PLANNING COMMITTEE REPORT

TO:	Planning Committee
BY:	Head of Development and Building Control
DATE:	28th April 2026
DEVELOPMENT:	Outline planning permission for up to 125no. homes and associated infrastructure/green space with all matters reserved apart from access.
SITE:	Land East of Billinghurst Business Park (Phase 2), Stane Street, Billingshurst, West Sussex, RH14 9HN
WARD:	Billingshurst
APPLICATION:	DC/25/1910
APPLICANT:	**Name:** Dunmoore, West London Ltd **Address:** C/O Agent

REASON FOR INCLUSION ON THE AGENDA: By request of Councillor Trollope.

RECOMMENDATION: To approve outline planning permission subject to appropriate conditions and the completion of a Section 106 Legal Agreement within 4 months of the decision of this committee, or such longer period as is required by the Director of Place acting reasonably and properly.

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 Outline planning permission is sought for the erection of up to 125 dwellings with all matters reserved except for access. Vehicular access to the residential parcel would be secured off the existing estate road set along the northern side of the Lidl supermarket which lies within the centre of the Billingshurst Trade and Business Park (BTBP). The existing estate road network within the estate comes off the A29 by way of a 4-arm roundabout at the junction of Stane Street and New Road. Pedestrian access is also shown through a new greenspace linking from the footpath to the south of Phase 1. Links are also shown through to PRoW_1942 in the north-east and south-east corners of the site.

1.3 A new greenspace link would extend the pedestrian / cycle path at the southern side of Phase 1 which would provide cycle access to the commercial unit approved in the adjacent south-eastern parcel under DC/25/0458. Onward pedestrian access only would be provided along the southern edge of the site and up to the PRoW_1942.

1.4 The indicative site plan shows a linear pattern of development within the site supported by frontage parking, parking courts, a green space alongside the PRoW_1942, a LEAP (Locally

Equipped Area of Play) to the north-eastern corner of the site, and other greenspaces within the site. The final layout would be fixed at a later reserved matters stage.

1.5 Although the precise housing mix is still currently reserved, the indicative mix within the Planning Statement sets out a split of 81 x open market homes and 44 x affordable homes (35%), the latter of which would include a 70:30 split between affordable rented and intermediate housing. The submitted Design and Access Statement provides the following overall split in dwelling sizes

- 14 x 1-bed flats
- 12 x 2-bed flats
- 53 x 2-bed house
- 43 x 3-bed house
- 3 x 4-bed house

1.6 The applicants have subsequently advised that they wish for the application to be considered as 100% affordable housing.

1.7 The parameter plan indicates three zones:

- Orange / Zone 1 (north) – up to 10m ridge height / 8m max eaves height
- Blue / Zone 2 (central and west) – up to 12m ridge height / 10m max eaves height
- Purple / Zone 3 (along the eastern side up to north boundary with New Road) – up to 9.2m ridge height / 7.6m eaves height

1.8 The Design and Access Statement sets out that this strategy would align with the consented heights of the original outline development for the commercial development of this site (under DC/18/2122), and allow for predominantly 2-storey development across the site, but with some 2.5 and 3 storey development to *'terminate views at the ends of vistas, footpaths and roads, and to create a varied roof-line and provide visual interest'.*

1.9 The submitted sections show an existing east – west drop of around 10m, and a lesser drop along the north-south axis of around 3m. The proposal seeks to work broadly with the existing site levels, creating a series of stepped plateaus for the residential properties which respond to the current ground levels.

Amendments:

1.10 No amendments to the plans have been requested, but supporting documents have been amended and updated in response to officer / consultee comments.

1.11 In is noted that concurrent applications are pending consideration for the following alternative works on and adjacent to the application site (DC/25/1697 and DC/26/0033), with a third application seeking drainage infrastructure on the southern part of the site as part of the drainage strategy for the adjacent consented development DC/25/0458 referred to above

DC/25/1697	Hybrid consent comprising Detailed consent for 1,388sq.m of business floorspace, and Outline consent with all matters reserved except for access for up to 102 dwellings, and up to 5,605sq.m of business floorspace (Classes Eg(iii)/B2/B8 use), and
DC/26/0033	Outline application permission for erection of buildings for Eg(iii)/B2/B8 use with associated yard areas, vehicle parking and access. All matters except access.
DC/26/0454	Engineering operation to create attenuation basins and swale.

DESCRIPTION OF THE SITE

1.12 The application site comprises the residual Phase 2 site within the Hilland Farm site, now known as the Billingshurst Trade and Business Park, an area of around 3.91ha.

1.13 The development of the Billingshurst Trade and Business Park (BTBP) was originally permitted under a hybrid permission DC/18/2122 (June 2019), with Phase 1 permitted in full to delivery up to 5,000sq.m of employment floorspace, to assist with an immediate delivery of identified needed commercial floorspace. Phase 2 was permitted in outline to deliver larger units totalling up to 14,075sq.m of employment floorspace, along with a drive-through coffee shop and a petrol filling station with forecourt shop. The permitted uses across this site included:

- B1(c) (Light Industrial Processes, that can be carried out in a residential area without harming amenity – *As from September 2020, the use class order was amended, with B1(c) use becoming Class E(g)*
- B2 use (General Industrial)
- B8 use (Storage and Distribution)

1.14 At the current time, Phase 1 has been delivered with the exception of some 1,160sq.m (GEA) of floorspace on an empty parcel fronting the main site entrance, and Phase 2 has been implemented by way of the build out of the petrol filling station and drive-through coffee unit, and the delivery of some 944sq.m of employment floorspace currently occupied by DW Nye. A 'drop-in' planning permission for a discount food store (occupied by Lidl) was consented under DC/21/0321, and subsequently built out.

1.15 Both phases of the BTBP have been subject to various amendments and approvals of reserved matters and conditions, with a number of landscape details to be implemented at the site.

1.16 Phase 2 land is constrained along all four boundaries:

- To the north is a hedgerow and New Road. A new 1.5m wide footpath has been permitted along the southern side of New Road to serve a recently permitted residential development to the east of the site at Hilland House (for up to 117 dwellings) – retaining the intervening hedgerow.
- To the east is an existing 2m close-boarded fence which has been erected to contain the operational development of the site therein, and the PRoW corridor of the footpath_1942. This fence is not subject to planning consent and was to be replaced as part of the approved landscape works associated with the permitted employment units in Phase 2. Beyond the footpath corridor lies an existing residential property Hilland House, its vehicular access off New Road and retained gardens, and a well vegetated boundary.
- To the south is the existing field boundary (to Phase 3 land) and a row of mature field Oaks. Beyond the southern boundary lies the development site for a new custom coachworks company (permitted under DC/25/0458).
- To the west is the developed part of Phase 2 comprising the petrol filling station and its jet wash facilities and HGV pumps, as well as the Lidl supermarket, its car park and delivery bay, and a warehouse unit currently occupied by builders merchants DW Nye. The vehicular access to serve the permitted development to the southern side (under DC/25/0458) runs from the northern side of the DW Nye unit
- Phase 2 lies within the extended BUAB of Billingshurst and is defined as an existing employment site by virtue of its extant planning consents.

2. INTRODUCTION

STATUTORY BACKGROUND

2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES
The following Policies are considered to be relevant to the assessment of this application:

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 17 - Exceptions Housing Schemes
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities
Policy 43 - Community Facilities, Leisure and Recreation

Billingshurst Neighbourhood Plan (2021):
Policy BILL 1 – Billingshurst Built Up Area Boundary
Policy BILL 2 – Housing Design and Character
Policy BILL 3 - Energy efficiency and design
Policy BILL 14 - Residential parking provision
Policy BILL 15 - Multi-value sustainable drainage systems
Policy BILL 17 – Views to St Mary's Church

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 3: Settlement Expansion
Strategic Policy 6: Climate Change
Strategic Policy 7: Appropriate Energy Use
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 10: Flooding
Strategic Policy 11: Environmental Protection
Strategic Policy 12: Air Quality
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 17: Green Infrastructure and Biodiversity
Policy 18: Local Green Space

Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 23: Infrastructure Provision
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Strategic Policy 27: Inclusive Communities, Health and Wellbeing
Policy 28: Community Facilities, Leisure and Recreation
Strategic Policy 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs
Policy 39: Affordable Housing
Policy 40: Improving Housing Standards in the District

Supplementary Planning Guidance:
Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Parish Design Statement:
Design Statement for the Parish of Billingshurst

Planning Advice Notes:
Shaping Development in Horsham District (Sept 2025)
Biodiversity and Green Infrastructure (Oct 2022)

PLANNING HISTORY AND RELEVANT APPLICATIONS

The site is subject to an extensive planning history. The following represents the most relevant to the site's development.

<u>Application site and adjoining 'Phase 3' land</u>

DC/25/1697	*Hybrid application comprising: Mixed use development, including detailed permission for means of access and 1,338 sqm business floorspace with the remainder of the development in outline, comprising up to 102no. homes and up to 5,605 sqm of business floorspace (Classes E g (iii)/B2/B8).*	*Pending consideration*

<u>Adjoining 'Phase 3' land only</u>

DC/26/0033	*Outline permission for erection of buildings for Eg(iii)/B2/B8 use with associated yard areas, vehicle parking and access. All matters except access.*	*Pending consideration*
DC/26/0454	*Engineering operation to create attenuation basins and swale.*	*Pending consideration*
DC/25/0458	Workshop, storage building with associated vehicular parking, yard area and access.	Application Permitted on 24.04.2025
DC/24/1452	Erection of a single storey building (3,110 sq.m gross floorspace) with ancillary external storage/sales area to accommodate either: 1. employment (E(g(iii)/B2/B8); or 2. retail warehouse use E(a); with associated customer/staff car park, landscaping and two adjoining access roads.	Application Refused on 19.02.2025

DC/21/0748	Outline Application for up to 9,825m2 of Class E (Industrial Processes), B2, and B8 use floorspace with all matters reserved except for access.	Application Refused on 24.09.2021 – *Appeal Dismissed 14.02.2023*
<u>Application site 'Phase 2' only</u>		
DC/24/1452	Erection of a single storey building (3,110 sq.m gross floorspace) with ancillary external storage/sales area to accommodate either: 1. employment (E(g(iii)/B2/B8); or 2. retail warehouse use E(a); with associated customer/staff car park, landscaping and two adjoining access roads.	Application Refused on 19.02.2024
DC/24/0726	Variation of Condition 1 and Condition 65 of previously approved application DC/21/1107 (itself a variation of DC/21/1209, DC/20/0171, and DC/19/1365 of the originally approved Hybrid planning application DC/18/2122 for Detailed planning permission for up to 4,998sqm of B1c,B2 and B8 use floorspace, roundabout access junction from the A29, access, parking, servicing areas and associated landscaping [phase 1]. Outline planning permission for up to 14,075sqm of B1c, B2 B8 use floorspace, petrol filling station with ancillary retail offer and drive through coffee unit, with all matters reserved except for access (phase 2]). Relating to approved plans and planning uses.	Application Refused on 07.08.2024
DC/21/1107	Variation of Conditions 1, 56, 57 and 60 of previously approved application DC/21/1209 which varied applications DC/20/0171 and DC/19/1365 which were themselves variations of the originally approved Hybrid planning application DC/18/2122 (Detailed planning permission for up to 4,998sqm of B1c,B2 and B8 use floorspace, roundabout access junction from the A29, access, parking, servicing areas and associated landscaping [phase 1]. Outline planning permission for up to 14,075sqm of B1c, B2 B8 use floorspace, petrol filling station with ancillary retail offer and drive through coffee unit, with all matters reserved except for access [phase 2]). Amendments to the approved parameter plans, building zones and restriction on mezzanine floors.	Application Permitted on 11.03.2022
DC/21/0321	Erection of a foodstore (Use Class E) with customer car park, servicing area and associated landscaping	Application Permitted on 08.07.2021
<u>Whole site 'Phase 1 and Phase 2'</u>		
DC/19/1365	Variation of Condition 1 and 36 to previously approved application DC/18/2122 (A Hybrid Planning application comprising: Detailed planning permission for up to 4,998sqm of B1c,B2 and B8 use floorspace, roundabout access junction from the A29, access, parking, servicing areas and associated landscaping (phase 1). Outline planning permission for up to 14,075sqm of B1c, B2 B8 use floorspace, petrol filling station with ancillary retail offer and drive through coffee unit, with all matters	Application Permitted on 03.10.2019

	reserved except for access (phase 2)) Amendments to Phase 1 units 6-9 to combine units 6 & 7, add a mezzanine level to new unit 6, and alterations to elevations.	
DC/18/2122	A Hybrid Planning application comprising: Detailed planning permission for up to 4,998sqm of B1c,B2 and B8 use floorspace, roundabout access junction from the A29, access, parking, servicing areas and associated landscaping (phase 1). Outline planning permission for up to 14,075sqm of B1c, B2 B8 use floorspace, petrol filling station with ancillary retail offer and drive through coffee unit, with all matters reserved except for access (phase 2)	Application Permitted on 10.06.2019

3. OUTCOME OF CONSULTATIONS

3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk.

