Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/1020
Southwater Business Park, Sony Dadc Uk Limited , Worthing Road, Southwater, RH13 9YT

DESCRIPTION:

Variation of conditions 1, 5, 10, 14 and 19 of previously approved application reference: DC/23/1843 (Demolition of existing warehouse buildings. Erection of new single-storey buildings to provide employment units for a flexible range of employment uses (Use Classes E(g)(iii), B2 and/or B8) with ancillary offices, together with associated access road, hard and soft landscaping, cycle parking, car parking, EV charging, service yard, loading bays, site infrastructure and associated works). Amendments sought in respect of the design of rainwater harvesting apparatus, drainage infrastructure, the arrangement of the car-park serving approved unit 7 and the treatment of trees present to the south-eastern site boundary

RELEVANT PLANNING HISTORY:

DC/22/0302	Demolition of existing warehouse buildings and redevelopment to provide employment units for a flexible range of employment uses (Use Classes E(g)(iii), B2 and/or B8) erection of ancillary offices, together with the provision of yard areas, parking, landscaping and associated works	Application Permitted on 14.04.2023
DC/23/1226	Prior approval for demolition of all existing buildings on site including warehouses, office space, plant enclosures, removal of floor slabs and foundations, removal of hardstanding yard and parking areas.	Prior Approval Not Required on 19.07.2023
DC/23/1843	Demolition of existing warehouse buildings. Erection of new single-storey buildings to provide employment units for a flexible range of employment uses (Use Classes E(g)(iii), B2 and/or B8) with ancillary offices, together with associated access road, hard and soft landscaping, cycle parking, car parking, EV charging, service yard, loading bays, site infrastructure and associated works.	Application Permitted on 12.07.2024
DC/24/1782	Non Material Amendment to previously approved application DC/23/1843 (Demolition of existing warehouse buildings. Erection of new single-storey buildings to provide employment units for a flexible range of employment uses (Use Classes E(g)(iii), B2 and/or B8) with ancillary offices, together with associated access road, hard and soft landscaping, cycle parking, car parking, EV charging, service yard, loading bays, site infrastructure and associated works.) Relocation of the acoustic fence near unit 1. Repositioning of cycle shelter between units 3 and 4 to allow relocation of landlord's pillar displaced by relocated acoustic fence.	Application Permitted on 10.12.2024
DISC/25/0071	Approval of details reserved by conditions 8 and 13 to approved application DC/23/1843.	Split Decision issued on 28.04.2025

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (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 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

Southwater Neighbourhood Plan (June 2021)
SNP 1 Core Principles
SNP 4 Keeping our Roads Moving
SNP 8 Southwater County Park
SNP13 Enhancing our non-motorised transport network
SNP 15 Driving in the 21 Century Policy
SNP 16 Design
SNP 17 Site levels
SNP 18 A treed landscape
SNP 19 Parish heritage assets
SNP 21 A growing economy

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
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
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Policy 22: Shop Fronts and Advertisements
Strategic Policy 23: Infrastructure Provision
Strategic Policy 24: Sustainable Transport

Policy 25: Parking
Strategic Policy 27: Inclusive Communities, Health and Wellbeing
Strategic Policy 29: New Employment
Strategic Policy 30: Enhancing Existing Employment

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

Planning Advice Notes:
Shaping Development in Horsham
Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATIONS RESPONSES
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

Consultations:

HDC – Arboriculture: No objection:-

"The site is in the process of implementation of approved development DC/23/1843. Damage to the roots of trees in close proximity to the approved car parking along the Southern boundary has been documented within the submissions in accordance with the requirements of the AMS. The approach to amend the plans to remove two further trees and retain one is a reasonable approach in the circumstances."

WSCC – Highways: No objection:-

"The changes to the car park management plan as shown on revision b, show the changes made to the car parking spaces to avoid interfering with the trees. No changes are made to the number of spaces and the cycle parking area appears to be located in the same position as such WSCC raise no objections to the VOC."

WSCC – Lead Local Flood Authority: No objection:-

"Following a review of the Flood Risk Assessment + Drainage Strategy dated 17.04.2025, we have no objection to this application."

