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Jones Lang LaSalle Limited
30 Warwick Street
London
W1B 5NH

Southwater Business Park, Sony Dadc Uk Limited, Worthing Road, Southwater, RH13 9YT Demolition of existing warehouse buildings. Erection of new single-storey buildings to provide employment units for a flexible range of employment uses (Use Classes E(g)(iii), B2 and/or B8) with ancillary offices, together with associated access road, hard and soft landscaping, cycle parking, car parking, EV charging, service yard, loading bays, site infrastructure and associated works.

Your application DC/23/1843 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.

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

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Jones Lang LaSalle Limited
30 Warwick Street
London
W1B 5NH

Application Number: DC/23/1843

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

On behalf of: Chancerygate Horsham 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:

Demolition of existing warehouse buildings. Erection of new single-storey buildings to provide employment units for a flexible range of employment uses (Use Classes E(g)(iii), B2 and/or B8) with ancillary offices, together with associated access road, hard and soft landscaping, cycle parking, car parking, EV charging, service yard, loading bays, site infrastructure and associated works.

Southwater Business Park, Sony Dadc Uk Limited, Worthing Road, Southwater, RH13 9YT

to be carried out in accordance with Application No. DC/23/1843 submitted to the Council on 03/10/2023 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 12/07/2024

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
Supporting Statement	Air Quality Damage Cost and Emissions Plan	554969.0000.0001.02.r1	04.04.2024
Details plan	Constraints Plan	46845 - T0	13.12.2023
Details plan	Levels and External Works	23-018-I_L G01 T2	18.01.2024
Details plan	Topographical Survey	46845- T0	13.12.2023
Supporting Statement	Desk study part 3	440032 Figure 02	03.10.2023

Elevation plan	Units 1-7 street scene	4690-PL-220 REV A	18.01.2024
Supporting Statement	Desk Based Geoenvironmental and Geotechnical Site Assessment Report	440032.0000.0000 1.0	03.10.2023
Supporting Statement	Desk study part 2	440032 Figure 01	03.10.2023
Supporting Statement	Desk study part 4 - Annex B, Envirocheck Report	440032 - ANNEX B	03.10.2023
Supporting Statement	Desk study part 5 - Historic and land-use mapping	440032	03.10.2023
Supporting Statement	Desk Study Part 6 - Watercourse and geological mapping	440032	03.10.2023
Supporting Statement	Desk study part 7	440032	03.10.2023
Supporting Statement	Desk study part 8 - Aerial and site photography	440032	03.10.2023
Floor plan	Existing	4690-PL-052	03.10.2023
Details plan	Estate sign	4690-PL-005	03.10.2023
Site plan	Existing	4690-PL-050	03.10.2023
Floor plan	Existing	4690-PL-051	03.10.2023
Elevation plan	Existing	4690-PL-053	03.10.2023
Location plan		4690-PL-001	03.10.2023
Block plan		4690-PL-002 REV A	18.01.2024
Site plan		4690-PL-003 REV A	18.01.2024
Layout plan	Car Park Management Plan	4690-PL-004 REV A	18.01.2024
Supporting Statement	Biodiversity Net Gain Report	NONE	03.10.2023
Supporting Statement	BREEAM PRE-ASSESSMENT REPORT	6515-CBC-MN-RP-S-005-P01 005	25.04.2024
Supporting Statement	Car Parking Management Plan	J327527 V 1.4	18.01.2024
Supporting Statement	Construction Management Plan	NONE	03.10.2023
Supporting Statement	Cover letter	NONE	03.10.2023
Supporting Statement	Delivery, Collection and Service Management Plan	NONE	03.10.2023
Design & Access Statement		NONE	03.10.2023
Supporting Docs		NONE	03.10.2023
Supporting Statement	Air Quality Assessment	NONE	03.10.2023
Supporting Statement	Arboricultural Implications Report	NONE	03.10.2023
Supporting Statement	Biodiversity Enhancement Strategy	NONE	03.10.2023
Layout plan	Planting Layout - West	896.19.03 REV A	18.01.2024
Layout plan	Planting Layout - East	896.29.03 REV A	18.01.2024