INTERNAL CONSULTATIONS

3.2 **HDC Arboricultural Officer:** Comments
[Summary – 09.12.2025] Principal arboricultural features at the site are the mature belts of trees in tree groups G1 and G2 which are the only mature trees at the site and for this reason a significant feature in the local landscape. Given the green field nature of the site coupled with existing development pressure from the site to the south, to ensure the satisfactory and successful retention of these trees it would be beneficial to safeguard the northern sections of their RPAs from any development activity at the site.

The constraints posed by the trees of merit should be fully recognised as design stage and no infringement of the minimum recommendations should occur to any final design proposals.

3.3 **HDC BNG:** Objection
[Summary – 18.12.2025] BNG required. Baseline assessment of the site is considered to be incorrect. Comments provided in relation to further information and clarification of the submitted documents

3.4 **HDC Economic Development:** Objection
[Summary – 19.02.25] Loss of employment floorspace that would otherwise support the growth of local enterprises, attract inward investment and provide high-quality employment opportunities for local residents.
Employment generated by housing development would be temporary in nature, with limited employment benefits not outweighing the long-term economic harm arising from the loss of permanent employment-generating floorspace

3.5 **HDC Environmental Health (Air Quality):** No Objection
[Summary – 01.04.2026] Amendments are noted to the Air Quality Assessment, but Damage cost remains inaccurate and report does not include emissions mitigations or address emissions exposure ($PM_{2.5}$). Conditions advised

3.6 **HDC Environmental Health (Noise):** No Objection
[Summary – 19.02.2026] Concern over the introduction of sensitive receptors (residential) on land adjoining the Billingshurst Business Park, with permitted use for light industrial and commercial, including 24-hour operations of the petrol filling station, where levels of use and

intensification could occur, leading to increased levels of night-time noise . The Environmental Noise Assessment submitted with the application has not identified significant adverse night-time noise impacts arising from the current operations of the Lidl store and the Morrisons convenience store. Where statutory nuisance arises from commercial or industrial uses, the defence of best practicable means is available together with reasonable excuse. A Local Authority may not be able to require the complete abatement of a statutory nuisance. Broader amenity issues therefore need to be considered under the planning regime when drawing up development plans and considering individual applications. There is also the need to consider the principle of agent of change. Paragraph 200 of the NPPF.
However, as this application is in outline, presenting only an illustrative layout, conditions are advised. The applicant is advised to consider a layout which does not place bedrooms on any facades overlooking the business park, as a minimum. Regard should also be had to ensure any habitable rooms where residents may want to keep windows closed due to external noise are protected from overheating risk and provided with attenuated ventilation.

3.7 **HDC Housing**: Support
[Summary – 09.02.2026] The proposed housing mix has accounted for the SHMA (Nov 2019) and represents the most up-to-date available to the district, reflecting local demand and affordable housing mix and provision:

- 10 x 1-bed AH
- 15 x 2-bed AH
- 6 x 3-bed AH
- 4 x 1-be SO
- 7 x 2-bed SO
- x 3-bed SO

[Summary – 11.12.2025] Local Housing need data identifies 250 households in need of accommodation, broken down as follows:

- 85 households (34%) require a 1-bedroom property
- 40 households (16%) require a 2-bedroom property
- 101 households (40%) require a 3-bedroom property
- 24 households (10%) require a 4-bedroom property

Housing Officers note that although the number of households requiring 4-bedroom accommodation is comparatively low, these applicants typically experience the longest waiting times. Officers therefore strongly encourage the delivery of 3- and 4-bedroom units as Affordable Rent to reflect current local need.

The applicant has agreed to provide the required 44 affordable units, with a tenure split of 70% Affordable Rent (31 units) and 30% Shared Ownership (13 units). However, no indicative affordable housing mix has been submitted. Housing Officers require reassurance that the affordable housing offer will align with identified local demand. It is recommended that the developer uses the above need percentages to inform the mix of units to be delivered.

Officers emphasise that they will not support an Affordable Rent offer that does not reflect current local need. For example, a proposal that concentrates all Affordable Rent provision into 1- and 2-bed units, while failing to deliver the much-needed larger family homes, would not be supported given the clearly evidenced demand for 3- and 4-bed properties.

OUTSIDE AGENCIES

3.8 **Landscape Consultant:** No Objection
[Summary – 18.12.2025] The character of New Road is rural and narrow with hedgerows and trees on the northern side, and a long uninterrupted line of well-maintained hedgerow on the southern edge. The rurality of the site has been compromised by the presence of commercial development to the west. The approved extension to Billingshurst and commercial site area have changed the context and the setting of the site. There is also a

pylon route which detracts from the site's landscape value running across the land in a broad swathe from northwest to southeast.
There are attractive views of the church spire, framed by pylons and overhead cables and recent residential development, from the public footpath running along the eastern boundary.

3.9 **Archaeology Consultant:** No Objection
[Summary – 03.12.2025] Site has been previously subject to geophysical survey and subsequent archaeological field evaluation in 2019. No significant archaeological remains present on site.

3.10 **Ecology Consultant:** No Objection
[Summary 14.04.2026] – Now satisfied that sufficient ecological information is available for determination, with the lack of correlation (previously identified) having now been discussed, and the boundary hedgerow retention and compensatory planting is now being secured as part of the proposals. This addresses our previous concerns. These measures should be secured with a Landscape Management and Maintenance Plan. We understand from the Preliminary Ecological Appraisal (All Ecology, September 2025) that the site comprises two fields of grassland, scrub, ruderal, species rich native hedgerow on the north boundary, native hedgerow on the eastern boundary of the north field, scattered trees and a boundary fence. We also understand from the Arboricultural Assessment (Tim Pursey, July 2025) that no trees will be removed to facilitate the development.
Therefore, as indicated above, there will be no severance to the flight lines of foraging or commuting bats from the SAC and habitat connectivity within the site will be maintained Conditions advised

[Summary – 08.01.2026] – Further information required in relation to bats and clarification over the removal / retention of hedgerows, with the northern hedgerow noted to be species-rich and native. This is required for certainty of likely impacts on legally protected species and to be able to secure appropriate mitigation (or a mitigation licence). As there is a potential for habitat fragmentation from light spill of potentially functionally linked land for Barbastelle bats, this has been screened in and will need to be considered at Stage 2 Appropriate Assessment of the LPA's project level Habitats Regulations Assessment (HRA).

3.11 **Southern Water:** Comment
[Summary – 31.12.2025] There is currently adequate capacity in the local sewerage network to accommodate a foul flow of 1.72 l/s for the above development at manhole reference TQ09260802. Please note that no surface water flows (existing or proposed) can be accommodated within the existing foul sewerage system unless agreed by the Lead Local Flood Authority in consultation with Southern Water, after the hierarchy Part H3 of Building Regulations has been complied with.
Location of water main along New Road – requiring a 6m clearance zone either side, impacting on new tree planting. Conditions advised

3.12 **WSCC Highways:** No Objections
[Summary – 25.03.2026] **Pedestrian Accessibility-**The applicant has provided a plan titled "PROPOSED UNCONTROLLED PEDESTRIAN CROSSINGS PD02 REV A" demonstrating improvements to local infrastructure. Tactile paving has been provided to allow a more direct level of connectivity out of the site into the trade park. This element is considered addressed now from the LHA's previous comments and recommendations.
Bus Stops- Drawing PD02.1 demonstrates bus stop improvements in the form of shelters on either side of the A29. These improvements are accepted as with the accessibility improvements detailed above can be delivered via the Section 106 Agreement.
PROW Link- the Design Team have acknowledged this request, and it is being considered. It is understood that this element of the proposals will be further developed at the Detailed Design stage of a later application. The LHA would be satisfied with this approach and it does not present a highway reason of additional clarity at this stage of the application.
Conclusion

The comments relating to capacity, accessibility and access into the site would still stand from the LHA's previous comments from December 2025. Conditions advised

[Summary – 17.02.2026] The comments follow the submission of a plan entitled 'Pedestrian Accessibility', but what was sought was more detail on pavements and tactile / dropped kerbs, sustainable access considerations (given proposed residential development), and clarity on the bus stop improvements.

Pedestrian access from the PRoW into the site is noted, but it is not intended to be for the benefit of all – this is not considered to be in line with para 117 of the NPPF to '*give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use'.*

Further clarification on this point is requested.

[Summary – 18.12.2025] The site will result in an extension to the wider Hilland Farm development. Therefore, access for vehicles, cycles and pedestrians is proposed via the approved four arm roundabout junction with A29 (Stane Street). There is already an existing footway network with tactile paving and direct connections to nearby bus stops from outside of the application site, the area is also street lit which assists in pedestrian and cycle movements in all weather conditions.

The internal spine road, also serving Phases 1 and 2, will connect the site to the roundabout junction. This arrangement has been accepted by the LHA previously and no concerns would be raised with this arrangement serving this development, the road is sufficient width and geometry to allow all anticipated vehicle movements with this development.

A review of the existing junction onto the A29 indicates that, there have been no recorded road traffic collisions within the last 3 years that have been as a result of the design or operation of the existing roundabout.

Upon inspection of the drawings submitted with the proposals we would request some further clarity and demonstration of how pedestrians enter the site safely. At present the submitted drawing "16 S08 Illustrative Masterplan" shows no pedestrian connections into the site from the existing network. Ideally this needs to be better demonstrated via additional footways within the site connecting to the existing network to ensure pedestrians have continuous link into the site and can access facilities via the existing footway network.

As with the tandem application DC/25/1697 in principle the LHA would be satisfied that the proposals from a capacity perspective, however we would require some further clarification on the connections with the access and whether improvements could be secured on the A29 bus stops as outlined above.

3.13 **WSCC Lead Local Flood Authority:** Comment

[Summary - 08.04.2026] The Applicant has requested alterations to the calculations are dealt with by way of condition, however the LLFA must be sure at outline stage that there is a suitable method of draining the site without increasing flood risk elsewhere. Therefore, the LLFA need to see updated calculations to ensure the two connected sites together will be able to adequately manage flood events both on each site and not increasing flood risk elsewhere. The LLFA understand this application is a new outline application and not a phased part of a previously consented wider hybrid application/scheme. If it is proposed to drain the site into the pre-existing system on the built development, it must be demonstrated that this system has sufficient capacity for the discharge rate from this site. At outline stage the calculations should follow current industry standards to ensure there is sufficient attenuation within the parameter plan.

This matter can be dealt with at reserved matters planning stage however may result in layout amendments to incorporate sufficient source control/SuDS features.

[Summary – 17.02.2026] Further information required to demonstrate that drainage already constructed in Phase 1 can adequately account for the proposal under current standards, and to meet the latest SuDS hierarchy. Further information is also required to clarify if the existing flow paths have already been diverted or otherwise accounted for in earlier applications.

3.14 **WSCC Rights of Way:** No Objection
[Summary – 29.01.2026] Welcomed that Footpath 1942 is to be incorporated into the natural / semi-natural open space along the site's eastern boundary, but the CB fence must be removed. WSCC Rural Footpath specification within a No-dig zone is recommended and connection with the Hilland House site to the east is important. Pleasing to see onward connectivity for cyclists at the site's SE corner. Conditions advised

3.15 **WSCC Minerals and Waste:** No Objection
[Summary – 16.02.2026] A proportionate MRA has been provided, concluding that the prior extraction of the mineral resource at the site would not be economically practicable or environmentally feasible, owing to the nearby environmental constraints to mineral extraction and abundance of the safeguarded mineral resources across the county.

[Summary – 19.12.2025] Entirety of 3.9ha site located in the Brick Clay (Weald Clay) Mineral safeguarding Area. No proportionate Mineral Resource Assessment (MRA) provided or any commentary in relation to Policy M9 to demonstrate whether the extraction of the mineral resource prior to the commencement of the non-mineral development would be economically practicable or environmentally feasible.

