Horsham District Council

Miss Lauren Sinden
DHA Planning Ltd
FreedomWorks
Astral Towers,
Betts Way
Crawley
RH10 9XA

Oakhurst Business Park, Charwood House, Wilberforce Way, Southwater, West Sussex
Change of use of Charwood House from Class B8 (storage and distribution) to Class E, with ancillary office floorspace.

Your application DC/25/0179 has now been determined and I enclose the decision notice. The decision notice contains important information. Please take a moment to read it as further action may be required.

Conditions
Before you start work, information must be submitted for any conditions that require discharge before development can begin. The decision notice will set out what information need to be sent.

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.

Failure to discharge conditions before commencing development could result in the development being unlawful or enforcement action being taken. You can notify us of your intention to initiate development by completing a pre-commencement notification which will help us to monitor your development. There is no fee to use this service. To do this, or for further information about discharging planning conditions, visit us online at horsham.gov.uk/planning/discharging-a-planning-condition

Community Infrastructure Levy (CIL)
If this development is CIL liable, the requirements of CIL must be met before you start work. Failure to do so could result in additional financial penalties. For further information relating to CIL visit horsham.gov.uk/planning/planning-policy/community-infrastructure-levy/cil-charges-and-how-to-pay

If you have any questions about the decision notice, you can call us and speak to a member of the team on 01403 215187 between 9AM - 5PM, Monday to Friday.

If you are acting as the planning agent for this application, please ensure that the applicant is given a copy of the decision notice and this letter.

Yours Sincerely,
Development Management

Horsham District Council

Miss Lauren Sinden
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Application Number: DC/25/0179

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

On behalf of: BIACO LIMITED

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:

Change of use of Charwood House from Class B8 (storage and distribution) to Class E, with ancillary office floorspace.

Oakhurst Business Park, Charwood House, Wilberforce Way, Southwater, West Sussex

to be carried out in accordance with Application No. DC/25/0179 submitted to the Council on 20/02/2025 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 20/06/2025

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
Location plan		P1000-00 REV C	20.02.2025
Floor plan	Existing and Proposed Ground	P1000-01	04.02.2025
Floor plan	Existing and Proposed First and Second	P1000-02	04.02.2025
Supporting Statement	Planning	35056	04.02.2025
Supporting Statement	Water Neutrality	ENV24403	04.02.2025

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 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 **Pre-Occupation Condition**: The use hereby permitted shall not commence until the water efficiency measures set out in the approved water neutrality strategy (ENV2403 rev00 received 04/02/2025) have been installed and made operational. The installed measures shall be retained as such thereafter at an equivalent or better water performance standard.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2024), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

4 **Regulatory Condition**: No heavy goods vehicles (HGVs), forklifts, plant or machinery shall be operated from the service yard area of the site outside the following times:

0700 hours and 1800 hours on Mondays to Fridays inclusive,
0700 hours and 1300 hours on Saturdays;
and not on Sundays, Bank and Public Holidays.

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

5 **Regulatory Condition**: Any process undertaken at the application site, except for the movement of cars and vans within the service yard area, shall only be undertaken within the building with the roller doors closed (with the exception of when cars or vans are entering or exiting the building), outside the following times:

0700 hours and 1800 hours on Mondays to Fridays inclusive,
0700 hours and 1300 hours on Saturdays;
and not on Sundays, Bank and Public Holidays.

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

6 **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 those approved details.

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

7 **Regulatory Condition**: No raw materials, finished or unfinished products or parts, crates, packing materials or waste shall be stacked or stored on the site at any time except within the buildings or storage areas hereby approved by the local planning authority.

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

8 **Regulatory Condition**: 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 building shall not be extended or altered in any way unless planning permission has been granted by the local planning authority on application in that respect.

Reason: A more intensive use of the application site would be likely to cause congestion on adjacent roads through overflow vehicle parking contrary to policy 40 of the Horsham District Planning Framework (HDPF) document (2015).

9 **Regulatory Condition**: No public address or other sound amplification system (including Tannoy's and radios) shall be installed or used without the prior written consent of the Local Planning Authority.

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

10 **Regulatory Condition**: No part of the building or the site shall be designated, equipped or used as a vehicle washing area without the prior written consent of the Local Planning Authority.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2024), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

11 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 and 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 re-enacting these Orders), the premises hereby permitted shall be used for Use Class E(g)(ii) purposes only and for no other purposes whatsoever, 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 to ensure the protection of this Key Employment Area and the amenities of nearby residents in accordance with Policies 9 and 33 of the Horsham District Planning Framework (2015).

Biodiversity Net Gain Condition
Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

Under Regulations 4, 5, 7 & 8 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024 the statutory biodiversity gain condition required by Schedule 7A to the Town and Country Planning Act 1990 (as amended) does not apply in relation to planning permission for development which:

1. does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (a hedgerow habitat or watercourse habitat identified for the purposes of the biodiversity metric);

2. is the subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015;

3. is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the biodiversity gain planning condition which applies in relation to another development (In determining whether a development is undertaken solely or mainly for this purpose, no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee);

4. consists of no more than 9 dwellings, is carried out on a site which has an area no larger than 0.5 hectares, and consists exclusively of dwellings which are self-build or custom housebuilding ("Self-build or custom housebuilding" has the same meaning as in section 1(A1) of the Self-build and Custom Housebuilding Act 2015 (as amended)).

Based on the information submitted in the planning application documents, the Planning Authority considers that this permission is exempt from biodiversity net gain, and as such does not require approval of a biodiversity gain plan before development is begun.

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.

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.

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.