Supporting Statement	Private Water Supply Management Plan	NONE	03.10.2023
Supporting Statement	Remediation Strategy and Verification Plan	NONE	03.10.2023
Supporting Statement	Schedule of Gross External Areas	NONE	03.10.2023
Floor plan	Unit 7	4690-PL-701 REV A	18.01.2024
Elevation plan	Unit 7	4690-PL-720 REV A	18.01.2024
Roof plan	Unit 7	4690-PL-702 REV A	18.01.2024
Section plan	Unit 7	4690-PL-730 REV A	18.01.2024
Floor plan	Unit 7	4690-PL-700 REV A	18.01.2024
Roof plan	Unit 1-3	4690-PL-102 REV A	18.01.2024
Elevation plan	Unit 1-3	4690-PL-120 REV A	18.01.2024
Section plan	Unit 1-3	4690-PL-130 REV A	03.10.2023
Floor plan	Unit 1-3	4690-PL-100 REV A	18.01.2024
Floor plan	Unit 1-3	4690-PL-101 REV A	18.01.2024
Floor plan	Unit 4-6	4690-PL-401 REV A	18.01.2024
Roof plan	Unit 4-6	4690-PL-402 REV A	18.01.2024
Elevation plan	Unit 4-6	4690-PL-420 REV A	18.01.2024
Section plan	Unit 4-6	4690-PL-430 REV A	18.01.2024
Floor plan	Unit 4-6	4690-PL-400 REV A	18.01.2024
Supporting Statement	Schedule of external materials	NONE	03.10.2023
Supporting Statement	Transport Assessment	J327526 V2.2	18.01.2024
Details plan		6515-CBC-00-XX-DR-U-96002 REV P02	03.10.2023
Supporting Statement	Water Neutrality Statement	6515-CBC-Sk-RP-S001, Rev 005	14.03.2024
Supporting Statement	Ecological Assessment	11685.EcoAs.vf1	03.10.2023
Supporting Statement	Electric Vehicle Charging Technical Note	NONE	03.10.2023

Supporting Statement	Energy and Sustainability Statement	6515-CBC-HR-RP-S-005-P03, Rev 003	03.10.2023
Supporting Statement	External impact lighting assessment	6515-CBC-HF-RP-E-001 P05	18.01.2024
Supporting Statement	Flood Risk Assessment and Drainage Strategy	23-017-CHA REV P1	05.02.2024
Supporting Statement	Framework Travel Plan	J327526 V.2.2	18.01.2024
Supporting Statement	Landscape and Ecological Management Plan	11685.LEMP.vf	03.10.2023
Supporting Statement	Lighting Design Strategy for Biodiversity	11685 vf1	03.10.2023
Supporting Statement	Noise Impact Assessment	554969.0000.0000 rev 1.0	03.10.2023
Supporting Statement	Preliminary Phase II Geo-environmental and Geotechnical Site Assessment	440042.0000.0000	03.10.2023
Supporting Statement	Planning Statement	NONE	03.10.2023

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-Commencement (Construction) Condition:** No construction works in respect of the buildings hereby approved shall commence unless and until remediation measures detailed within the approved Remediation Strategy and Verification Plan (TRC Companies Limited, ref: 440032.0002.0000, version: 2.0, dated: 06.09.2023) have been completed in full.

Reason: To ensure that any pre-existing contamination is appropriately addressed by the approved development, and that the approved development does not result in the release and/or transmission of contaminants of risk to human health, controlled waters or the wider environment in accordance with Policy 24 of the Horsham District Planning Framework (2015)

4 **Pre-Occupation Condition:** The development hereby permitted shall not be occupied or brought into use until a verification report has been submitted to and approved by the Local Planning Authority following the completion of remediation works. The verification report to be submitted to the Authority shall contain, but not be limited to, the information recommended to be included at Section 6.3 of the approved Remediation Strategy and Verification Plan (TRC Companies Limited, ref: 440032.0002.0000, version: 2.0, dated: 06.09.2023).