3.16 **WSCC Fire and Rescue Service:** Comment
[Summary – 03.12.2025] Fire Hydrant condition needed

PUBLIC CONSULTATIONS

3.17 Representations:
1 letter of Objection have been received from 1 address, objecting to the application on the following grounds:

- Shame not to deliver the promised high quality employment space
- Existing access into proposed housing estate is very busy at all hours of the day
- More effort needed to upgrade the estate road / access
- The roundabout is extremely busy at peak hours with continuous flow of traffic using the A29, difficult to find a gap to enter the roundabout, leading to tailbacks along the estate roads – roundabout no longer fit for purpose

3.18 Parish Comments:
Billingshurst Parish Council: Objection

- The change of use of this part of the site, from workshops and trade units - intended for local businesses - to housing, is a clear divergence away from the reasons for which previous applications have been supported by the Parish Council.
- Contrary to policy as development for housing is outside the existing built-up area boundary –not essential to countryside location
- Conflict with original reason for consenting to development for new employment sites in the village
- Proposed density at 30.45 is not in keeping with the rural design of Billingshurst
- Proposed expansion would turn Billingshurst into a 'dormitory town' and decrease the trade park and provide fewer job opportunities and increasing the housing numbers

- Loss of smaller business units goes against strategic policy for economic growth with current stock in need of updating. Commercial developments critical for achieving inward investment. Lack of opportunities for existing companies to expand into
- Increased levels of traffic – concerns over traffic on A29 and queues building up at roundabout each morning, traffic data showing accidents along A29
- Noise levels for new residents from petrol filling station, HGV movements, noise from commercial units and petrol fumes
- Increased light, noise and general disturbance from proposed residential development across 24hours on rural environment

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

4.1 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

4.2 The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

6.1. Outline planning permission is sought for the development of the site for up to 125 dwellings. The proposal includes the detailed access to the site for vehicles would be derived off the existing internal estate roads within the Billingshurst Trade and Business Park (BTBP). New access for cycles and pedestrians would be provided. Matters relating to scale, appearance, layout and landscaping are reserved for subsequent reserved matters applications. Therefore, all details in relation to the site's layout, open spaces, dwelling types and sizes, are shown for indicative purposes only to establish the ability of the site to accommodate the proposed development.

Background:

6.2. Key to the original hybrid application for the Billingshurst Trade and Business Park (BTBP) (under DC/18/2122, April 2019), was the planning balance which acknowledged the rural (unallocated) location of the site, and the ensuing landscape harm to the rural village edge, thereby creating an identified policy conflict, balanced against the swift delivery of some 5,000sq.m of employment floorspace (Phase 1), followed by up to 14,075sqm of additional employment floorspace in Phase 2, to be delivered across a longer envisioned time-frame, thus contributing to the district's employment needs and identified employment floorspace shortfall. As Phase 2, was only submitted in outline, it would allow some flexibility in delivering the larger warehouse-style units, alongside a petrol filling station and coffee drive-through unit.

6.3. In the intervening period since the hybrid consent was granted, Phase 1 has been delivered with the exception of some 1,160sq.m (GEA) of floorspace within units 1, 2a and 2b. A number of amendments and revisions to the layout of the site and building configurations within Phase 1 have been permitted, but overall, the development as implemented and remains true to the intentions of the original 'full' element of the consent (under DC/18/2122).

6.4. Within Phase 2 itself, officers note that employment floorspace has been slower to come forward, comprising currently only of some 994sq.m (currently occupied by DW Nye / local builders' merchant)) along with the coffee drive-through unit and the petrol filling station.

6.5. The Lidl supermarket permitted under DC/21/0321 (in July 2021) was approved on the understanding that the consented employment floorspace could still be delivered within the remaining Phase 2 land.

6.6. Reserved matters were approved for all units within the remaining Phase 2 area in 2022 and 2023 followed by the discharge of pre-commencement conditions relating to landscape, levels and external materials, amongst others. However, none of these remaining units within Phase 2 have been implemented, with the internal estate roads stopping at the developed part of the site's eastern edge (north of Lidl and north of DW Nye).

6.7. Following the formal adoption of the Billingshurst Neighbourhood Plan, the wider site comprising both Phase 1 and Phase 2 of the BTBP now falls within the extended built-up area boundary of Billingshurst, bringing the policies of the Billingshurst Neighbourhood Plan to bear on the proposal.

Principle of Development:

Current Development Plan Policy and 5 year housing supply position

6.8. The development plan relevant to the proposed application comprises the Horsham District Planning Framework (HDPF, 2015) and the Billingshurst Neighbourhood Plan (BNP, 2021). The West Sussex Joint Minerals Local Plan (2018) is also relevant to this proposal, on account of the underlying Brick Clay strata (entire site area). In accordance with planning law, these documents are the starting point for the assessment of the development proposals.

6.9. The site is within the extended built-up area boundary (BUAB) of Billingshurst, and therefore within a location where planning policies look favourably on proposed development, noting that Billingshurst is considered a second-tier settlement where a good range of services and facilities are available and which are linked by reasonable bus / train networks. As a result, residential development on this site within the defined BUAB would accord with the requirements of Policies 2 and 3 the HDPF. In addition, the development would accord with the general provisions of policy BILL1 of the BNP, which supports development within the defined BUAB of Billingshurst.

6.10. Furthermore, it is acknowledged that the HDPF is now over 5 years old, and the Council is unable to demonstrate a five year housing land supply, with the calculated housing land supply currently at 1.7 years according to the latest AMR (published Dec 2025). Officers therefore recognise that in the context of the Council's 5-year housing supply position, the benefits that would arise from the delivery of extra housing carries very significant weight in the determination of the proposal. The consequence of this for the consideration of this application is addressed in the Planning Balance section below

6.11. Insofar as employment land is concerned, the Phase 2 site has not been identified as a 'Key Employment Area', which are given the highest level of protection under HPDF policies 7 and 9. Rather, it falls under 'Existing Employment Land' on account of the benefit of its extant planning consent.

6.12. Policy 9(2) of the HDPF states that the redevelopment of employment sites outside of 'Key Employment Areas' must demonstrate that the site / premises is no longer needed and / or viable for employment use. Furthermore, relocations of employment provision, whether forming a 'Key Employment Area' or other employment areas within the BUAB, are potentially acceptable under HDPF policy 9(3) if the proposal can demonstrate that a sequential approach has been applied and that the development will be in a suitable new location, resolving any existing issues from badly sited uses. The policy also requires that acceptable future uses of the vacated site must be secured.

Horsham District Local Plan

6.13. The Regulation 19 Horsham District Local Plan 2023-2040 (eLP) is currently at examination with hearings relating to housing need scheduled to take place on 21-23 April 2026. Following the resolution of water neutrality constraint it is anticipated that further sites to meet the housing needs for the district will need to be found. Indeed the Housing Topic Paper submitted to the examining inspector in March 2026 recommends an uplift in the annualised housing requirement from 777 dwellings within the submitted eLP to 1,049 dwellings.

6.14. In respect of employment needs, the eLP identifies the site as an 'Existing Commitment', seeking to safeguard such 'existing employment sites' under emerging policy 30. The Employment Topic Paper submitted to the examining inspector in March 2026 re-affirms the need to safeguard employment land, support industrial growth and find additional industrial development opportunities, demonstrating a *'strong enterprise performance, rising productivity, a high-skilled workforce, and a relatively strong base of knowledge-intensive employment'.* Key Employment Areas are found to perform well and remain central to meeting business needs within the district. The Topic Paper recognises the importance for safeguarding employment land, but that any potential future shortfall could be addressed through intensification of existing sites or new site allocations. It also sets out that the employment land allocations and strategy set out in the eLP '*demonstrates sufficient employment supply is available over the plan period, accepting some flexibility, and that even taking account of the requirement for additional housing needs, the employment requirement is likely to be more than met*.' (para 34).

6.15. It is noted that the Phase 2 land is included in a table of sites deliverable for some 6,698sqm of employment floorspace for the period 2032-2036 within Appendix 1 of the Topic Paper.

6.16. Whilst at this stage only limited weight can be applied to the eLP and its emerging policies, the above Topic Papers are nevertheless relevant in identifying both that housing delivery will need to increase, and that the employment strategy set out in the eLP is sufficient to meet and exceed the associated uplift in employment demand.

Shaping Development in Horsham Planning Advice Note (Sept 2025)

6.17. In addressing the delays to the Local Plan, the Council adopted a Planning Advice Note 'Shaping Development in Horsham' (SDPAN - Sept 2025). This document does not focus solely on housing deliveries, but also considers the impact on employment development, considering that the employment policies in the HDPF remain justified and up to date, and in line with the NPPF, in encouraging new employment development and seeking to retain existing premises. The SDPAN identifies the latest employment evidence is set out in the Northern West Sussex Economic Growth Assessments (EGAs) and related documents (Jan 2020 [including Appendix 5] and Nov 2020), which justifies the identification of employment sites within the eLP, alongside existing commitments. Officers confirm that the application site is not a site identified for new/ proposed employment development within the eLP and SDPAN, but it is considered to be an 'existing commitment' in Chapter 9 of the eLP. Accordingly, draft policy 30 (enhancing Existing Employment) continues to seek to support and retain existing employment sites outside of 'Key Employment Areas', requiring marketing and viability evidence for at least one year to demonstrate employment use is unviable, when considering alternative uses.

National Planning Policy Framework

6.18. Paragraph 85 of the NPPF states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Paragraphs 86 and 87 go on to set out how policies and decisions should seek to set a clear economic vision and strategy, and recognise the specific locational requirements of different sectors.

6.19. Chapter 11 of the NPPF seeks to make an effective use of land, with paragraphs 125(d), 127 and 128 being of most relevance in this case.

6.20. Paragraph 125(d) states that:

'*decisions should 'promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively'.*

6.21. Paragraphs 127 and 128 state that:

'127. Planning policies and decisions need to reflect changes in the demand for land. They should be informed by regular reviews of both the land allocated for development in plans, and of land availability. Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan:

a) it should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped); and

b) in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.

128. Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to:

a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework; and

b) make more effective use of sites that provide community services such as schools and hospitals, provided this maintains or improves the quality of service provision and access to open space.'

Whether the loss of employment land can be considered acceptable

6.22. Drawing the above local and national policies together, Officers advise that the Phase 2 site forms an existing employment commitment under Policy 9 of the HDPF and forms part of the identified sites in the eLP that will help meet (and in this case likely exceed) the district's employment needs to 2040. Policy 9 allows for the loss of employment sites where it has been demonstrated that the use / premises is no longer viable for its intended use. Nationally, whilst Paragraph 85 seeks to support economic growth, Paragraphs 125(c), 127 and 128 seek to make efficient use of land that has not come forward for its intended use.

6.23. The application submits that, as the remaining portion of Phase 2 has not been developed for its consented employment use, the site does not benefit from being a *'clearly defined employment status in policy terms',* and instead simply benefits from an extant planning permission for employment floorspace only.

6.24. Officers understand that the applicants have actively sought to progress the development of the remaining Phase 2 land, with all units having benefitted from extant Reserved Matters

approvals and pre-commencement consents dating back to 2022. Furthermore, additional smaller 'Enterprise' units were added to the eastern side of the site at the same time to build in some flexibility for smaller business / employment uses to come forward alongside the larger warehouse-style units within Phase 2. Planning history reveals number of operator-specific requirements were embedded into some of the preceding reserved matters applications across Phase 2.

6.25. The applicants have advised that the deliverability of the consented units in Phase 2 was predicated upon a significant amount of cut-and-fill earthworks and retaining structures to create level development plateaus as acknowledged in the original site sections and subsequently approved levels strategy across Phase 2. The applicants state that this has created a significant cost burden on progressing Phase 2 as originally planned.

6.26. Whilst the scale of earthworks within Phase 2 would have been known at original Outline stage, the applicants point to a number of economic matters have seen significant changes since the original hybrid consent was granted under DC/18/2122, with a general increase in costs of building materials, alongside shifts in the labour market, interest rates increasing, and the impacts following Brexit and Covid-19.

