



Mrs Celia Akam-Chauvignat
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Aspen Place
Okehurst Lane
Billingshurst
West Sussex
RH14 9HR

Application Number: DC/26/1292

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

On behalf of: Denver Commercial LLP

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 Conditions 11, 19, 20, 21, 27, 38 and 39 of previously approved application DC/22/1458 (Demolition of the existing building and erection of 3no storage units (Use Class B8), incorporating vehicular access, landscaping, and on-site parking provision) relating to water neutrality.

Denver Storage, Okehurst Lane, Billingshurst, West Sussex

to be carried out in accordance with Application No. DC/26/1292 submitted to the Council on 11/08/2026 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 02/10/2026

- 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
Plans	Building C - Proposed Plan & Elevations	2.07 REV A	27.10.2023
Plans	Proposed Master Plan	2.02 REV E	27.10.2023

Plans	Vehicle Tracking Max Legal Articulated Vehicle	11	12.10.2023
Plans	Proposed Vehicle Tracking Fire Tender & Refuse Truck	05 REV A	12.10.2023
Plans	Building A - Proposed Floor Plan	2.03 REV C	28.06.2023
Plans	Building A - Proposed Elevations	2.04 REV C	28.06.2023
Plans	Building B - Proposed Floor Plan	2.05 REV B	28.06.2023
Plans	Building B - Proposed Elevations	2.06 REV C	28.06.2023
Plans	TREE CONSTRAINTS Plan	LLD2288-ARB-DWG-001 Rev 01	01.08.2022
Plans	TREE RETENTION AND PROTECTION PLAN	LLD2288-ARB-DWG-002 REV 00	01.08.2022
Plans	Landscape Masterplan Strategy	LLD2288-LAN-DWG-001 REV 03	01.08.2022
Plans	Location & Block Plan	2.01	01.08.2022
Plans	EXISTING ELEVATIONS	21062-E- REV A	08.08.2022
Plans	EXISTING FLOOR PLAN	21062-FP- REV A	08.08.2022
Plans	EXISTING ROOF PLAN	21062-R	08.08.2022
Plans	Existing Topographical Survey (1 OF 2)	21062-T	01.08.2022
Plans	Existing TOPOGRAPHICAL SURVEY (2 OF 2)	21062-T	01.08.2022
Supporting Docs	Drainage Statement including Flood Risk Version 1.2 by The Civil Engineering Practice (dated 10th November 2023) Project Number 23516		14.11.2023
Supporting Docs	Designer's Response Project Number 23516 Date of response 10 November 2023 by The Civil Engineering Practice		14.11.2023
Supporting Docs	BAT EMERGENCE SURVEY REPORT REV 00 Date 13/07/23 Denver, Okehurst Lane, Billinghamurst by Lizard LLD2288-ECO-REP-004-00-BES		01.08.2023
Supporting Docs	PRELIMINARY ROOST ASSESSMENT REV 01 Date 13/07/23 Denver, Okehurst Lane, Billinghamurst by Lizard LLD2288-ECO-REP-003-01-PRA		01.08.2023
Supporting Docs	Email ECE Planning dated 30 March 2023: Response to WSCC Highways		30.03.2023
Supporting Docs	Email ECE Planning dated 8th November 2022: CLARIFICATION AS TO CONTROL OF HIGHWAY LAND		08.11.2022
Supporting Docs	HERITAGE STATEMENT March		01.08.2022

