DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/1939
The Business Park, Maydwell Avenue, Slinfold, West Sussex,

DESCRIPTION:
Removal of Conditions 3, 4 and 5 of previously approved application DC/24/2004 (Erection of a storage building (Use Classes B8) with associated parking and revised circulation arrangements) relating to water neutrality.

RELEVANT PLANNING HISTORY:

DC/24/2004	Erection of a storage building (Use Classes B8) with associated parking and revised circulation arrangements	Application Permitted on 16.05.2025

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles

Slinfold Neighbourhood Plan:
Slinfold Neighbourhood Plan has been made.
Policy 11 – Existing Employment Centre
Policy 12 – Economy and Enterprise

Horsham District Local Plan (2023-40) (Regulation 19):
Policy 9: Water Neutrality
Policy 17: Green Infrastructure and Biodiversity
Policy 19: Development Quality
Policy 20: Development Principles

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:
None Received

PUBLIC CONSULTATIONS:

Representations:
None Received

Parish Comments:
Slinfold Parish Council: No Objection

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

Principle of Development:

The application seeks the removal of Condition 3,4 and attached to planning permission DC/24/2004, which required the development to demonstrate water neutrality in accordance with Natural England's Position Statement of September 2021. That conditions were imposed to ensure compliance with the Conservation of Habitats and Species Regulations 2017, given uncertainty at that time regarding the potential effects of increased groundwater abstraction on the Arun Valley Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar sites.

Since the granting of the original permission, the policy and evidential context has materially changed. On 31 October 2025, Natural England formally withdrew its September 2021 Position Statement following the completion and scrutiny of Southern Water's Hardham Basin Environmental Study. Natural England confirmed that a package of agreed measures, including a reduction in the Hardham groundwater abstraction licence and additional eco-logical resilience measures, provides sufficient certainty that new development within the Sussex North Water Supply Zone will not have a likely significant effect on the Arun Valley designated sites. As a consequence, Natural England has advised that local planning authorities are no longer required to undertake Appropriate Assessment or secure water neutrality mitigation for new development on the basis of water scarcity alone.

Notwithstanding the forthcoming licence modification, Horsham District Council, as competent authority, has continued to apply a precautionary approach pending formal implementation of the licence changes. In agreement with Natural England, the Council is utilising verified water savings achieved by Southern Water during 2024/25 through leakage reduction and related measures. These savings amount to approximately 3,240,000 litres per day and can be attributed to new development without increasing abstraction pressure on the Arun Valley sites. Natural England's standing advice dated 10 November 2025 confirms that reliance on these savings raises no objection and constitutes Natural England's formal response under Regulation 63(3) of the Habitats Regulations.

In this case, Officers have undertaken an Appropriate Assessment which demonstrates that the additional water demand arising from the development permitted under DC/24/2004, when considered alone and in combination with other permissions granted since 31 October 2025, would not exceed the available Southern Water savings. It is therefore concluded that the development will not result in an adverse effect on the integrity of the Arun Valley SAC, SPA or Ramsar sites.

Given the withdrawal of Natural England's 2021 Position Statement, the availability of confirmed water savings, and the conclusions of the Appropriate Assessment, it is considered that Conditions 3,4 and 5 are no longer necessary to make the development acceptable in planning terms. The conditions no longer meets the tests set out in paragraph 56 of the NPPF, as it is are not required to mitigate any identified harm. The removal would not conflict with Policy 31 of the Horsham District Planning Framework or the Council's duties under Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017.

Accordingly, the removal of Conditions 3,4 and 5 are considered acceptable, and the development permitted under DC/24/2004 can proceed without further water neutrality restrictions, without giving rise to harm to protected European sites.

Recommendation: Application Permitted

Conditions:

2 **Standard Time Condition**: The development hereby permitted must be commenced by the 16.05.2028.

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

3 Not Used

4 Not Used

5 Not Used

6 **Pre-occupation Condition**: No part of the development hereby permitted shall be first occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

(a) Details of all existing trees and planting to be removed and retained
(b) Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
(c) Details of all hard surfacing materials and finishes
(d) Details of all boundary treatments
(e) Details of all external lighting

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed or retained planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

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

7 **Pre-occupation Condition**: The development hereby permitted shall not be first occupied until the car parking and access plan (CS-2024-04-10-5/ CS-2024-04-10-7) has been constructed and made available for use in accordance with the approved plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide adequate on-site car parking spaces for the development in accordance with Policies 40 and 41 of the Horsham District Planning Framework (2015).

8 **Regulatory Condition**: The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

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).

9 **Regulatory Condition**: Piling or any other foundation designs using penetrative methods shall not be undertaken other than with the prior express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater and / or surrounding vegetation. The development shall be carried out in accordance with the approved details.

Reason: To ensure that no unacceptable risks are caused to the wider environment during and following the development works and in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

10 **Regulatory Condition**: No external lighting or floodlighting shall be installed other than with the permission of the Local Planning Authority by way of formal application.

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

11 **Regulatory Condition**: The building hereby permitted shall be used for Class B8 use only in association with the use(s) of the wider, as identified on the approved block plan LP/01. The building shall not be used for any other purpose, or used separately from the wider, without the prior written consent of the Local Planning Authority by way of a formal application.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), and the National Planning Policy Framework (2023).

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/25/1939

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Statement		NONE	17.11.2025

Plans list for: DC/24/2004:

Schedule of plans/documents **approved:**

Plan Type	Description	Drawing Number	Received Date
Location plan		LP/01	18.12.2024
Block plan		BP/01	03.01.2025

Elevation plan	Proposed	002	18.12.2024
Supporting Statement	Water Neutrality	C3409	18.12.2024
Plans	Traffic Management	001	06.01.2025
Supporting Statement	Planning	none	18.12.2024
Floor plan	Proposed	004	18.12.2024
Layout plan	Cark parking and access	CS-2024-04-10-5	16.04.2025
Details plan	Cark parking and access	CS-2024-04-10-7	16.04.2025
Supporting Statement	Transport technical report	none	16.04.2025

DELEGATED

Case Officer sign/initial Shazia Penne Date: 20.01.2025

Authorising Officer sign/initial RHERMITAGE Date: 23.01.2026