6.27. Officers have been provided with marketing information and evidence to support the claim that the site has been robustly marketed in the preceding years and that despite this, there are a number of factors which have led to the site not having been developed for its consented uses:

- Covid pandemic after-effect and subsequent changes to employment patterns
- Extensive marketing efforts but no commercial operators willing to commit to Phase 2 land over 7 years
- Implications of Water Neutrality
- Geo-political risks
- Pressures on construction materials and increase in costs
- Abnormal site-levelling works and retaining structures (required to deliver Phase 2)
- Loss of / timed-out from the delivery of two units to committed local occupiers
- Loss of investment for enabling works to deliver the infrastructure required for Phase 2 *(following refusal of The Range / retail use on Phase 2)*

6.28. Officers recognise there to be a lack of modern, fit-for-purpose employment land within the district, with existing business / employment stock not attracting new businesses, nor allowing for suitable growth or expansion. The application site is however not alone in struggling to implement its permission, with similar sites granted planning permission a number of years ago for employment uses not having been developed at Nowhurst Business Park and Brinsbury Fields.

6.29. In this case, it is clear that despite consents having existed on the site for the full build-out of Phase 2 since 2022, economic conditions have meant that these have not progressed, despite an apparent active marketing campaign. Officers therefore advise that the evidence points to there being a reasonable case that the Phase 2 land is not viable for employment use principally owing to the costs associated with creating level development plateaus. Accordingly, the site can be considered to be 'under-utilised' with reference to paragraph 125(c) of the NPPF, with paragraphs 127 and 128 encouraging the consideration of alternative uses to meet identified needs. Such needs would in this instance include the need for housing given the absence of a five year housing land supply.

Conclusion on principle

6.30. Considering the development of the Phase 2 land for housing, the evidence points to this land being considered 'under-utilised' with the cost of works to create level plateaus, plus the generally changing economic climate, having led to the Phase 2 land not progressing despite having been marketed with full planning consent since 2022. In such cases, Paragraphs 127

and 128 seek to make the efficient use of such sites for alternative uses which this would help meet identified development needs. In this case, the need for housing in the district given the Council's significant housing land supply shortfall is considered an appropriate alternative use, particularly given the site is within the defined BUAB and has ready and sustainable access to nearby services and facilities.

6.31. The development of the residual part of Phase 2 land to deliver housing would negate the ability to deliver the originally intended employment floorspace target of up to 14,075sq.m across the Phase 2 land, with only some 994qm achievable (by way of DW Nye). This creates an employment deficit of some 13,081sq.m on the Phase 2 land.

6.32. Officers note that an outline application has been submitted on the 'Phase 3' site immediately to the sooth for the delivery of up to 4,558sq.m of employment floor space (Eg(iii)/ B2/B8 use) and is being considered under DC/26/0033. Furthermore, a hybrid application is under concurrent consideration which seeks residential and employment development on Phase 2 land, and employment floorspace on Phase 3, amounting to a cumulative floorspace of 6,606sq.m GEA).These applications seek to recover the floorspace to be lost on Phase 2

6.33. Although the current proposal does not look to re-locate any employment provision on the site, and therefore represents a net loss of employment land allocation, the development proposal would make for a more efficient use of the land, by optimising the site for up to 125 homes in a sustainable location that will help meet the district's housing supply shortfall.

6.34. Officers therefore consider that the proposal demonstrates accordance with local and national planning polices, particularly taking account of paragraphs 127 and 128 of the NPPF.

Housing Mix and Affordable Housing:

6.35. Policy 16 of the HDPF requires that residential development should provide a mix of housing sizes, types and tenures to meet the needs of the district's communities as evidenced in the latest Strategic Housing Market Assessment (SHMA). Policy 16 also requires that on sites providing 15 or more dwellings, or on sites over 0.5 ha, the Council will require 35% of dwellings to be affordable with a tenure split of 70% affordable rented and 30% intermediate tenure. The proposed development of 125 dwellings would therefore require some 43.75 dwellings as affordable. The proposal seeks to deliver the required number of affordable homes to be in compliance with Policy 16, with the applicant since stating that they wish for the proposal to be considered for 100% affordable housing. This means this application is being considered on t An on-site provision for a Local Equipped Area of Play (LEAP) is included within the current he basis of providing a minimum 35% affordable housing and potentially 100% affordable housing. The impacts on this for CIL receipts is discussed at the end of this report.

6.36. The Council's Housing Team has commented that the Housing Register in Billingshurst currently has 254 households waiting for housing, of which 50% are in need of 3 and 4-bed dwellings, with this type of housing need typically being subject to the longest wait for accommodation. This outline application recognises that a tenure split is required (at a 70/30 split between affordable rent and intermediate housing), and a submitted Affordable Housing note, now provides a proposed tenure split and breakdown for a 35% affordable housing scheme:

Affordable Rented	***SHMA 2019 (31 units)***	**Proposal (31 units)**	Over / under supply
1-bed	*35% (10.85 dwellings)*	10 dwellings	-1
2-bed	*30% (9.3 dwellings)*	15 dwellings	+6

3-bed	*25% (7.75 dwellings)*	6 dwellings	-2
4+ bed	*10% (3.1 dwellings)*	0 dwellings	-3

Shared Ownership	***SHMA 2019 (13 units)***	**Proposal (13 units)**	Over / under supply
1-bed	*25% (3.25 dwellings)*	4 dwellings	+1
2-bed	*40% (5.2 dwellings)*	7 dwellings	+2
3-bed	*25% (3.25 dwellings)*	2 dwellings	-1
4+ bed	*10% (1.3 dwellings)*	0 dwellings	-1

6.37. As the application is made in Outline only, officers advise that the final housing mix would be agreed at the reserved matters stage taking into account the latest housing market assessment and local requirements at the time. At this stage, the indicative affordable housing mix accords broadly with the most recent SHMA.

6.38. At the time of consultations, the Council's Housing officer referred the current time-scales involved in delivering 3 and 4-bed family homes under affordable units, and the difficulties experienced in development sites being able to bring RPs of board, thus requiring assurance from the applicant that there is a Registered Provider who would be willing to take on the site, and to ensure that the affordable provision can be delivered before permission is granted, along with the split being reflective of local need.

6.39. The applicant has since confirmed that a Registered Provider is prepared to take on all of the 'up to' 125 homes as affordable housing. Officers have no reason to consider this unacceptable in principle given the need for affordable housing in the district and the otherwise sustainable location of the site.

6.40. In the event that planning permission is granted, a Section 106 legal agreement would secure the minimum 35% on-site affordable provision and tenure, as per the minimum requirements of HDPF Policy 16 and the accompanying Planning Obligations and Affordable Housing SPD.

Landscape / Trees Impact:

Landscape

6.41. Officers refer back to the original hybrid consent (DC/18/2122) which set out that the anticipated development in Phase 2 would consist of warehouse-style units some 9m to eaves and 11.5m to ridge. However, in order to minimise the visual impact of these units on the wider rural edge of the village, a cut-and-fill approach would be utilised, with the committee report stating a drop of some 5.5m below natural ground levels alongside the eastern 'amenity area', and some 2.5m below the level of New Road to the north. In context, therefore, the consented Parameter / Zoning Plan associated with the original hybrid consent set an expectation of two development zones within Phase 2, noting the northern edge (Zone 1) was visually more sensitive and therefore would have an overall height limit of 10m, with the rest of the site (Zone 2) having a maximum height of 12m. However, these heights and parameter zones were combined with a cut-and fill approach across Phase 2 which was essential in mitigating the visual impact on this transitional edge of village / rural site. The height strategy and levels would be secured as part of the later reserved matters, adhering to the original cut-and-fill principles established at outline stage.

6.42. The later application (DC/21/1107) to introduce an eastern 'Enterprise Zone' and to extend the development parameters closer north to New Road, replicated these height zones, with a lower development massing along the extended eastern side (newly introduced Zone 3) being limited to an overall height of 9.2m, with a landscaped bund and tree planting along the PRoW corridor providing for the essential visual screening of the consented

development. These principles were confirmed under the subsequent conditions applications for the previously consented Zone 3 employment development.

6.43. Clearly, the proposed residential development now sought within Phase 2 is of a very different nature to that which has been consented, comprising residential properties and their gardens, compared to the consented warehouse-style units and the surrounding areas of parking and delivery areas. In assessing the proposed illustrative masterplan against the consented parameter plans and detailed matters of the Phase 2 development, officers find the following:

- The line of development appears to extend closer to the north / New Road compared to the parameter / zoning approved under DC/21/1107, with landscaping indicated along the northern boundary.
- Whilst in the north-eastern corner of the site, the proposed parameters would not appear to extend beyond the previously consented parameters, and not encroach on the defined line of the PRoW corridor, the wider development boundary to the eastern side would extend beyond the parameters approved under DC/21/1107. The line of the PRoW remains unimpeded and the indicative masterplan shows landscaping along the eastern boundary.
- The height parameter plan echoes the heights stated under the consented plan for DC/21/1107, but would involve development more closely aligned to natural ground levels of the site, rather than the cut-and-fill principles established at outline and subsequent detailed applications, which presented a 2.5m drop alongside New Road and the 5.5m drop along the eastern side.
- The height strategy put forward would see Zone 1 accommodating up to 10m, Zone 2 up to 12m, and Zone 3 up to 9.2m) – *Officers equate these heights to 2.5 storey dwellings (Zone 1), 3-storey dwellings (Zone 2) and 2-storey dwellings (Zone 3)*

6.44. Officers note that the submitted LVIA, dated 2nd Oct 2025 does not actually assess or refer to the proposed development at hand, but instead references the refused scheme for Phase 3 (DC/21/0748), and also fails to acknowledge the development approved under DC/25/0458, thus representing a skewed assessment. Furthermore, the assessments on the Phase 2 part of the site also do not appear to relate to the residential component of the current proposal, nor the most recently consented employment development of the site to offer a realistic comparison of the likely landscape impacts. Officers have requested an addendum to represent the correct position, and are now in receipt of this.

6.45. Notwithstanding this, the Council's Landscape officer considers that the mitigation measures previously proposed would remain relevant to the current proposal, but notes that the proposed residential layout does not fully align with the LVIA mitigation strategy as set out and approved under the original hybrid / outline consent DC/18/2122. Accordingly, the following is advised by the Council's Landscape officer:

- *Retain high quality landscape features that positively contribute to the site, setting and key features;* (Note that the proposal includes street tree planting a central open green space and a play area overlooked by residential properties)
- *Create a large landscape buff er along eastern boundary of site;* (Development is shown closer to this boundary with the corridor now insufficient to maintain an open character along the PRoW and allow views towards the church and South Downs, and the width of the corridor in the south-east corner appearing much narrower on the Illustrative Masterplan compared to the diagrams in the DAS)
- *Provide an overall net gain in terms of biodiversity and key landscape features; and*
- *Reduce visual effects through careful location of built form and associated planting* (Without wireframe visualisations of the commercial units from the PRoW, it is not possible to confirm whether the views of the Church and South Downs would remain)

6.46. Locally, policies 25, 31 and 33 reflect NPPF para 135 in seeking to ensure that development can respect local built and landscape character, and landscape setting. Whilst Officers note that long distance views of the levated South Downs escarpments are available from the PRoW to the east of the site, it is confirmed that this site does not comprise a 'valued' landscape in itself, or otherwise impact a National Landscape or the South Downs National Park, thus not raising any subsequent conflict with paras 187 or 189 of the NPPF.

6.47. Notwithstanding the information and lack of certainty and clarity across the submitted plans and supporting documents, the Council's Landscape Consultant acknowledges the landscape framework adjacent to proposed development, finding that the rurality of the application site has been compromised by the as-built presence of the commercial development within Phase 1 to the west, thus changing the setting and context in which the application finds itself. The line of pylons along the southern extent of the site was previously noted to detract from the wider landscape setting of the site (Phase 3). Furthermore, the Landscape Character Assessment (2003) acknowledges that whilst the wider area still maintains a largely rural character, there is an acknowledged presence of aircraft noise and busy road corridors (A29 / A272). The northern hedgerow along New Road is seen as a crucial feature to preserve screening and resulting enclosures of the proposed development. Officers note that the hedgerow has recently been reduced in height to some 1.2m allowing clear views across the site to the elevated distant South Downs escarpments to the south-west, visible only when travelling west along New Road, and only since the hedgerow has been trimmed in height. The preceding Ecological Mitication Strategy approved for the wider BTBP site sought to secure this hedgerow being maintained at a height of 3m to provide an ecological feature, noting the bat corridor along New Road, and to secure visual screening.