Reason: To ensure that all necessary remediation actions have been satisfactorily completed, that any pre-existing contamination is appropriately addressed by the approved development, and that the approved development does not result in the release and/or transmission of contaminants of risk to human health, controlled waters or the wider environment in accordance with Policy 24 of the Horsham District Planning Framework (2015)

5 **Pre-Occupation Condition:** The development hereby approved shall not be occupied or brought into use unless and until standards of water-efficiency specified within Appendix C to the approved Water Neutrality Strategy (Cudd Bentley Consulting, ref: 65150-CBC-SK-RP-S-001 Rev 005, submitted 14.03.2024) have been achieved through the installation of appropriate appliances/fittings, and a rainwater harvesting system provided to service all W/C installations installed within the approved development. The rainwater harvesting system shall accord with that detailed at Appendix D to the approved Water Neutrality Strategy. Any replacement water-consuming appliances, fixtures or fittings must be of an equivalent and/or superior standard of water-efficiency to those detailed within the approved Water Neutrality Strategy. Any replacement W/C installations must continue to be serviced solely by harvested rainwater, unless explicitly agreed by the Local Planning Authority in writing.

Reason: To ensure that the approved development achieves 'water neutrality', therefore, avoiding contribution to the adverse effect upon the integrity of the Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites associated with increased demand for mains-water resources, in accordance with the requirements of the Conservation of Habitats and Species Regulations (2017) (as amended) at Regulation 63 and Policy 31 of the Horsham District Planning Framework (2015)

6 **Pre-Occupation Condition:** Prior to the first occupation of the approved development, or the approved development being brought into use, 4.5m acoustic fencing shall be installed in the locations detailed on plan ref: 4690-PL-003 Rev A, submitted: 18.01.2024. Acoustic fencing shall be solid in composition and, thereafter, be retained/maintained to the same height, position and composition as that approved.

Reason: To lessen the acoustic impact of operations at the site in the interests of neighbouring amenity in accordance with Policy 24 of the Horsham District Planning Framework (2015).

7 **Pre-Occupation Condition:** Prior to the first occupation of the units hereby approved, the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds through full fibre broadband connection shall be provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015) and SNP21 of the Southwater Neighbourhood Plan (2021).

8 **Pre-Occupation Condition:** No building hereby permitted shall be first occupied unless and until provision for the storage of refuse/recycling has been made for that building (or use) in accordance with details (including elevations, materials and internal configuration) that have been submitted to and approved in writing by the Local Planning Authority. These facilities shall 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).

9 **Pre-Occupation Condition:** Prior to occupation of any unit hereby permitted the car parking spaces, turning and access facilities necessary to serve that unit shall be implemented and made available for use in accordance with the approved plans 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 SNP4 and SNP13 of the Southwater Neighbourhood Plan (2021).

10 **Pre-Occupation Condition:** Prior to the first occupation of any unit hereby approved, electric-vehicle charging infrastructure shall be installed in accordance with details indicated on the approved Car Park Management Plan (ref: 4690-PL-004 Rev A, Submitted: 18.01.2024). Electric vehicle charging infrastructure shall, thereafter, be maintained as approved.

Reason: To ensure that adequate provision is made for the users of electric vehicles and to promote the use of electric vehicles in the interests of climate change, improved air-quality and in accordance with Policies 24 and 41 of the Horsham District Planning Framework (2015).

11 **Pre-Occupation Condition:** Prior to the first occupation of any unit hereby permitted, covered cycle-parking facilities of the capacity indicated shall be provided and made available for use in accordance with the approved layout plan (ref: 4690-PL-002 Rev A, submitted 18.01.2024). The cycle parking facilities shall, thereafter, be retained as approved solely for the parking of cycles.

Reason: To ensure that adequate provision is made for cyclists and to promote modes of active travel in accordance with Policies 40 and 41 of the Horsham District Planning Framework (2015).