Place Services – Ecology: No objection:-

"We have reviewed the submitted documents, including the cover letter. The proposed amendments relate to a change in the design of rainwater harvesting apparatus, drainage infrastructure, the arrangement of the car-park serving approved unit 7 and the treatment of trees present to the south-eastern site boundary. We are satisfied the proposed changes will not impact the already secured ecological mitigation measures and will not lead to any further impacts on ecology.

We have no further comments on this variation of condition application. Remaining conditions relating to ecology for this consented development should be retained."

Southwater Parish Council: Objection:-

"Water Neutrality: Water neutrality calculations are based on 3 units carrying out one type of process which do not use water in the manufacturing.

As there are now seven units which potentially will be carrying out seven different types of

manufacturing or types of use, then the rainwater harvesting system is not sufficient for the size of the development and only addresses in part the issues with the Water Neutrality Statement. The original calculations were based on water bills for Sony so no accurate calculations have been made."

PUBLIC CONSULTATIONS:

Representations:

3x letters of representation have been received in objection to the proposed development. The main material grounds for objection can be summarised as:-

- Concern surrounding the accuracy of the existing baseline level of water-consumption;
- Concern that the variety of potential manufacturing activities could influence the scale of associated water consumption and render the proposed rainwater harvesting system insufficient;
- Concern that the loss of trees could lessen the amount of screening available to the proposed development and could worsen effects upon nearby occupiers/users of land;
- Proposed units are situated at the minimum distance from nearby properties;

Member Comments:
None received

HUMAN RIGHTS AND EQUALITY:
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.

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.

PLANNING ASSESSMENT

This application is made pursuant to S.73 of the Town and Country Planning Act 1990 and seeks the grant of a new planning permission by way of the variation of Conditions 1, 5, 10, 14 and 19 attached to the previous grant of planning permission ref: DC/23/1843. It is noted that development has commenced on the site pursuant to this permission.

The nature of variations sought in this instance are minor and relate, firstly, to the size and positioning of rainwater harvesting tanks to be installed in association with the approved development and, secondly, to the layout of the car-park serving approved Unit 7 and associated tree works/effects. The proposals, otherwise, seek the grant of planning permission on an identical basis to that approved pursuant to ref: DC/23/1843.

As described within the submitted 'Water Neutrality Statement Revisions' document, the applicant is seeking a variation of Conditions 1 (Plans Condition), 5 (Water Neutrality Mitigations) and 14 (Drainage Strategy), reflecting the non-availability of 110,000 litre rainwater harvesting tanks as proposed within the initially approved Water Neutrality Strategy. In the alternative to the single 110,000 litre rainwater tank, the applicant proposes to install two 55,000 litre tanks forward (south) of approved Unit 5. This repositioning of rainwater apparatus has resulted in changes to the wider drainage strategy, including the positioning and extent of surface water attenuation tanks and associated pipework.

Changes to the proposed car-park arise, as discussed in the updated Arboricultural Implications Report, as a consequence of physical investigations undertaken under arboricultural supervision. The applicants arborist identified that root structures associated with Aspens Nos 23, 24 and 25, targeted for retention, were more extensive than originally plotted and that the construction of the car-park to the original layout could not proceed while allowing for the realistic retention of all three trees. The applicant proposes to reconfigure the approved parking layout to substantially omit hardstand from the root protection area of Aspen No.23 (a category B tree) by displacing car-parking to the north. This arrangement would necessitate the felling of Aspen Nos 24 and 25 (category C trees). Variations in respect of Conditions 1 (Plans Condition), 10 (Electric Vehicle Charging Layout) and 19 (Arboricultural Method Statement and Tree Protection Plan) are sought as a consequence of this change.

The use, quantity and scale of development remains as approved pursuant to ref: DC/23/1843, with the nature of variations sought not considered of a nature which would warrant a reconsideration of the principle of development.

The proposed reconfiguration of rainwater harvesting tanks would maintain the same rainwater storage capacity as previously assessed pursuant to ref: DC/23/1843, with no possible adverse effect considered to result to the integrity of the Arun Valley SAC, SPA and Ramsar designations as a consequence of this change. It is, therefore, considered that the Authority may permit the proposed development without conflict with the Authority's duties pursuant to Regulation 63 of the Conservation of Habitats and Species Regulations (2017) (as amended) for the reasons given within the Council's initial appropriate assessment undertaken in association with ref: DC/23/1843.