6.48. It is clear that the proposed residential development strategy across the residual Phase 2 parcel seeks to replicate the height parameters previously consented, but set against more natural ground levels of the site in place of the previous consented cut and fill-approach required to create the larger development 'plateaus', necessary to accommodate the consented 'warehouse' style buildings. Officers find that the height strategy would be equivalent to a 2½-storey dwellings in Zone 1 (10m max), 3-storey dwellings / blocks in Zone 2 (12m max), and 2-storey dwellings in Zone 3 (9.2m max), which is a more tangible representation of the proposed heights limit, and acknowledges the likely levels strategy for a residential scheme. Accordingly, officers recommend that the proposed height parameters be conditioned accordingly (see condition 27), and equated to storey-heights, with wider details coming forward under subsequent reserved matters.

6.49. At this outline stage, officers suggest conditions 11, 14 and 27 to set the parameters in place across the site which recognise the sensitivity of the northern and eastern edges of the site, and allow sufficient opportunities to realise appropriate screening and planting to reduce the visual effects, along with the removal of the existing close-boarded fence along the site's eastern boundary and the PRoW corridor, which was to be delivered under the previously consented landscape schemes.

Trees

6.50. Aligned with wider policies which seek to ensure the landscape qualities of the district can be secured, maintained and enhanced, Policy 31 of the HDPF sets out support for development proposals that demonstrate that it maintains and enhances the existing network of green infrastructure, as well as requiring proposals to enhance existing biodiversity, and create and manage new habitats where appropriate.

6.51. The submitted Arboricultural Assessment shows most of the proposed development parameters located outside of the defined RPA of the retained tree groups along the site's southern boundary (G1 and G2) with the exception of the indicated new pedestrian link along the southern boundary.

6.52. Officers note that, unlike the consented development within the BTBP, the proposed residential scheme would not involve the creation of levels and retaining walls to create the consented previously necessary development plateaus. Therefore, the land levels around tree groups G1 and G2 would be unlikely to involve the type of excavations and retaining structures previously envisaged, with detailed location of and details of the proposed pedestrian paths secured at later reserved matters stages.

Conclusion on Landscape

6.53. The resulting development would lead to an appreciable change in landscape character, noting the existing undeveloped nature of the residual Phase 2.

6.54. However, in terms of the resulting change of the landscape character, it must be noted that the residual part of Phase 2 benefits from extant permission for employment development comprising large warehouse style units. When assessed against the extant development which could be brought forward on this site, the proposed residential development on Phase 2 would not lead to adverse landscape harm that could conflict with HDPF policies 2, 25, 31, 32 and 33, or NPPF paras 135 and 187.

6.55. The assessment made by the Council's Landscape Officer looks to secure a number of recommendations (para 6.45) by way of conditions to ensure the sensitive edges of the site are fully recognised for their importance to the setting and character, and to ensure that appropriate planting and buffers can be retained and implemented effectively to screen the development in a manner that reflects the expectations of the originally consented scheme adopting 'landscape-led' principles.

6.56. Accordingly, subject to these conditions (conditions 11, 14 and 16) Officers consider that the application site can accommodate the level of development without leading to a further level of erosion than acknowledged under the consented scheme, providing the protection of the sensitive edges and implementation of appropriate parameters.

Site Masterplan and Parameters (including open space):

6.57. Policy 25 of the HDPF seeks to protect the townscape and landscape character of the District, including the landform and development pattern, together with protected landscapes and habitats. Development will be required to protect, conserve and enhance landscape and townscape character, taking account of areas or features identified as being of landscape importance, individual settlement characteristics and settlement separation.

6.58. Policies 32 and 33 of the HDPF require development to be of a high standard of design and layout. Development proposals must be locally distinctive in character and respect the character of their surroundings. Where relevant, the scale, massing and appearance of development will be required to relate sympathetically with its built-surroundings, landscape, open spaces and to consider any impact on the skyline and important views.

6.59. Although the details of the site layout are reserved for approval at a later date, the submitted Design and Access Statement and Indicative Site Layout provide an indication of how the development is anticipated to be laid out. The current details, as submitted, show a densely laid out development across the full extent of the site, with perimeter landscaping providing natural and semi-natural greenspace 'buffers', accommodating pedestrian paths and access to the PRoW to the eastern side. Two central areas of open space are provided for within the illustrative masterplan and a third area accommodates a LEAP (Locally Equipped Area of Play) in the north-east corner of the site.

6.60. At this stage, therefore, the main consideration is whether the quantum of development proposed is acceptable taking into account the submitted parameter plans and having regard

to matters such as amenity space, play areas, parking, landscape buffers, open space, internal linkages, and surface water attenuation.

6.61. Officers are of the view that the proposal suitably demonstrates that up to 125 units could be accommodated on this site, with the potential to include appropriate amenity / open spaces, play area, parking, landscape buffers, open space, internal linkages, pedestrian permeability, and surface water attenuation, without causing unacceptable harm to the wider landscape character or local amenity.

6.62. The indicative layout has taken into consideration many of the key site constraints which is welcomed, but officers consider that additional details will be required at reserved matters stage when detailed layout, scale and design elements are considered. The key sensitivities of this site include the rising topography towards the northern and eastern boundaries, proximity with the New Road corridor to the north, the ability to retain and protect boundaries and adjacent trees and hedgerows, and the transition with the rural edge beyond the defined BUAB of Billingshurst. Long-range views towards the South Downs to the south-west and the ability to refer to the church spire of St Mary's church in the village centre are also considerations, although noted against the consented backdrop of large warehouse-style buildings. The proposed play area alongside the PROW_1942 means this could be accessed by future residents of the site as well as neighbouring residents.

Open Space

6.63. An on-site provision for a Local Equipped Area of Play (LEAP) is included within the current application. LEAPs should have an activity zone no less than 400sqm, a buffer zone to the nearest dwelling of 20m, and cater to children up to the age of 10. The indicative masterplan shows that this would provisionally be located within the north-eastern corner of the site, where it appears to satisfy the 20m buffer zone requirement to the nearest dwelling, and can easily be accessed off the PRoW_1942 where it would be within reach of other nearby development (existing and proposed).

6.64. Officers recognise that the development to the south of the application site 'land east of Billingshurst' provides large areas of Parks and Gardens, and Natural Green Space within 300m of the southern site boundary. Open space is also noted within the 'Duckmoor' development site, some 600m to the south-east, which is currently on-site. Officers are therefore satisfied that there are sufficient provisions of Parks and Gardens in close proximity to the site.

6.65. The site's location on the northern edge of the village means that access to natural and semi-natural areas are achievable by way of the PRoW network, which compensates for the identified shortfall of some 920sq.m in this typology of open space being available within the application site.

6.66. Accordingly, officers consider that the proposed development would accord with the expectations of HDPF policies 32, 33 and 43, and would be capable of incorporating open space and play facilities appropriate to the scale of this development and its context, the details of which would be secured at a later Reserved Matters stage.

Conclusion on site parameters and masterplan

6.67. In summary, subject to an appropriately designed detailed layout and landscaping plan at Reserved Matters stage, and as incorporated into the suggested conditions, it is considered that the development on this site is capable of incorporating a layout that incorporates the advised open space, children's play space and landscaped buffers as set out in the Council's Open Space, Sport and Recreation Review (June 2021). Furthermore, officers are satisfied that the detailed site layout which would come forward at reserved matters stage, is capable of being designed in such a way so as to ensure sufficient space is maintained to the retained trees, incorporating the principles established locally under HDPF policies 32 and 33, and nationally under NPPF para 135.

Highways Impact, Access, Parking and Active Travel:

6.68. HDPF Policy 40 states that development will be supported if it is appropriate and in scale to the existing transport infrastructure, including public transport; is integrated with the wider network of routes, including public rights of way and cycle paths, and includes opportunities for sustainable transport. HDPF Policies 40 and 41 promote development that provides safe and adequate access, suitable for all users.

6.69. Nationally, paragraph 115 of the NPPF seeks to ensure that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location, and that safe and suitable access to the site can be achieved for all users.

6.70. Furthermore, paragraph 117 of the NPPF requires applications to:

'a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;

b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;

c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and

e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.'

6.71. Paragraph 118 requires that all developments generating a significant amount of vehicular movements not only provide a travel plan, but also that applications '*be supported by a vision-led transport statement or transport assessment so that the likely impacts of the proposal can be assessed and monitored'.*

Vehicular Access

6.72. Detailed approval is sought under this application for the means of access to the site, which would be by way the existing estate roads within Phase 2, which had been planned to accommodate all traffic associated with the consented commercial / employment traffic generated by the full Phase 1and 2 build out.

6.73. The proposed access arrangements to the site from the new 4-arm roundabout at Stane Street / New Road has been accepted by the Local Highways Authority (LHA) previously as part of the consented development. Notwithstanding the concerns raised by the Parish Council over the safety and capacity of this roundabout to accommodate any increased traffic flows, the LHA notes that there have been no recorded road traffic collisions at this junction within the last 3 years that have been as a result of the design or operation of the existing roundabout, and that the geometry and width of the existing road system is sufficient to accommodate all anticipated vehicular movements.

Trip Rate Generation

6.74. The quantum of development (across residential and commercial elements) is anticipated to generate some 62 two-way vehicle trips on the morning peak and 62 in the evening peak (weekdays), using the standard TRICS methodology which the Local Highways Authority has assessed as being an acceptable methodology. The submitted Travel Assessment includes junction analysis which has demonstrated that the proposals would not have a material impact on the operation of key location junctions and considers future year scenarios

following the inclusion of development traffic. Accordingly, the Local Highways Authority does not consider this to lead to a 'severe' impact on the existing nearby highway capacity.

Active Travel / Inclusive Mobility (pedestrian and cycle links)

6.75. In June 2024, a requirement was introduced for developments over 150 dwellings to include Active Travel England as a statutory consultee, with a view of prioritising walking, wheeling and cycling to be seen as the most convenient, desirable and affordable way to travel, as well as facilitating access to public transport. Although officers recognise that the proposed development quantum of this application falls below the consultation threshold, the principles of Active Travel are currently embedded within local and national planning policies, including LTN 1/20 'Cycle Infrastructure Design', which sets out the expectations for development to incorporate inclusive and accessible design for cycle infrastructure with a view that this is no longer seen as merely a leisure activity, but a viable means of transport in itself. Furthermore, the provision of safe access for all users is embedded in NPPF paragraphs 115 and 117, with further advice set out in the document 'Inclusive Mobility' (Dec 2021) on the advised widths of footpaths.

6.76. The proposal looks to create links from the site to the PRoW_1942 to the east, with further details to be secured under Reserved Matters. Furthermore, there is an existing pedestrian / cycle link at the southern side of Phase 1 which leads to existing cycling and pedestrian infrastructure serving the village at the north side of the nearby Hilland Road roundabout. This link would provide a sustainable access route for prospective occupants of the site to walk and cycle into the village centre. The proposal includes an extended path from the south-western corner of the site around the rear/south side of the existing units in Phase 1 of the wider BTBP to link into this pedestrian and cycle network. This connectivity is welcomed.

6.77. A 'Pedestrian Accessibility Plan' has been submitted to further clarify pedestrian access to the site and connections to / from the existing network, including improvements to the existing crossing points within the wider estate. This includes links to the bus stops on Stane Street, and associated improvement works to those bus stops.

6.78. However, Officers note annotations on this plan which refer to direct access from the PRoW to the east to the site would be provided to the site for residents of the proposed development only, meaning there would be no pedestrian permeability and connectivity through the site for the general public. Further, the same plan includes an annotation stating that the adjacent LEAP would have direct access from the same PRoW.

6.79. Officers consider that this lack of permeability would be in conflict with the ambitions set under para 96 of the NPPF, which aims to create easy pedestrian and cycle connections within and between neighbourhoods, and paras 105, 111(d) and 117 of the NPPF. As a consequence, Officers recommend that a condition be applied to any grant of outline planning permission requiring that all access through the site be made available for all users and retained as such. Condition 23 has been drafted to achieve this outcome.

Parking

6.80. Policy 41 of the HDPF states that adequate parking and facilities must be provided within developments to meet the needs of anticipated users, with HDPF policy requiring safe, convenient and visually attractive areas for parking vehicles and cycles without dominating a development.