12 **Pre-Occupation Condition:** Prior to the first occupation of the development hereby approved the biodiversity enhancement measures detailed in the approved Biodiversity Enhancement Strategy (Ecology Solutions, ref: 11685.EcoAS.vf, submitted: 03.10.2023) shall be implemented in full and thereafter retained as approved.

Reason: To ensure that the proposed development incorporates proportionate ecological enhancements in accordance with Policy 31 of the Horsham District Planning Framework (2015).

13 **Pre-Occupation Condition:** Prior to the first occupation of the development hereby approved, full details of proposed air-quality mitigation measures detailed within the approved Damage Cost and Emissions Mitigation Plan (TRC Companies Ltd, ref: 554969.0000.0001.02.r1), including the provision of additional active and passive electric-vehicle charging points and design of cycle-stores incorporating green-roofs, necessary to offset the expected damage cost of approved development shall be submitted to and approved in writing by the Local Planning Authority. The air-quality mitigation measures shall, thereafter, be implemented as approved and retained as such thereafter.

Reason: To ensure that the proposed development does not adversely influence local air-quality conditions and mitigates the emission of pollutants in accordance with Policy 24 of the Horsham District Planning Framework (2015).

14 **Pre-Occupation Condition:** Prior to the first occupation of the development hereby approved, surface-water drainage infrastructure necessary to service the approved development as detailed within the approved Flood Risk Assessment and Drainage Strategy (I&L Consulting Ltd, ref: 23-017-CHA Rev P1, submitted 05.02.2024) shall be installed and made available for use. The approved drainage infrastructure shall, thereafter, be maintained in accordance with the approved Maintenance and Management Strategy included at Section 5.4.1 of the approved Flood Risk Assessment and Drainage Strategy (I&L Consulting Ltd, ref: 23-017-CHA Rev P1).

Reason: To ensure that the approved development is adequately drained and does not increased flood-risk elsewhere in accordance with Policy 38 of the Horsham District Planning Framework (2015) and Paragraph 173 of the National Planning Policy Framework (2023).

15 **Pre-Occupation Condition:** The development hereby permitted shall be implemented in accordance with the approved Framework Travel Plan (Mode Transport Planning, ref: J327526, version 2.2, submitted: 18.01.2024). In accordance with the recommendations of the Framework Travel Plan, within 6 months of the first occupation of each unit a completed travel-plan statement confirming baseline modal share information and measures to achieve modal-share targets at Table 5.1 of the approved Framework Travel Plan shall be submitted to the Authority. Relevant measures shall, thereafter, be implemented as approved and subject to annual review until a period of 5-years following the first occupancy of each unit. If annual reviews demonstrate that modal-share targets are not being met, an updated travel-plan statement shall be submitted to the Authority outlining remedial actions to achieve approved modal-share targets, which shall then be implemented as approved by the Authority.

Reason: To promote a modal-shift away from reliance on the private car, to mitigate against the effects of climate change and to improve air-quality in accordance with the provisions of HDPF Policies 24, 35 and 40.

16 **Pre-Occupation Condition:** The approved development shall not be operated other than in accordance with the measures and initiatives set out in Chapters 5 and 6 within the Delivery, Collection and Service Management Plan (Mode Transport Planning, ref: J327526 V1.4, received 18.01.2024).

Reason: To lessen the effects of development upon nearby occupiers in accordance with Policies 24, 33 and 40 of the Horsham District Planning Framework (2015).

17 **Regulatory Condition:** No externally located plant, machinery equipment or building services plant located on the facade or roofs of the approved buildings with line of sight to residential properties 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 nearest to the noise sensitive receptor. 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 lessen the emission of noise pollution and to safeguard the living conditions of nearby occupiers in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

18 **Regulatory Condition:** No works associated with 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 nearby occupiers from noise and/or lighting disturbance associated with construction or demolition operations in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

19 **Regulatory Condition:** All works shall be executed in full accordance with the submitted Arboricultural Implications Report, including the Outline Arboricultural Method Statement and Tree Protection Plan respectively included as Appendices 1 and 3 (ref: SJA air 23318-01a, dated August 2023, SJA Trees Arboricultural Planning Consultants). Other than those trees identified for removal or reduction, no trees shall be uprooted, felled/removed, topped and/or lopped without the express consent of the Local Planning Authority in writing within a period of 5-years following the completion of the approved development.