It is considered that the proposed reconfiguration of surface water drainage tanks, in response to the change in rainwater storage, would not materially decrease surface water storage capacity, increase the risk of flooding within the site or to users/occupiers elsewhere. The proposals, therefore, are considered to remain compliant with the provisions of HDPF Policy 38 in this respect.

The proposed reconfiguration of parking layouts at the eastern extent of the development, and associated changes to tree works, are considered a logical response to on-site investigation undertaken as part of the programme of arboricultural works approved pursuant to ref: DC/23/1843. The proposed reconfiguration would allow the retention of a single better established mature tree (No.23) at the expense of two lower value trees (Nos 24 and 25). The originally approved layout is likely to have resulted in notable harm to the lifespan of all three trees, reflecting the abnormally large root structure growth into the development site and beyond the RPA originally modelled. The view of the Council's arborist is that the proposed amendments are reasonable under these circumstances and does not warrant objection in arboricultural terms.

The Council's consultant ecologists, further, have confirmed the acceptability of the proposed change in ecological terms and changes to the treatment of trees do not impact upon the secured ecological mitigation strategy or result in new ecological effects. The Local Highways Authority, similarly, have noted that the proposals would retain the same number of vehicular and cycle parking spaces and in substantially the same position as previously approved.

The proposed changes to car-park layout and associated tree-operations are considered acceptable in terms of visual and landscape effects, and would not expose Unit 7 to any significantly greater public views from Southwater Country Park noting that trees Nos 23, 24 and 25 form a very small component of the pre-existing tree-belt primarily present within neighbouring land to the adjacent east and south of the application site.

The proposals, further, would not introduce new effects upon the living conditions of nearby occupiers of land/property, or otherwise exacerbate any pre-existing effect previously identified and assessed pursuant to ref: DC/23/1843. The proposed changes, further, do not impact upon air-quality, heritage, biodiversity or highway safety and operation. No further consideration is necessary in relation to these matters beyond the Council's original assessment.

Overall, therefore, it is considered that the proposals are acceptable in all material regards and that a new planning permission can be granted on the amended basis sought and subject to the imposition of appropriately worded conditions.

It should be noted that this application made pursuant to S.73 does not engage a statutory demonstration of Biodiversity Net-Gain (BNG), noting that the parent permission was made in advance of 12th February 2024 and the provisions of the relevant PPG at Paragraph 003[1].

Recommendation: Application Permitted

Conditions:

1.) **Plans list**

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

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

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

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

4.) **Pre-Occupation Condition:** The development hereby approved shall not be occupied or brought into use unless and until standards of water-efficiency specified within Appendix C to the approved Water Neutrality Statement (Cudd Bentley Consulting, ref: 65150-CBC-SP-RP-S-001 Rev 006, received 19.06.2025) have been achieved through the installation of appropriate appliances/fittings, and a rainwater harvesting system provided to service all W/C installations installed within the approved development. The rainwater harvesting system shall accord with that detailed at Appendix D to the approved Water Neutrality Statement. Any replacement water-consuming appliances, fixtures or fittings must be of an equivalent and/or superior standard of water-efficiency to those detailed within the approved Water Neutrality Statement. Any replacement W/C installations must continue to be serviced solely by harvested rainwater, unless explicitly agreed by the Local Planning Authority in writing.

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

5.) **Pre-Occupation Condition:** Prior to the first occupation of the approved development, or the approved development being brought into use, 4.5m acoustic fencing shall be installed in the locations detailed on plan ref: 4690-PL-003 Rev D, received 01.07.2025. Acoustic fencing shall

[1] Guidance – Biodiversity Net Gain, Paragraph 003 (Reference ID: 74-003-20240214) (https://www.gov.uk/guidance/biodiversity-net-gain)

be solid in composition and, thereafter, be retained/maintained to the same height, position and composition as that approved.

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

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

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

7.) **Pre-Occupation Condition:** No building hereby permitted shall be first occupied unless and until provision for the storage of refuse/recycling has been made for that building (or use) in accordance with the approved Refuse Strategy (LHA Architects, Received 19.05.2025) and the accompanying approved plan refs: 4690-PL-010, 4690-PL100, 4690-PL400 and 4690-PL-700 received 19.05.2025, unless alternative details for the storage of refuse/recycling associated with each respective unit have been submitted to and approved in writing by the Local Planning Authority in advance of the first occupation of that unit. These facilities shall thereafter be retained for use at all times.