	2022 Denver Farm, Okehurst Lane, Billinghamhurst by Orion Heritage Ltd		
Supporting Docs	ARBORICULTURAL IMPACT ASSESSMENT AND METHOD STATEMENT Denver Okehurst Lane, Billinghamhurst by Lizard REV 00 Date 31 March 2022 LLD2288-ARB-REP-001		01.08.2022
Supporting Docs	EXISTING TREE SCHEDULE AND SCHEDULE OF TREE WORKS Denver, Okehurst Lane, Billingshurst by Lizard 31.03.22 Rev 01 Ref LLD2288		01.08.2022
Supporting Docs	LANDSCAPE DESIGN STRATEGY REV 02 Date 12.04.22 Denver Commercial LLP by Lizard LLD2288-LAN-REP-001		01.08.2022
Supporting Docs	LANDSCAPE AND VISUAL APPRAISAL REV 02 by Lizard Date 30.03.2022 Ref: LLD2288-LPL-REP-001 APPENDIX A - E inclusive		01.08.2022
Supporting Docs	LANDSCAPE AND VISUAL APPRAISAL REV 02 by Lizard Date 30.03.2022 Ref: LLD2288-LPL-REP-001		01.08.2022
Supporting Docs	PLANNING STATEMENT Denver Poultry Farm, Okehurst Lane, Billinghamhurst Issue PL3 Date 12/04/2022 Ref P1800		01.08.2022
Supporting Docs	TRANSPORT STATEMENT Version 1.1 14 April 2022 Project Number 23516 by CEP The Civil Engineering Practice		01.08.2022
Supporting Docs	ECOLOGICAL IMPACT ASSESSMENT REV 01 Denver, Okehurst Lane, Billingshurst by Lizard Date 31st March 2022 Ref LLD2288		01.08.2022
Supporting Docs	PRELIMINARY CONTAMINATION RISK ASSESSMENT Denver Commercial LLP by Environmental Assessment Services Ltd April 2021 427/ECE/DenverComm/PCRA		01.08.2022

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

- 2 **Regulatory (Time) Condition:** The development hereby permitted shall be begun before 05 June 2027.

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

3 **Pre-Commencement Condition:** No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site 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) - (c) 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 a verification plan providing details of what data will be collected in order to demonstrate that the remedial works are complete.

The scheme shall be implemented as approved. 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).

4 **Pre-Commencement Condition:** No soils shall be imported or re-used within the development site until the developer has submitted details of the chemical testing and assessment of the soils which demonstrates the suitability of the soils for the proposed use. The assessment shall be undertaken by a suitably qualified and competent person and full details shall be submitted to and approved in writing by the local planning authority. Prior to the first occupation (or use) of any part of the development hereby permitted, a written verification report shall be submitted which demonstrates only soils suitable for the proposed use have been placed. The verification report shall be submitted and approved, in writing, by 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).

5 **Pre-Commencement Condition:** No works pursuant to this permission shall commence until a method statement for the safe removal and disposal of asbestos containing materials has been submitted to and approved in writing by 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).

6 **Regulatory Condition:** The scheme shall be constructed as per the drawings agreed under DISC/26/0059 (Site Layout - Proposed Drainage and Levels, Interim Drainage Maintenance and Management Plan, Construction Details Plan (Ref: 501 and 502) and Method of Construction Statement and Working Method Statement (V1.0)) as well as the method statement and Drainage Statement including Flood Risk (The Civil Engineering Practice, 10th November 2023, v1.2). The scheme shall remain in perpetuity for the lifetime of the

development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with the NPPF and Policy 38 in the Horsham District Planning Framework and Policy BILL 16 of the Billingshurst Neighbourhood Plan (2021)

- 7 **Regulatory Condition:** The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the Interim Drainage Maintenance and Management Plan (The Civil Engineering Practice, 04 February 2025) agreed under application DISC/26/0059 in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the floor risk is adequately addressed for each new dwelling and not increased in accordance with the NPPF and Policy 38 in the Horsham District Planning Framework and Policy BILL 16 of the Billingshurst Neighbourhood Plan (2021)

- 8 **Pre-Commencement Condition:** Any works which will impact the breeding / resting place of bats, shall not in in any circumstances commence unless the local planning authority has been provided with either:
- a) A licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
 - b) Evidence of site registration supplied by an individual registered to use a Bat Mitigation Class Licence; or
 - c) A statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To conserve protected species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998 in accordance with Policy 31 of the Horsham District Planning Framework (2015).