Reason: To ensure the successful and satisfactory protection of trees within and adjacent to the site in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Paragraph 136 of the National Planning Policy Framework (2023).

20 **Regulatory Condition:** The development hereby approved shall be implemented in full accordance with the approved Ecological Assessment (Ecology Solutions, ref: 11685.EcoAS.vf1, submitted: 03.10.2024), including the mitigation and avoidance measures set out within.

Reason: To ensure the proposed development does not adversely impact upon protected and priority species and habitats in accordance with Policies 25 and 31 of the Horsham District Planning Framework (2015).

21 **Regulatory Condition:** Other than in association with the original construction or subsequent repair of the development hereby approved, no construction, fabrication, repair, servicing or maintenance activity shall take place other than within the buildings hereby permitted on the site.

Reason: To safeguard nearby occupiers from noise and/or lighting disturbance associated with unregulated external activity in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

22 **Regulatory Condition:** Notwithstanding the submitted Noise Impact Assessment (TRC Companies Ltd, ref: 554969.0000.0000 V1.0, received 03.10.2023) and Delivery, Collection and Service Management Plan (Mode Transport Planning, ref: J327526 V1.4, received 18.01.2024) no deliveries shall be despatched from and/or received within the site except between the hours of 07:00hrs-22.00hrs of the same day Monday - Friday, 07:00hrs - 18:00hrs on Saturdays, and at no time on Sundays, Bank Holidays or Public Holidays.

Reason: To safeguard occupiers close to the Business Park access from significant acoustic disturbance during night-time hours in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

23 **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 re-enacting these Orders), the premises hereby permitted shall only be used for uses falling within Classes E(g)(iii), B2 or B8 use only and for no other purposes whatsoever, without express planning consent from the Local Planning Authority first being obtained.

Reason: The site 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 and due to unknown and potentially harmful impacts on local amenity under Policies SNP1 and SNP21 of the Southwater Neighbourhood Plan (2021) and Policies 7, 9 and 33 of the Horsham District Planning Framework (2015) 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

24 **Regulatory Condition:** If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy has been submitted to and approved by the Local Planning Authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: To ensure that any unsuspected contamination is appropriately remediated and that the proposed development does not result in the release or transmission of contaminants of risk to human health, controlled waters or the wider environment in accordance with Policy 24 of the Horsham District Planning Framework (2015).

25 **Regulatory Condition:** The materials and colours to be used in the external construction of the buildings hereby permitted shall accord with those indicated on the approved Schedule of External Materials document (RHA on behalf of Chancerygate, submitted 03.10.2024) and approved elevation plans (refs: 4690-PL-120 Rev A, 4690-PL-420 Rev A and 4690-PL-720 Rev A), unless the Local Planning Authority consents to any variation in writing in advance of the commencement of relevant works.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

26 **Regulatory Condition:** The approved private rainwater harvesting and treatment system shall be operated and maintained at all times strictly in accordance with the approved Private Water Supply Management Plan (Cudd Bentley Consulting, ref: 6515-CBC-GC-RP-S-002 Rev 002, submitted 03.10.2024), unless the Local Planning Authority consents to any variation in writing.

Reason: To ensure that collected rainwater is appropriately treated, managed and available for use and that the approved development achieves 'water neutrality', therefore, avoiding contribution to the adverse effect upon the integrity of the Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites associated with increased demand for mains-water resources, in accordance with the requirements of the Conservation of Habitats and Species Regulations (2017) (as amended) at Regulation 63 and Policy 31 of the Horsham District Planning Framework (2015).

