Horsham District Council

Miss Rebecca Yates
Euro Garages
Euro House
Waterside
Haslingden Road
Blackburn
BB1 2FA

Our ref:	DISC/24/0012
Your ref:	Billinghurst - Conditions 6 &...
Email:	planning@horsham.gov.uk
Direct Line:	01403 215238
If Calling Please ask for:	Nicola Pettifer
Date:	10th September 2024

Dear Sir/Madam,

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure England) Order 2015

Application for Approval of Details Reserved by Condition 6, 10, 16 and 18 to approved application DC/21/1558

Land Parcel at 507911 125837, Newbridge Road, Billingshurst, West Sussex

SPLIT DECISION

The Authority has considered your application, and I can confirm that the submitted information is acceptable pursuant to the following condition(s):

6. **Pre-Commencement Condition:** Notwithstanding the levels included on the Flood Exceedance Route Plan [502 Rev A] no development shall take place until full details of the final land levels and finished floor levels for the development (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, any required retaining walls / structures, and shall show the relationship of proposed land levels to existing vegetation and surrounding landform. The site levelling works shall be completed in accordance with the approved details prior to the commencement of development.

   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).

Date of approval - 10th September 2024

The development shall be implemented in accordance with the approved plans and details listed in the schedule overleaf.

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Plans	Earthworks Strategy Plan (site levels only)	P14923-509	14.03.2024

I can also confirm that the submitted information is **NOT** acceptable pursuant to the following condition(s):

10. **Pre-Occupation Condition:** Notwithstanding the landscape scheme shown on Landscape Plan [4775.01 Rev A], full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority, prior to first use of the development hereby permitted. 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, including the location, specification and details of the acoustic fence
    - Details of all external lighting;
    - Ecological enhancement measures and recommendations set out within the Extended Phase 1 Habitat Survey (Rachel Hacking Ecology, May 2021)

    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).

16. **Pre-Occupation Condition:** Prior to the first use 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. 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).

18. **Pre-Occupation Condition:** Prior to the first use of the development hereby permitted, details of secure and covered cycle parking facilities 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 Policy 40 of the Horsham District Planning Framework (2015).

For the following reasons:

1. The submitted details fail to provide the level of detail and clarity in order to discharge all the landscape-related details set out under Condition 10. The Local Planning Authority are therefore unable to discharge this condition.

2. The submitted details fail to provide the level of detail and clarity over the location of the refuse / recycling enclosure within the site and thus the Local Planning Authority are unable to discharge condition 16.

3. The submitted details fail to provide the level of detail and clarity over the location of the cycle stands within the site and whether or not there is to be a shelter provided for the cycle stands, thus the Local Planning Authority are unable to discharge condition 18.

This letter constitutes a legal document which should be regarded as an addendum to the original planning application.

If you have any queries or require further information, please do not hesitate to contact the Case Officer.

Yours faithfully



Emma Parkes
Head of Development and Building Control

ADDITIONAL INFORMATION

Right of Appeals
If you are aggrieved by the decision to refuse permission for the proposed development 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.