- 9 **Pre-Commencement Condition:** No development 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 trees on the site shown for retention on approved drawing number [insert number], 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).

- 10 **Regulatory Condition:** The development shall be implemented and thereafter carried out at all times strictly in accordance with the Arboricultural Impact Assessment and Method Statement (Lizard Landscape Design and Ecology, April 2025) agreed under DISC/26/0059. 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).

- 11 N/A

- 12 **Regulatory Condition:** Works shall be implemented in accordance with the Ecological Design Strategy (Lizard Landscape Design and Ecology, 06 May 2026, REV 01) agreed under DISC/26/0059.

Reason: To enhance protected and Priority species & habitats and allow the Local Planning Authority to discharge its duties under the NPPF 2021 and s40 of the NERC Act 2006 (Priority habitats & species) in accordance with Policy 31 of the Horsham District Planning Framework (2015).

- 13 **Pre-Occupation Condition:** The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification that the remediation scheme required and approved under the provisions of condition 3(c) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 3(c), unless otherwise agreed in writing by 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).

- 14 **Pre-Occupation Condition:** Prior to occupation, a lighting design strategy for biodiversity in line with Guidance Note 08 Bats and Artificial Lighting at Night (ILP, 2023) shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) Show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham Development Framework.

- 15 **Pre-Occupation Condition:** The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification that any identified asbestos has been removed from the application site and disposed of by a licensed asbestos contractor in accordance with the Control of Asbestos Regulations 2012.

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).

- 16 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until visibility splays for the access serving the development (including details of any planting to be removed) have been submitted to and approved in writing by the Local Planning Authority. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre 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).

- 17 **Pre-Occupation Condition:** Notwithstanding submitted details shown on the plans, no part of the development hereby permitted shall be first occupied until 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 (including but not limited to clarification of height of hedge to be maintained along Okehurst Lane and succession planting to reinforce existing boundaries and retain rural character of Okehurst Lane)
 - Details of all hard surfacing materials and finishes (including but not limited to choice of appropriate rural materials such as gravel and block/sett paving in warm colours for parking bays)
 - Details of all boundary treatments (including but not limited to proposed post and rail fence installed to the inner side of the existing hedge along Okehurst Lane)
 - Details of all external lighting

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 or retained 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).

- 18 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a landscape 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 communal landscape areas has 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 Policy 33 of the Horsham District Planning Framework (2015).

19 N/A

20 N/A

21 N/A

22 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a verification report demonstrating that the SuDS drainage system has been constructed in accordance with the approved design drawings has been 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) and Policy BILL 16 of the Billingshurst Neighbourhood Plan (2021).

23 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. 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.

Reason: To encourage and promote sustainable transport and in accordance with Policy 40 of the Horsham District Planning Framework (2015) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021).

24 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the cycle parking facilities serving it have been constructed and made available for use in accordance with details submitted to and approved in writing by the Local Planning Authority. 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) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021).

25 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until details for the provision for the storage of refuse and recycling facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided prior to occupation (or use) of the development hereby permitted and thereafter be retained for use at all times.