6.81. As the proposal is for outline permission, details regarding the layout and exact numbers of proposed parking spaces, cycle parking spaces, and EV provision, is not indicated in this application, and would be fixed once the exact dwelling quantum and layout is resolved at subsequent Reserved Matters stage. Indicative plans show that parking could be delivered to all properties by way of a mix of tandem spaces and parking courts, and that therefore,

there is no reason to believe that sufficient onsite parking for vehicles and cycles could not be provided, to levels set out in the WSCC Parking Guidance.

6.82. Officers would also further advise that on-street parking dominance be broken up as part of the subsequent reserved matters layout and design.

Conclusion of Access, Parking and Active Travel

6.83. The proposal would deliver sustainable access links to the existing settlement in accordance with the guidance set out in 'Inclusive mobility', Active Travel, para 111(d), and 115 - 118 of the NPPF, thus ensuring that the site is capable of providing viable alternative non-car modes of transport by which prospective residents can access what are noted to be limited local services.

6.84. The site is capable of incorporating a suitable parking quantum to serve the development, subject to the consideration of more detailed design at reserved matters stage, taking account of the following recommendations by the LHA:

- Parking should be in accordance with the LHA's parking parameters as outlined in Section 4 of the TA – *to be confirmed as part of subsequent reserved matters.*
- Parking dominance - this should be broken down where possible especially where spaces are next to one another over large spreads of the development – *to be confirmed as part of subsequent reserved matters.*
- Consideration of raised tables on the north/south spine roads to reduce vehicle speed
- Road widths reviewed and demonstrated suitable for all vehicles
- The 90-degree bend to the south of the development should be tightened and less abrupt – *to be confirmed as part of subsequent reserved matters.*
- To the northwest of the development the proposals appear to show a pedestrian connection to PROW 1942 this would be supported and should be implemented within the RM proposals – *to be confirmed as part of subsequent reserved matters.*
- An additional connection to PROW 1942 in southwestern corner of the development site should be provided – *to be confirmed as part of subsequent reserved matters.*

6.85. Based on the information submitted and subject to conditions, and a suitable legal agreement (to secure Travel Monitoring), WSCC Highways are satisfied that the development would not result in any unacceptable safety or otherwise severe impacts, and would provide for appropriate sustainable transport choices in compliance with Paragraphs 111(d), 115, 116, 117 and 118 of the NPPF, along with compliance with HPDF policies 40 and 41, and BNP policies BILL 12 and 14.

Residential Amenity:

6.86. Policy 33 of the HDPF requires that development is designed to avoid unacceptable harm to the amenity of occupiers / users of nearby property and land. Paragraph 135(f) of the NPPF seeks to ensure that development *'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience'*. Policy 32 of the HDPF, further, seeks to ensure that development provides an attractive, functional, accessible and adaptable environment.

6.87. The indicative site layout plan demonstrates the maximum quantum of development could be accommodated within the developable area whilst providing for a reasonable standard of amenity for all future occupants of the proposed development (including distance between nearest dwelling from locally equipped play area). A landscape buffer has been provided to all sides of the proposed development, which would provide some screening from the impact and proximity of New Road to the north, the PRoW to the east, the prospective and approved employment development to the south and the existing commercial / employment

development to the west, with further planting, levels, layout and boundary details to be provided within subsequent reserved matters applications.

6.88. Within the development itself, the indicative masterplan demonstrates that most dwellings would achieve a back-to-back separation of 21m, with finalised details and layouts submitted at reserved matters stage.

6.89. Officers express some concern over the potential proximity between residential properties and the existing commercial development within the wider site, including the petrol filling station where 24-hour use has been consented. Whilst officers recognises that the layout would not be fixed as part of this application, reference is still to be had to para 200 of the NPPF which states:

> *"Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed."*

6.90. The adjacent Lidl supermarket may operate machinery and carry out deliveries and dispatch operations between the hours of 07:00 – 23:00 Mondays to Saturdays, and between 09:00 – 20:00 on Sundays and Bank Holidays. Within Phase 2, the consented hours of external operations (including deliveries) were restricted to 07:00 – 23:00 Mondays to Saturdays, and 09:00 – 16:00 on Sundays and Bank Holidays. The more recently consented employment unit to the south (under DC/25/0458) can operate external functions and deliveries on site between the hours of 07:00 – 23:00 Mondays to Saturdays and 07:00 – 20:00 hours on Sundays.

6.91. The submitted Environmental Noise Assessment (17th Nov 2025) considers the noise from existing commercial premises on the proposed residential properties, noting a number of noise-related conditions on the original planning consent for the wider site, which as a result leads to *'very little activity at the existing business units during the night-time period (23:00 - 07:00 hours)*'. The noise surveys undertaken in 2018 (pre-development) noted the background noise levels being low during the night-time period, when traffic along the A29 reduces. Repeated noise surveys undertaken in 2025 revealed that night-time background noise levels remained similar to the pre-development levels, leading to the conclusion that the as-built development has had '*very little impact on the measures noise levels'.*

6.92. The submitted document also considers the deliveries from Lidl and the activities associated with the Petrol Filling Station, noting that the former can carry out deliveries only within the 07:00 – 23:00 hour window (Monday to Saturdays) and 09:00 – 20:00hours on Sundays. Delivery activities associated with the Lidl Store are short, and resulted in an increase over and above background noise levels by some +7dB. Trickle vents are therefore proposed in rooms with windows facing the Lidle store, enabling prospective occupants to close their windows during deliveries. In relation to the petrol filling station (PFS), this operates across a 24/7 basis, but the submitted report concludes that forecourt activities are screened by the PFS building, with only the access road forming the HGV exit from the pumps running along the rear (eastern) side of the PFS. Acoustic screening alongside the PFS and the provision of alternative means of ventilation is suggested to mitigate night-time impacts of HGV movements along this access road.

6.93. The Assessment also recognises the development of unit 35 (at Phase 3 - as per DC/25/0458), which is to be controlled via planning conditions as per the wider commercial development of Phases 1 and 2, with potential screening secured under subsequent detailed matters if required.

6.94. Overall, the submitted Environmental Noise Assessment has considered the interface between proposed residential receptors and the existing commercial properties, with regard to the 'agent of change principle' as per para 200 of the NPPF, and does not consider that the introduction of new residential properties (noise sensitive receptors) would lead to unreasonable restrictions on the continued operation of the existing commercial premises.

6.95. The Council's Environmental Health officer has reviewed the details, recognising that the submitted report has not identified any significant adverse noise issues arising from the operations of the Lidl delivery bay and the PFS, against the 'agent of change principles', but recognising also that these operations may increase in the future Therefore, to address any potential adverse harm occurring to the prospective residential properties, future detailed reserved matters should ensure that, as a minimum, no bedrooms are sited on facades overlooking the business park, and ensure that where habitable rooms face these locations, attenuated ventilation is provided to address potential overheating in the event that windows remain closed.

6.96. Overall, officers consider that concerns regarding the proximity of the business and commercial uses to residential receptors can be suitably controlled by way of conditions and under the subsequent reserved matters and detail stages (such as the Acoustic Design and Mitigation required under Condition 5).

Drainage and Flood Risk:

6.97. The updated Environment Agency Flood Maps show that the application site is located within Flood Zone 1, indicating that it is at a very low risk from river flooding. In terms of surface water flood risk, the EA mapping data shows very low risk of surface water flooding (0.1% annual risk). As a result, Officers confirm that a flood risk sequential test is not required.

6.98. The Lead Local Flood Authority (LLFA) seek to ensure that the development will be safe for its lifetime and will not increase flood risk elsewhere, in accordance with NPPF Paragraphs 181 and 182.

6.99. The LLFA has reviewed the additional information submitted which sought to address the comments raised previously by the LLFA. The submitted Flood Risk Assessment (FRA) relies on the use of four 'Geocellular' tanks under areas of paving across the site to accommodate surface water run-off, which would then discharge at a measured rate into the existing estate system. The LLFA have continued to raise queries over the calculations to ensure that they appropriately ensure that cumulative flood risk across the wider business park is fully considered.

6.100. In this instance, as the application is made in outline only, the LLFA are satisfied that the final details can be secured as part of the first reserved matters stage, when the layout becomes fixed. In reaching this recommendation the LLFA have cautioned that some layout amendments may be required to achieve an appropriate strategy. The condition recommended by the LLFA is attached to this recommendation (condition 10). The outline application would accordingly meet the requirements of Chapter 14 of the NPPF and the accompanying NPPG in respect of site location, applying the sequential approach, and having the potential to mitigate any impacts of flood risk within the site itself.

6.101. Appropriate conditions are therefore recommended to ensure that the measures to ensure the surface water drainage details are secured at the appropriate stage. Subject to these conditions the proposal accords with policy 31 of the HDPF and Chapter 14 of the NPPF.

6.102. In terms of foul disposal, the submitted drainage strategy sets out that all foul water will be disposed via connection into the existing Phase 1 foul system. Southern Water have not identified any foul capacity issues in the area therefore this approach is considered acceptable.

Biodiversity / Ecology:

6.103. HDPF policy 31 sets out the principles of maintaining and enhancing existing networks of green infrastructure, biodiversity, and woodland, along with introducing compensatory ecological mitigation measures where appropriate. The mandatory national requirement in relation to delivering a 10% BNG applies to this application, and it is noted that the current proposal is seeking to incorporate biodiversity net gains over and above the pre-existing baseline well in excess of the 10% national requirement. This is discussed in more detail later on in this report.

6.104. Paragraph 193a of the NPPF indicates that when determining planning applications local planning authorities should ensure that if significant harm to biodiversity resulting from a development cannot be avoided adequately mitigated or, as a last resort, compensated for, then planning permission should be refused.

6.105. The application is supported by a Preliminary Ecological Appraisal (All Ecology, September 2025), which has been reviewed and assessed by the Council's Ecologist. Following additional information and re-consultation, the Council's Ecologist is now satisfied that, subject to adequate avoidance, mitigation and enhancement measures (including use of native species of trees and species-rich hedgerows, wildlife sensitive lighting, new bat tubes, panels and bird boxes, retention of boundary habitats and buffers to the north and east) secured via suggested conditions, there would be objections to the proposed development. Subject to these conditions the proposal would also result in no adverse impacts on the Mens SAC as concluded within the completed HRA appropriate assessment.

6.106. The Impact Risk Zones for Great Crested News identifies that the site falls within a green zone, presenting a low risk areas for GCN. As such no mitigation for GCN is required.

6.107. Accordingly, the proposal meets the criteria set out under HDPF policy 31, and would contribute towards the enhancement of existing biodiversity, and would retain and / or enhance significant features of nature conservation.

Biodiversity Net Gain (BNG)

6.108. Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This requires that development must achieve at least 10% BNG on all habitats within the development site.

6.109. The Applicant has submitted a Biodiversity Metric as part of this application, which notes that the proposed development would result in a net loss of on-site habitats and a net loss of hedgerow habitat, with no opportunities available on site to provide for the required Biodiversity Net Gain. The Council's BNG Ecologist has raised concern that the submitted baseline position is incorrect, given that most of the site comprises grassland, which therefore makes it difficult to establish a future baseline in order to calculate the current BNG units. The current disparity arises on account of the applicant's assertion that the survey time for grassland is Summer (typically June / July), whilst the Council's BNG Ecologist is of the opinion that whilst Summer is the optimal survey time for grassland. The Council's BNG Ecologist it is of the view that grassland can be surveyed at any time during the year, and that in this instance, there is nothing to suggest that this parcel of grassland is of such exceptional value to warrant a deferral of survey until the optimal time. The Council's BNG Ecologist has raised an objection accordingly.

6.110. It would normally be expected that the baseline is agreed prior to development commencing, as good practice so all parties are agreed as to precisely how much BNG mitigation is required on and/or offsite. It is therefore unfortunate that agreement on the baseline cannot be reached at this stage.

6.111. The Applicant has confirmed that, irrespective of the site's baseline condition, the proposed development would achieve mandatory BNG by way of the purchasing of off-site units/credits, which would be evidenced through the discharge of the statutory Biodiversity Net Gain Plan condition. Given the illustrative masterplan includes development across much of the site, it does not appear to officers that the proposal would be capable of delivering significant on-site BNG, although there is some ambiguity here given the baseline position and the submitted technical note which states that the proposal will '*maximise opportunities for on-site retention and enhancement'.* It is suggested that, given this lack of clarity in relation to the baseline and on-site habitats, a HMMP condition be applied.

