 6844(P)100-1
- Proposed Site Plan, Ref 6844(P)102 Rev D
- Proposed Ground Floor Plan, Ref 6844(P)104 Rev D
- Proposed Roof Plan, Ref 6844(P)106 Rev B
- Existing West Elevation & Proposed West Elevation, Ref 6844(P)200 Rev B
- Existing East Elevation & Proposed East Elevation, Ref 6844(P)201 Rev C
- Existing & Proposed North, Existing & Proposed South Elevations, Ref 6844(P)202 Rev C
- Proposed Section AA & Proposed Section BB, Ref 6844(P)300 Rev B
- Energy Statement, dated August 2021, v1.0
- Operational Noise Impact Assessment, dated 09.12.2021, Ref 90204 02

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

3 **Pre-occupation Condition**: No part of the development shall be first occupied until such time as the remaining existing redundant vehicular crossover onto Crawley Road has been physically closed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

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

4 **Pre-occupation Condition**: No part of the development shall be first occupied until such time as the vehicular access and highways works serving the development has been constructed in accordance with Proposed Site Plan reference 6844[P]102 rev D and Off Site Highways Works General Arrangement reference 5154-101 which may be subject to minor modification as part of the Section 278 Technical Approvals process. The approved details shall thereafter be retained as such.

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

5 **Pre-occupation Condition**: No part of the development shall be first occupied until the car parking has been constructed in accordance with the plan reference 6844[P]102 rev D. These spaces shall thereafter be retained at all times for their designated purpose as customer-only spaces.

Reason: To provide car-parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

6 **Pre-occupation Condition**: No part of the development hereby permitted shall be occupied until a Delivery, Collection & Service Management Plan, which includes details of the types of vehicles, how deliveries and collections will take place and the frequency of deliveries has been submitted to and approved in writing by the Local Planning Authority. All deliveries and collections shall thereafter be carried out in accordance with the approved plan.

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).

7 **Pre-occupation Condition**: No part of the development hereby permitted shall be occupied until the cycle parking facilities serving it have been provided within the site boundaries. The facilities shall thereafter be retained for use at all times. 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).

8 **Regulatory Condition**: The materials and finishes of all new external walls, windows and roofs of the development hereby permitted shall match in type, colour and texture those of the existing building.

Reason: In the interests of visual amenity and in accordance with Policy 33 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 premises hereby permitted shall be used for Class E(a) and for no other purposes whatsoever, (including those falling within Class E(b), (c), (d), (e),

(f), (g) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020), 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 proximity to neighbouring properties and the economic benefit the approved use provides under Policies 26 and 33 of the Horsham District Planning Framework (2015).

10 **Regulatory Condition**: The premises shall not be open for trade or business except between the hours of 07:00 and 22:00 Monday to Sunday.

Reason: In the interests of amenity and in accordance with policy 33 of the Horsham District Planning Framework 2015.

11 **Regulatory Condition**: The Automated Teller Machine (ATM) and associated lighting shall be switched off between the hours of 22:00 hours and 07:00 hours.

Reason: In the interests of amenity and in accordance with policy 33 of the Horsham District Planning Framework 2015.

12 **Regulatory Condition**: No deliveries to or from the site in connection with the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Saturdays and 10:00 hours to 16:00 hours on Sundays, Bank or Public Holidays.

Reason: In the interests of amenity and in accordance with policy 33 of the Horsham District Planning Framework 2015.

13 **Regulatory Condition**: No external storage of any materials or waste shall take place at any time.

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

14 **Regulatory Condition**: No external lighting or floodlighting shall be installed within the site.

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

15 **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).

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.