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

8.) **Pre-Occupation Condition:** Prior to occupation of any unit hereby permitted the car parking spaces, turning and access facilities necessary to serve that unit shall be implemented and made available for use in accordance with the approved plans and shall be thereafter retained as such.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015) and SNP4 and SNP13 of the Southwater Neighbourhood Plan (2021).

9.) **Pre-Occupation Condition:** Prior to the first occupation of any unit hereby approved, electric-vehicle charging infrastructure shall be installed in accordance with details indicated on the approved Car Park Management Plan (ref: 4690-PL-004 Rev B, received 01.07.2025). Electric vehicle charging infrastructure shall, thereafter, be maintained as approved.

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

10.) **Pre-Occupation Condition:** Prior to the first occupation of any unit hereby permitted, covered cycle-parking facilities of the capacity indicated shall be provided and made available for use as denoted within approved layout plan (ref: 4690-PL-002 Rev D, received 01.07.2025). Cycle parking facilities shall, thereafter, be retained as approved solely for the parking of cycles.

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

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

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

12.) **Pre-Occupation Condition:** Prior to the first occupation of the development hereby approved, electric-vehicle charging apparatus and green-roof cycle shelters shall be provided and made ready for use in accordance with the approved Electrical Services Layout (ref: 3544-CSL-E-700 and 3544-CSL-E-701), External Services plan (ref: 5720 MEP Z07 00 DR U 6000 Rev P3, Cycle Shelter and Green Roof Shelter specifications as received 03.03.2025. The air-quality mitigation measures shall, thereafter, be implemented as approved and retained as such thereafter.

Reason: To ensure the delivery of air-quality mitigations necessary to offset the calculated air-quality damage cost of the approved development (as specified within the Damage Cost and Emissions Mitigation Plan (TRC Companies Ltd, ref: 554969.0000.0001.02.r1) such as to ensure that the approved development does not adversely influence local air-quality conditions and mitigates the emission of pollutants in accordance with Policy 24 of the Horsham District Planning Framework (2015).

13.) **Pre-Occupation Condition:** Prior to the first occupation of the development hereby approved, surface-water drainage infrastructure necessary to service the approved development as detailed within the approved Flood Risk Assessment and Drainage Strategy (I&L Consulting Ltd, ref: 23-017-CHA Rev P2, submitted 01.07.2025) shall be installed and made available for use. Approved drainage infrastructure shall, thereafter, be maintained in accordance with the approved Maintenance and Management Strategy included at Section 5.4.1 of the approved Flood Risk Assessment and Drainage Strategy (I&L Consulting Ltd, ref: 23-017-CHA Rev P2).

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

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

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

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

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

16.) **Regulatory Condition:** No externally located plant, machinery equipment or building services plant located on the facade or roofs of the approved buildings with line of sight to residential properties shall be operated until an assessment of the acoustic impact arising from

the operation of all such equipment has been undertaken and has been submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken in accordance with BS 4142:2014 and shall include a scheme of attenuation measures to mitigate any adverse impacts identified in the acoustic assessment and ensure the rating level of noise emitted from the proposed building services plant is no greater than background levels nearest to the noise sensitive receptor. The scheme as approved by the Local Planning Authority shall be fully installed prior to first operation of the plant and shall be retained as such thereafter.

Reason: To lessen the emission of noise pollution and to safeguard the living conditions of nearby occupiers in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

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

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

18.) **Regulatory Condition:** All works shall be executed in full accordance with the approved Arboricultural Implications Report, including the Outline Arboricultural Method Statement and Tree Protection Plan respectively included as Appendices 2 and 4 (ref: SJA air 23318-01b, dated June 2025, SJA Trees Arboricultural Planning Consultants). Other than those trees identified for removal or reduction, no trees shall be uprooted, felled/removed, topped and/or lopped without the express consent of the Local Planning Authority in writing within a period of 5-years following the completion of the approved development.

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

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

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

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

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

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

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

22.) **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or the Town and Country Planning (Use Classes) Order 1987 (as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020) (or any order amending or revoking and/or re-enacting these Orders), the premises hereby permitted shall only be used for uses falling within Classes E(g)(iii), B2 or B8 use only and for no other purposes whatsoever, without express planning consent from the Local Planning Authority first being obtained.