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

- 26 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the parking, turning and access facilities necessary to serve that unit have been implemented in accordance with the approved details as shown on plan and shall be thereafter retained as such.
- 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) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021).
- 27 N/A
- 28 **Regulatory Condition:** No works relating to the construction of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours of the same day Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays, unless otherwise agreed in writing by the Local Planning Authority.
- Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021).
- 29 **Regulatory Condition:** No deliveries of construction materials or plant and machinery and no removal of any spoil from the site, 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, unless otherwise agreed in writing by the Local Planning Authority.
- Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021).
- 30 **Regulatory Condition:** Except for the use of the premises as set out in condition 31 of this decision notice, the premises shall not be open for trade or business except between the hours of:
- 0800 hours and 1800 hours of the same day, Monday to Friday inclusive,
0800 hours and 1300 hours on Saturdays,
- Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021).
- 31 **Regulatory Condition:** In the event of 'self-storage/personal' storage use of the premises, the premises shall not be open for trade or business except between the hours of:
- 0800 hours and 2000 hours of the same day, Monday to Friday inclusive,
0800 hours and 1800 hours on Saturdays and Sundays
- Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015)) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021).
- 32 **Regulatory Condition:** Except for the use of the premises as set out in condition 33 of this decision notice, despatch or receipt of deliveries, loading and unloading shall be restricted to 0800 hours and 1800 hours of the same day, Mondays to Fridays inclusive, 0800 hours and 1300 hours on Saturdays and no deliveries, loading or unloading shall be undertaken on Sundays or public holidays.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021).

- 33 **Regulatory Condition:** In the event of 'self-storage/personal' storage use of the premises, despatch or receipt of deliveries, loading and unloading shall be restricted to 0800 hours and 2000 hours of the same day Monday to Friday inclusive, 0800 hours and 1800 hours on Saturdays and Sundays.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021).

- 34 **Regulatory Condition:** No externally located storage of any materials or waste shall occur except within the areas shown on the approved plans or otherwise agreed by local planning authority in discharge of a condition attached to this decision notice without the prior approval in writing of the Local Planning Authority.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021).

- 35 **Regulatory Condition:** No steel stockholding or heavy plant hire shall take place on site.

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021).

- 36 **Regulatory Condition:** No internally and/or externally located plant, machinery equipment or building services plant shall be operated until an assessment of the acoustic impact arising from the operation of all such equipment has been undertaken and has been submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken in accordance with BS 4142:2014 and shall include a scheme of attenuation measures to mitigate any adverse impacts identified in the acoustic assessment and ensure the rating level of noise emitted from the proposed building services plant is no greater than background levels. The scheme as approved by the Local Planning Authority shall be fully installed prior to first operation of the plant and shall be retained as such thereafter.

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021).

- 37 **Regulatory Condition:** No external lighting or floodlighting shall be installed without the prior written approval of the Local Planning Authority. Any that is installed with the permission of the Local Planning Authority shall be maintained in accordance with the approved details.

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021).

- 38 N/A

- 39 N/A

- 40 **Regulatory Condition:** All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (Lizard Landscape Design and Ecology, March 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To conserve protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham Development Framework.

- 41 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or the Town and Country Planning (Use Classes) Order 1987 (as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020) (or any order amending or revoking and/or reenacting these Orders), the premises hereby permitted shall only be used for uses falling with Class B8 use only and for no other purposes whatsoever, 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: To ensure the development remains in appropriate employment use and due to unknown and potentially harmful impacts on local amenity under Policies 7, 9 and 33 of the Horsham District Planning Framework (2015) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021), and to ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

- 42 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or reenacting that Order) no development falling within Class H of Part 7 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: to ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

- 43 **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 not include trade counters or showroom/retail uses without express planning consent from the Local Planning Authority first being obtained.

Reason: The site is not within an area where permission for shopping purposes or town centre uses would normally be granted and to ensure the development remains in appropriate employment use in accordance with Policies 7 & 9 of the Horsham District Planning Framework (2015) and Policy BILL 7 of the Billingshurst Neighbourhood Plan (2021).

- 44 **Regulatory Condition:** No soils shall be imported or re-used within the development site until the developer has submitted details of the chemical testing and assessment of the soils which demonstrates the suitability of the soils for the proposed use. The assessment shall be undertaken by a suitably qualified and competent person and full details shall be submitted to and approved in writing by the local planning authority. Prior to the first occupation (or use) of any part of the development hereby permitted, a written verification report shall be submitted which demonstrates only soils suitable for the proposed use have been placed. The verification report shall be submitted and approved, in writing, by 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).

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>.