27 **Regulatory Condition:** The development hereby permitted shall be implemented in accordance with the approved planting layouts (refs: 896.29.03 Rev A and 896.19.03 Rev A). Approved planting shall be implemented within the first planting season following the first occupation of any part of the development. Any existing trees or hedges shown for retention shall not be felled, removed, topped or lopped without the express written consent of the Local Planning Authority until a period of 5-years following the completion of the approved development. Any approved or retained planting, which within a period of 5-years following the completion of approved development, dies, is removed or becomes seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority consents to any variation in writing. Soft landscaping and approved ecological enhancement measures shall, thereafter, be maintained in accordance with the approved Landscape and Ecological Management Plan (Ecology Solutions, ref: 11685.LEMP.vf, submitted: 03.10.2023).

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).

28 **Regulatory Condition:** All hard surfacing and fencing to be laid in conjunction with the approved development shall accord with the materials specified on the approved external finishes and slab joints plan (ref: 23-017-I&L) and Schedule of External Materials document (RHA Architects, submitted: 03.10.2023).

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).

29 **Regulatory Condition:** The development hereby approved shall be implemented in accordance with the approved External Lighting Impact Assessment (Cudd Bentley Consulting, ref: 6515-CBC-HF-RP-E-001 Rev P04, submitted 18.01.2024) inclusive of the ecological mitigation measures outlined at section 7, the detailed lighting design plan incorporated at Appendix 10.1 and luminaire specifications at Appendix 10.2. Installed lighting shall, thereafter, be maintained as approved, unless the Local Planning Authority consents to any variation in writing. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Act or Order amending, re-enacting or replacing that Order, no additional external lighting shall be installed other than that approved within the detailed lighting design plan.

Reason: To ensure the approved development maintains the suitability of the site, and its respective surroundings, for bat foraging and commuting in accordance with Policies 25 and 31 of the Horsham District Planning Framework (2015).

30 **Regulatory Condition:** The development hereby approved shall be implemented in strict accordance with the approved Construction Management Plan (Chancerygate, Rev V3, submitted: 03.10.2023), inclusive of the Construction Environment Management Plan incorporated as Appendix 2.

Reason: To lessen disturbance to occupiers of nearby land and property during construction and demolition operations and to ensure that construction/demolition operations are undertaken in a manner which respects the ecological interests of the site and its surroundings in accordance with Policies 24, 25, 31 and 33 of the Horsham District Planning Framework (2015).

31 **Regulatory Condition:** No part of the buildings hereby approved or wider 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 SAC/SPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2023), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

32 **Regulatory Condition:** Following the first occupation of each building within the development hereby approved, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Act or Order amending, re-enacting or replacing that Order, no mezzanine or additional floor levels other than those hereby

approved shall be constructed within any building 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 185 and 186 of the National Planning Policy Framework (2023), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

33 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or replacing 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 SNP21 AND SNP1 of the Southwater Neighbourhood Plan (2021).

34 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or replacing and/or re-enacting that Order), including the provisions of the Order at Class H, Part 7 of Schedule 2, no buildings, additions, and/or extensions shall be erected or placed within the site without express planning permission 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 185 and 186 of the National Planning Policy Framework (2023), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

35 **Regulatory Condition:** The development hereby approved shall be implemented in accordance measures specified within the approved Energy and Sustainability Statement (Cudd Bentley Consulting, ref: 6515-CBC-HR-RP-S-005-PO3 Rev 003, submitted 03.10.2023 and BREEAM Pre-Assessment Report (Cudd Bentley Consulting, ref: 6515-CBC-MN-RP-S-005 rev 005, submitted 25.04.2024).

Reason: To ensure that the proposed development lessens any contribution to climate change by way of resource use and incorporates sustainable design principles in accordance with Policy 35 of the Horsham District Planning Framework (2015).

36 **Regulatory Condition:** No external storage of waste or materials shall take place within the site, except as agreed pursuant to Condition 8, unless first agreed by the Local Planning Authority in writing.

Reason: In the interests of visual amenity and to preserve the character and appearance of the site in accordance with Policies 32 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.

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.