6.112. Whilst it is regrettable that a baseline has not been agreed, in this case given it is highly unlikely that significant onsite gains will be achievable, and given the applicant is committing to achieve BNG through the purchase of offsite units/credits, planning officers are satisfied that the statutory BNG condition is capable of being met. For the avoidance of doubt, an informative is recommended, as se out below, to clarify that the submitted baseline is not accepted, and that failure to agree the baseline will result in Council being unable to discharge the statutory BNG condition.

Water Neutrality:

6.113. A 2021 Position Statement from Natural England identified that it could not be concluded with the required degree of certainty that new development in the Sussex North Water Supply Zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites. As a consequence, and to comply with the legal duties set out in the Conservation of Habitats and Species Regulations 2017 (known as the Habitat Regulations), all new development since has been required to demonstrate water neutrality.

6.114. On 31st October 2025 Natural England formally withdrew the 2021 Position Statement, citing a package of measures that they were satisfied would safeguard the Arun Valley sites. Principal amongst these measures is a reduction in the Southern Water abstraction licence 'by March 2026'. However, given the licence change has not yet taken place Horsham District Council, as competent authority under the Habitats Regulations, cannot yet be certain that new development will not result in adverse impacts on the Arun Valley sites.

6.115. To ensure development can come forward as water neutral in the meantime, the Council has agreed with Natural England to use the significant water savings made by Southern Water in 2024/25 through their programme of leakage reduction (amongst other measures). This has generated some 3,240,000 litres per day of water savings that can now be attributed to new development without increasing water abstraction in the Arun Valley beyond baseline. These savings were previously to be used to launch the Sussex North Water Certification Scheme (SNWCS), however following the withdrawal statement SNWCS will no longer be launching. Natural England standing advice dated 10 November 2025 raises no objection to using these savings to enable development to come forward. The standing advice clarifies that it functions as Natural England's formal response pursuant to Regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 to all relevant planning applications which seek to achieve water neutrality using the above Southern Water savings.

6.116. Officers have undertaken an Appropriate Assessment which demonstrates that the anticipated increase in mains water consumption from this development, alongside all other development granted since the 31st October 2025, will not exceed 3,240,000 litres per day.

6.117. Accordingly, Officers consider that the proposed development will not have an Adverse Effect on the Integrity of the Arun Valley Site, either alone or in combination with other plan and projects, thereby complying with Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

Other Matters

Heritage Impacts:

6.118. Section 66 of the Town and Country (Listed Buildings and Conservation Areas) Act 1990 provides a statutory requirement for decision makers to have special regard to the desirability of preserving a listed building or its setting. Chapter 16 of the National Planning Policy Framework (NPPF) follows this statutory provision and seeks to positively manage changes to the historic environment to ensure sufficient flexibility whilst conserving the important and irreplaceable nature of the designated asset. Chapter 16 requires decision-makers to consider whether a development proposal would lead to 'substantial' or 'less than substantial' harm to a designated heritage asset, and if so, describes how decisions should be steered in order to preserve the asset whilst allowing some flexibility for change, where appropriate.

6.119. The site does not adjoin or contain any designated heritage assets, nor are there any conservation areas adjoining the site. The closest Listed Building is a 'Garden Building' at Summers Place, some 180m to the north, which is separated from the site by intervening land uses, landscape features and a woodland.

6.120. The proposal would therefore not lead to any adverse impact on the setting of this, or the 'Manor House' of Summers Place which lies further north still.

6.121. The site lies within an Archaeological Notification Area (DWS8539 - Multi-Period Site). The Council's Archaeological Consultant acknowledges that this site was previously subject to a geophysical survey and a subsequent field evaluation in 2019, finding no significant archaeological finds or features to be present. As such nothing further is required for this site.

Air Quality:

6.122. The application site is not located within or close to any of the district's defined Air Quality Management Areas (AQMAs), however, on account of the quantum of development, comprising a 'major' development, an Air Quality Assessment (AQA) has been submitted.

6.123. The revised Air Quality Assessment (AQA) still arrives at an inaccurate damage cost and therefore presents insufficient details. However, notwithstanding this matter, officers are satisfied that an accurate and recalculated damage cost and mitigations can be secured as part of a planning condition and embedded within subsequent detailed applications, and would be an acceptable mechanism to mitigate air quality impacts arising from the proposed development, as required under HDPF policy 24.

Climate Change:

6.124. Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. The proposed development includes the following embedded measures to build resilience to climate change and reduce carbon emissions:

- Efficient building fabric
- Air Source Heat Pumps (to houses) and Exhaust Air Heat Pumps (to flats)
- Mechanical Ventilation with heat recovery
- PV panels where appropriately orientated

6.125. Under Part S of the Building Regulations, each new dwelling is expected to be provided with an active EV charge point.

6.126. It has therefore been sufficiently demonstrated that local plan policies requirements related to energy use and sustainable construction (HPDF Polices 36 and 37) have been complied with, and appropriate measures could be secured by planning condition.

Minerals Safeguarding:

6.127. Under the West Sussex Joint Minerals Local Plan (JMLP July 2018) there is a Minerals Safeguarding Area for Brick Clay (Weald Clay) across the site. A Minerals Resource Assessment has now been submitted to identify whether economically viable mineral resources are present on site, and whether prior extraction is practicable.

6.128. Policy M9 (iii) of the West Sussex Joint Minerals Local Plan requires that for non-mineral development (such as residential development), the decision maker must determine whether the overriding need for the development outweighs the safeguarding of the mineral. In addition, the applicant must demonstrate that prior extraction is not practicable or environmentally feasible. It is acknowledged that there is a relative abundancy of Brick Clay in the south east, therefore its safeguarding is a lower priority than other more scarce minerals such as Horsham Stone. In this instance, the application site in its entirety presents a potential site for extraction. However, given the location of the resource it may present planning-related constraints such as noise or transport movements.

6.129. The submitted Minerals Resource Assessment (MRA) sets out that the site lies within the extended Billingshurst urban area and as such should be excluded from the Minerals Safeguarding Area, and that as such, no Minerals Assessment is necessary, further adding that the JMLP appendix map for Billingshurst should be updated to reflect the current settlement / urban boundary.

6.130. Reference is made to the MRA submitted for the adjacent site at Hilland House, which referred to standoff distances and proximity to committed development at adjacent sites, and considers that similar restrictions would limit the extraction potential at the current application site.

6.131. The WSCC Minerals and Waste Planning Team concur that the location of the site renders prior extraction of the minerals resource at the site economically impractical and environmentally unfeasible, and therefore have no objection to the development which would sterilise the minerals resource at the site.

6.132. The Council's housing supply position at present means that the need for more housing units carries significant weight in decision making. The proposal therefore satisfies the requirements of Policy M9 (iii) of the West Sussex Joint Minerals Local Plan.

S106 Agreement:

6.133. In the event that planning permission is approved, HDPF Policy 39 requires new development to meet additional infrastructure requirements arising from the new development. The provision of affordable housing must be secured by way of a Legal Agreement, as would contributions to infrastructure and off-site improvements including sustainable transport commitments and air quality mitigation measures.

6.134. A s106 legal agreement to secure the obligations necessary to make this application acceptable in planning terms is currently being drafted. The headline obligations are to include the following:

- Minimum 35% Affordable Housing (44 units)
- Travel Plan Monitoring fee £1,695
- £150 Sustainable Travel Voucher per dwelling
- Securing Public Open Space including a LEAP

Community Infrastructure Levy (CIL):

6.135. 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. In the case of outline applications, the CIL charge will be calculated at the relevant Reserved Matters stage. This would comply with expectations of HDPF Policy 39.

6.136. Community Infrastructure Levy (CIL) funds raised by the new development shall be used to support the delivery of projects identified in the District Council's Infrastructure Delivery Plan (IDP) (July 2024). The IDP is identified as a key document forming part of the evidence base in Local Plan preparation that assesses the quality and capacity of infrastructure within a local planning authority area and sets out the infrastructure likely to be required to support new development across Horsham District. This includes emergency services such as the Sussex Police Service (current provision/ planned provision/ key issues and future considerations). No evidence has been submitted to indicate a requirement for the mitigation of impacts on other forms of local infrastructure, such as education or healthcare facilities.

6.137. In the event that the site comes forward as a 100% Affordable Housing development, then there would be no CIL receipts generated by the development, as social housing schemes are except from CIL, which would otherwise be in the region of £1.3M.

Planning Balance and conclusion

6.138. In accordance with planning law, the starting point for the assessment of this proposal is to consider whether or not it accords with the provisions of the adopted development plan (comprising the HDPF and Billingshurst Neighbourhood Plan (BNP)).

6.139. It is recognised that the site forms an existing employment commitment in the HDPF, and lies within the defined BUAB of Billingshurst. The proposed outline residential development of up to 125 residential dwellings, supported by 35% of the development being delivered as affordable units (with a likelihood of this being delivered as 100% affordable housing) would be in accordance with local and national planning policies. Balanced against this would be the loss of land consented for employment floorspace which is included in the Council's local plan employment land supply, leading to a loss of some 13,081sq.m of employment floorspace as consented within Phase 2.

6.140. Officers are aware of alternative applications being considered concurrently across the residual Phase 2 site, and the adjacent Phase 3 land to the site, including a proposal for the delivery of some 4,558sq.m of employment floorspace on the land adjacent to this application site under application DC/26/0033. Aligned with the alternative proposal is the fact that the southern parcel ('Phase 3'), whilst not allocated and outside of the defined BUAB, could be delivered for employment floorspace without the need for such extensive ground works to facilitate the cut and fill plateaus required to facilitate the consented development within Phase 2. Cumulatively, the employment floorspace proposed under DC/26/0033 and consented under DC/25/0458 would achieve some 5,971sq.m of employment floorspace on Phase 3 land (south of the current application site) potentially partly negating the employment land to be lost by the current proposal.

6.141. It is not though proposed to link the grant of this outline planning permission to the future grant of the outline application for the commercial development adjacent (DC/26/0033), as this is not considered necessary in planning terms.

6.142. Taking all matters into consideration, the material benefit of releasing this site to enable the delivery of much needed housing (be it delivered as policy compliant 35% affordable housing or 100% affordable housing with the associated loss of circa £1.3 million in CIL receipts) is considered by Officers to outweigh the harm afforded by the loss of land consented for some 13,081sq.m of employment use. This is on the basis that sufficient evidence has been provided to explain why the employment use of the land has not come forward, the

requirement of NPPF paras 127 & 128 to consider alternative uses in such situations, and the fact that the site is within the defined BUAB and sustainably located for housing development. conflict with development plan as a whole.

6.143. Whilst it is regrettable that matters relating to drainage and flood risk, ecology, and BNG are not fully resolved, Officers advise that conditions can be applied in this instance to ensure the required details are submitted and agreed to comply with local and national policy requirements. Suitable conditions can also be applied to protect the amenities of future residents from noise disturbance from the adjacent commercial uses, and to ensure the 'agent of change' principle is complied with to avoid prejudicing these same adjacent uses. All other highways, landscape, design or other material matters are considered appropriate.

6.144. The application is therefore recommended for approval subject to the completion of a s106 agreement and the conditions shown.

7. RECOMMENDATIONS

7.1 To approve outline planning permission subject to the completion of the necessary section 106 agreement within 4 months of the decision of this committee, or such longer period as is required by the Director of Place acting reasonably and properly.

Conditions:

1 List of the Approved Plans

2 Regulatory (Time) Condition:
(a) Approval of the details of the layout of the development, the scale of each building, the appearance of each building, and the landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
(b) Plans and particulars of the reserved matters referred to in condition (a) above, relating to the layout of the development, the scale of each building, the appearance of each building, and the landscaping of the development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
(c) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.
(d) The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.

3 Regulatory Condition: The Reserved Matters submissions for Open Space and landscape shall include full details (including, but not limited to, type of play equipment, surfacing, planting, fencing, seating and signage for the Local Equipped Area of Play). The details shall accord with the guidance set out in the Open Space, Sports and Recreation Review (June 2021).

Reason: To ensure that satisfactory provision for outdoor play and recreation is made within the development, in the interests of the amenity of future occupiers of the development, in accordance with Policies 32, 33, 39 and 43 of the Horsham District Planning Framework (2015) and policies BILL 2 and BILL 4 of the Billingshurst Neighbourhood Plan (2021).