Reason: The site not within an area where permission for shopping purposes or town centre uses would normally be granted and to ensure the development remains in appropriate employment use and due to unknown and potentially harmful impacts on local amenity under Policies SNP1 and SNP21 of the Southwater Neighbourhood Plan (2021) and Policies 7, 9 and 33 of the Horsham District Planning Framework (2015) and to ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations

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

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

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

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

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

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

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

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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

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

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

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

30.) **Regulatory Condition:** No part of the buildings hereby approved or wider site shall be designated, equipped or used as a vehicle washing area without the prior written consent of the Local Planning Authority.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy

Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

31.) **Regulatory Condition:** Following the first occupation of each building within the development hereby approved, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Act or Order amending, re-enacting or replacing that Order, no mezzanine or additional floor levels other than those hereby approved shall be constructed within any building without express planning consent from the Local Planning Authority first being obtained.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2023), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

32.) **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or replacing and/or re-enacting that Order), the premises hereby permitted shall not include trade counters or showroom/retail uses without express planning consent from the Local Planning Authority first being obtained.

Reason: The site is not within an area where permission for shopping purposes or town centre uses would normally be granted and to ensure the development remains in appropriate employment use in accordance with Policies 7 & 9 of the Horsham District Planning Framework (2015) and SNP21 AND SNP1 of the Southwater Neighbourhood Plan (2021).

33.) **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or replacing and/or re-enacting that Order), including the provisions of the Order at Class H, Part 7 of Schedule 2, no buildings, additions, and/or extensions shall be erected or placed within the site without express planning permission from the Local Planning Authority first being obtained.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2023), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

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

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

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

Reason: In the interests of visual amenity and to preserve the character and appearance of the site in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/25/1020
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Approved Plans List:

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	Air Quality Damage Cost and Emissions Plan	554969.0000.0001.02.r1	04.04.2024
Details plan	Constraints Plan	46845 - T0	13.12.2023
Details plan	Levels and External Works	23-018-I_L G01 T2	18.01.2024
Details plan	Topographical Survey	46845- T0	13.12.2023
Supporting Statement	Desk study part 3	440032 Figure 02	03.10.2023
Elevation plan	Units 1-7 street scene	4690-PL-220 REV A	18.01.2024
Supporting Statement	Desk Based Geoenvironmental and Geotechnical Site Assessment Report	440032.0000.00001.0	03.10.2023
Supporting Statement	Desk study part 2	440032 Figure 01	03.10.2023
Supporting Statement	Desk study part 4 - Annex B, Envirocheck Report	440032 - ANNEX B	03.10.2023
Supporting Statement	Desk study part 5 - Historic and land-use mapping	440032	03.10.2023
Supporting Statement	Desk Study Part 6 - Watercourse and geological mapping	440032	03.10.2023
Supporting Statement	Desk study part 7	440032	03.10.2023
Supporting Statement	Desk study part 8 - Aerial and site photography	440032	03.10.2023
Floor plan	Existing	4690-PL-052	03.10.2023
Details plan	Estate sign	4690-PL-005	03.10.2023
Site plan	Existing	4690-PL-050	03.10.2023
Floor plan	Existing	4690-PL-051	03.10.2023
Elevation plan	Existing	4690-PL-053	03.10.2023
Location plan		4690-PL-001	03.10.2023
Block plan		4690-PL-002 REV D	01.07.2025
Site plan		4690-PL-003 REV D	01.07.2025
Layout plan	Car Park Management Plan	2490 PL 004 Rev B	01.07.2025
Supporting Statement	Biodiversity Net Gain Report	NONE	03.10.2023
Supporting Statement	BREEAM PRE-ASSESSMENT REPORT	6515-CBC-MN-RP-S-005-P01 005	25.04.2024
Supporting Statement	Car Parking Management Plan	J327527 V 1.4	18.01.2024
Supporting Statement	Construction Management Plan	NONE	03.10.2023
Supporting Statement	Cover letter	NONE	03.10.2023
Supporting Statement	Delivery, Collection and Service Management Plan	NONE	03.10.2023