4 **Regulatory Condition:** The detailed design of the development proposed through Reserved Matters applications pursuant to this outline planning permission shall broadly accord with the principles set out on the submitted Parameter Height Plan (2284-700-DR-L-701.P01), and Parameter Land use Plan (2284-600-DR-L-601.P01).

Reason: In order to control the development in detail in the interests of amenity and to ensure the development is designed to a high-quality standard, in accordance with Policy 33 of the Horsham District Planning Framework (2015) and policy BILL 2 of the Billingshurst Neighbourhood Plan (2021).

5 **Regulatory Condition:**
A) A scheme of Acoustic Assessment Design and Mitigation including a site-specific statement of design principles and accompanying noise mitigation zoning plan shall be submitted with any reserved matters application. The Scheme of Acoustic design and Mitigation shall demonstrate how the impacts of intrusive noise from the neighbouring commercial and industrial premises shall be mitigated and reduced to a minimum on future habitable rooms and how the number of rooms impacted by intrusive noise shall be suitably minimised in accordance with the Professional Practice Guidance on Planning & Noise ProPG main document and supporting documents 1 and 2. The scheme shall be supported by a premises specific overheating assessment with details of enhanced mechanical ventilation to be installed sufficient to prevent overheating and maintain thermal comfort of future occupiers and shall also demonstrate by calculation and modelling how intrusive noise from the neighbouring industrial units shall be minimised and reduced within residential amenity spaces.

B) The scheme of ventilation shall be designed following a suitable overheating assessment in accordance with the CIBSE overheating position statement March 2020 using weather files DSY2 and a suitable scheme to mitigate overheating and ventilate the premises hereby permitted and as shall have due regard to the design standards of Acoustics Ventilation And Overheating: Residential Design Guide January 2020.

All work shall be carried out by a suitably qualified consultant.

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

6 **Regulatory Condition:** If the outline application hereby approved does not commence within two years from the date of the planning consent, the approved ecological mitigation measures secured through condition shall be reviewed and, where necessary, amended and updated.
The review shall be informed by further ecological surveys commissioned to:

i establish if there have been any changes in the presence and/or abundance of protected species and
ii identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of the residential development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To allow the LPA 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 (as amended), and Policy 31 of the Horsham and District Planning Framework (2015).

7 **Pre-Commencement Condition:** The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the Biodiversity Gain Plan and including:

- a non-technical summary;
- the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the Biodiversity Gain Plan; and
- the management measures to maintain habitat in accordance with the Biodiversity Gain Plan from the completion of development.

has been submitted to, and approved in writing by, the local planning authority.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Any proposed or retained planting, which within a period of 5 years after the completion of development, 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 the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy 31 of the Horsham District Planning Framework (2015).

8 **Pre-Commencement Condition:** No site levelling works shall take place until full details of the existing and final land levels and finished floor levels (in relation to nearby datum points) have been submitted to and approved by the Local Planning Authority in writing. The details shall include the proposed grading of land areas including the levels and contours to be formed, showing the relationship of proposed land levels to existing vegetation and surrounding landform. The site levelling works shall be completed in accordance with the approved details prior to the commencement of development of any building within the site.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 33 of the Horsham District Planning Framework (2015) and policy BILL 2 of the Billingshurst Neighbourhood Plan (2021).

9 **Pre-Commencement Condition:** No development (including any ground clearance or site levelling) shall commence until the following demolition and construction details have been submitted to and approved in writing by the Local Planning Authority. The details shall be limited to the following measures:

a. Details of site management contact details and responsibilities;
b. A plan detailing the site logistics arrangements on a phase-by-phase basis (as applicable), including:
    i. location of site compound,
    ii. location for the loading, unloading and storage of plant and materials (including any stripped topsoil),
    iii. site offices (including location, height, size and appearance),
    iv. location of site access points for construction vehicles,
    v. location of on-site parking,
    vi. locations and details for the provision of wheel washing facilities and dust suppression facilities
c. The arrangements for public consultation and liaison prior to and during the demolition and construction works – newsletters, fliers etc, to include site management contact details for residents;
d. Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination

All demolition and construction activities shall thereafter be carried out in accordance with the details and measures approved.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers and highway safety during construction and in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

10 **Pre-Commencement Condition:** Not later than the submission of the first Reserved Matters submission, details of a scheme for the disposing of surface water by a means of sustainable drainage system shall be submitted to and approved in writing by the local planning authority in accordance with the approved drainage strategy and discharge rates as contained within the Flood Risk Assessment and Drainage Strategy - V2 by Motion, 16/12/2025 and TN37 - Phase 2 Response to LLFA Comments by Motion dated 28/01/2026. The scheme shall be implemented in full in accordance with the approved details prior to the first occupation of the development.
The submitted details shall:

i) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharge from the site via a proposed sustainable drainage system and the measures taken to prevent pollution of the receiving surface waters.
ii) Demonstrates that the proposed surface water drainage system does not surcharge in the 1 in 1 critical storm duration, flood in the 1 in 30 plus climate change critical storm duration or the 1 in 100 critical storm duration,
iii) Demonstrates that the combined runoff rate for Phase 1 and 2 shall not exceed the consented discharge rate for the hybrid scheme of 42.6l/s in accordance with the calculations in the FRA and Drainage Strategy, including calculations with MADD factor of 0 and CV Value of 1 throughout,
iv) Provide details of how all surface water management features to be designed in accordance with The SUDs Manual (CIRIA C753,2015) including appropriate treatment stages for water prior to discharge.

Reason: To ensure that all Surface Water Drainage features are adequately protected and in accordance with Policies 35 and 38 of the Horsham District Planning Framework (2015) and policy BILL16 of the Billingshurst Neighbourhood Plan (2021).

11 **Pre-Commencement Condition:** Not later than the submission of the first Reserved Matters submission, a landscape strategy shall be submitted to and approved by the Local Planning Authority to include:

(a) An updated and accurate Arboricultural Survey and Arboricultural and Impact Assessment to include all vegetation within and surrounding the site boundary.
(b) Reference to an updated LVIA addendum to secure the retention of and protection of important landscape views and corridors within the site and
(c) Notwithstanding the parameter plan hereby approved, details shall show the retention of the northern hedgerow and a landscape buffer of approximately 10m alongside the northern boundary with New Road, unless otherwise agreed in writing by the LPA

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policies 25, 31 and 33 of the Horsham District Planning Framework (2015) and Policy BILL 2 of the Billingshurst Neighbourhood Plan (2021).

12 **Pre-Commencement Condition:** No development shall commence until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

a) Risk assessment of potentially damaging construction activities.
b) Identification of “biodiversity protection zones”.

c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
d) The location and timing of sensitive works to avoid harm to biodiversity features.
e) The times during construction when specialist ecologists need to be present on site to oversee works.
f) Responsible persons and lines of communication.
g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
h) Use of protective fences, exclusion barriers and warning signs.
i) Containment, control and removal of any Invasive non-native species present on site

The approved CEMP (Biodiversity) shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To conserve protected and Priority species in accordance with Policy 31 of the Horsham District Planning Framework (2015), and allow the LPA 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 (as amended).

13 **Pre-Commencement Condition**: Prior to the commencement of the development, a detailed mitigation strategy establishing the on-site measures to improve air quality at both the operational and construction phases shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be written in accordance with the Council's Planning Advice Document: Air Quality & Emissions Reduction Guidance (2021), and shall detail the calculated damage costs that will be spent on practical mitigation measures. The approved detail within the strategy shall thereafter be strictly adhered to unless otherwise agreed to and approved in writing by the Local Planning Authority.

Reason: To mitigate against the impact of the development in accordance with Policy 24 of the Horsham District Planning Framework (2015) and Air Quality and Emissions Mitigation Guidance for Sussex (2021).

14 **Pre-Commencement Condition:** Not later than the submission of the first Reserved Matters submission, a Biodiversity Enhancement Layout for the biodiversity enhancements listed in the Preliminary Ecological Appraisal (All Ecology, September 2025) has been submitted to and approved in writing by the local planning authority.
The content of the Biodiversity Enhancement Layout shall include the following:

- detailed designs or product descriptions for biodiversity enhancements, including the retention of the northern hedgerow boundary and a compensatory planting along the eastern boundary; and
- locations, orientations and heights for biodiversity enhancements on appropriate drawings.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To conserve protected and Priority species in accordance with Policy 31 of the Horsham District Planning Framework (2015), and allow the LPA 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 (as amended).

15 **Pre-Commencement Condition:** No development (including ground clearance, or bringing equipment, machinery or materials onto the site), shall commence until the following preliminaries have been completed in the sequence set out below:

- All hedgerows, trees and vegetation on the site shown for retention within the Arboricultural Assessment and the Tree Constraints Pan [TP 3253/2601/TCP] 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).

16 **Pre-Occupation Condition**: Prior to the first occupation or use of the development hereby permitted, site-wide Landscape Management and Maintenance Plan (including long term design objectives, management responsibilities, a description of all hard and soft landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility) for all parts of the site (existing and proposed, including new and retained hedgerows to the northern and eastern boundaries) shall have 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 Policies 25, 31 and 33 of the Horsham District Planning Framework (2015).

17 **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).

18 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied, or brought into first use, until a 'lighting design strategy for biodiversity" in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) has been submitted to and approved in writing by the local planning authority. The strategy shall:

- identify those areas/features on site that are particularly sensitive for bats and Hazel Dormouse 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
- 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: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

19 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied, or brought into first use, until a fire hydrant(s) to BS 750 standards or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) has been installed, connected to a water supply with appropriate pressure and volume for firefighting, and made ready for use in consultation with the WSCC Fire and Rescue Service. The hydrant(s) or stored water supply shall thereafter be retained as such.

Reason: In accordance with fire and safety regulations in accordance with Policy 33 of the Horsham District Planning Framework (2015).

20 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied, or brought into first use, until the necessary in-building physical infrastructure and external site-wide infrastructure to enable a minimum provision for gigabit-capable fibre broadband connection has been 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).

21 **Pre-Occupation Condition**: No part of the development hereby permitted shall be first occupied, or brought into first use, until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing numbered PD02 Rev A. The access 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).

22 **Pre-Occupation Condition**: No part of the development hereby permitted shall be first occupied, or brought into first use, until such time as the improvements to local infrastructure have been delivered in accordance with the Bus Shelters shown on the drawing titled 'Drawing PD02.1', and the wider improvements shown on the drawing titled 'PROPOSED UNCONTROLLED PEDESTRIAN CROSSINGS PD02 REV A'. The improvements 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 policies BILL 2 and BILL 12 of the Billingshurst Neighbourhood Plan (2021).

23 **Pre-Occupation Condition**: No part of the development hereby permitted shall be first occupied, or brought into first use, until such time as unimpeded public access has been provided between the site and PRoW_1942. The unimpeded public access shall be retained as such at all times thereafter.

Reason: To ensure the development provides genuine sustainable travel options for the public as set out paragraphs 115 and 117 of the National Planning Policy Framework (2024), Policy 40 of the Horsham District Planning Framework (2015) and policies BILL 2 and BILL 12 of the Billingshurst Neighbourhood Plan (2021).

24 **Pre-Occupation Condition:** No internally and/or externally located plant, machinery equipment or building services plant (such as Air Source Heat Pumps) 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).

25 **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays.

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

26 **Regulatory Condition:** All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (All Ecology, September 2025), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the Precautionary Method Statement for mobile protected species in Section 4.13 of the Preliminary Ecological Appraisal (All Ecology, September 2025), which avoids impacts on protected species.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow the LPA 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 (as amended) and Policy 31 of the Horsham District Planning Framework.

27 **Regulatory Condition:** Notwithstanding the principles set out on the approved Parameter Height Plan (2284-700-DR-L-701.P01), no development in Zone 1 shall exceed 2 ½ storeys, no development in Zone 2 shall exceed 3 storeys, and no development in Zone 3 shall exceed 2 storeys.

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) and policy BILL 2 of the Billingshurst Neighbourhood Plan (2021).

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.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission is Horsham District Council.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan

Statutory exemptions and transitional arrangements
There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at https://www.gov.uk/guidance/biodiversity-net-gain

Irreplaceable habitat
If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

INFORMATIVE
The applicant is advised that the submitted BNG baseline is not accepted and the failure to agree a corrected baseline would result in the Council being unable to discharge the statutory BNG condition.

INFORMATIVE
The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Highway Agreements Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

8. USE OF AI

8.1 This report has not been prepared with the support of artificial intelligence tools.