Design & Access Statement		NONE	03.10.2023
Supporting Docs		NONE	03.10.2023
Supporting Statement	Air Quality Assessment	NONE	03.10.2023
Supporting Statement	Arboricultural Implications Report	SJA air 25356-01b	01.07.2025
Supporting Statement	Biodiversity Enhancement Strategy	NONE	03.10.2023
Layout plan	Planting Layout - West	896.19.03 REV A	18.01.2024
Layout plan	Planting Layout - East	896.29.03 REV D	27.08.2025
Supporting Statement	Private Water Supply Management Plan	NONE	03.10.2023
Supporting Statement	Remediation Strategy and Verification Plan	NONE	03.10.2023
Supporting Statement	Schedule of Gross External Areas	NONE	03.10.2023
Floor plan	Unit 7	4690-PL-701 REV A	18.01.2024
Elevation plan	Unit 7	4690-PL-720 REV A	18.01.2024
Roof plan	Unit 7	4690-PL-702 REV A	18.01.2024
Section plan	Unit 7	4690-PL-730 REV A	18.01.2024
Floor plan	Unit 7	4690-PL-700 REV A	18.01.2024
Roof plan	Unit 1-3	4690-PL-102 REV A	18.01.2024
Elevation plan	Unit 1-3	4690-PL-120 REV A	18.01.2024
Section plan	Unit 1-3	4690-PL-130 REV A	03.10.2023
Floor plan	Unit 1-3	4690-PL-100 REV A	18.01.2024
Floor plan	Unit 1-3	4690-PL-101 REV A	18.01.2024
Floor plan	Unit 4-6	4690-PL-401 REV A	18.01.2024
Roof plan	Unit 4-6	4690-PL-402 REV A	18.01.2024
Elevation plan	Unit 4-6	4690-PL-420 REV A	18.01.2024
Section plan	Unit 4-6	4690-PL-430 REV A	18.01.2024
Floor plan	Unit 4-6	4690-PL-400 REV A	18.01.2024
Supporting Statement	Schedule of external materials	NONE	03.10.2023
Supporting Statement	Transport Assessment	J327526 V2.2	18.01.2024
Details plan		6515-CBC-00-XX-DR-U-96002 REV P02	03.10.2023
Supporting Statement	Water Neutrality Statement	6515 CBC SP RP S 001 006 Rev 006	19.06.2025
Supporting Statement	Ecological Assessment	11685.EcoAs.vf1	03.10.2023
Supporting Statement	Electric Vehicle Charging Technical Note	NONE	03.10.2023
Supporting Statement	Energy and Sustainability Statement	6515-CBC-HR-RP-S-005-P03, Rev 003	03.10.2023
Supporting Statement	External impact lighting assessment	6515-CBC-HF-RP-E-001 P05	18.01.2024
Supporting Statement	Flood Risk Assessment and Drainage Strategy	23-017-CHA Rev P2	01.07.2025

Supporting Statement	Framework Travel Plan	J327526 V.2.2	18.01.2024
Supporting Statement	Landscape and Ecological Management Plan	11685.LEMP.vf	03.10.2023
Supporting Statement	Lighting Design Strategy for Biodiversity	11685 vf1	03.10.2023
Supporting Statement	Noise Impact Assessment	554969.0000.0000 rev 1.0	03.10.2023
Supporting Statement	Preliminary Phase II Geo-environmental and Geotechnical Site Assessment	440042.0000.0000	03.10.2023
Supporting Statement	Planning Statement	NONE	03.10.2023
Floor plan	UNIT 7 GROUND FLOOR PLAN	4690-PL-700	19.05.2025
Floor plan	UNITS 4-6 GROUND FLOOR PLAN	4690-PL-400	19.05.2025
Floor plan	UNITS 1-3 GROUND FLOOR PLAN	4690-PL-100	19.05.2025
Site plan	SITE PLAN - CONDITION & REFUSE/RECYCLING	4690-PL-010	19.05.2025
Supporting Docs	REFUSE STRATEGY		19.05.2025
Site plan	External Services	5720 MEP Z07 00 DR U 6000 REV P3	03.03.2025
Supporting Docs	Cycle Shelters	NONE	03.03.2025
Supporting Docs	Green Roof Shelters	NONE	03.03.2025
Supporting Docs	Electric Vehicle Charging	NONE	03.03.2025
Plans	Electrical Services Layout	3544-CSL-E-700	03.03.2025
Plans	Electrical Services Layout	3544-CSL-E-701	03.03.2025

DELEGATED

Case Officer sign/initial Giles Holbrook Date: 24.09.2025

Authorising Officer sign/initial Adrian Smith Date: 24/09/2025