



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0398

Birchfield Nursery, London Road, Henfield, West Sussex, BN5 9AB

DESCRIPTION:

Change of Use of part of the site from the existing nursery (Sui Generis) to mixed used garden centre (Class B8 and E).

RELEVANT PLANNING HISTORY:

DC/26/0048	Replacement of agricultural barn (class R) and offices, with a new commercial building with flexible use including workshop/office space. Building to styled very similar to permanent coffee shop application with Eternit roof slates and timber cladding.	Pending Consideration
DC/25/1828	Demolition of existing temporary coffee shop facility and erection of a single-storey permanent coffee shop structure.	Application Permitted on 03.03.2026
DC/25/1830	Erection of a commercial building with offices, staff welfare and toilets.	Application Permitted on 16.01.2026
DC/25/0810	Prior Notification for the Change of Use of an Agricultural Building to flexible commercial use.	Prior Approval Refused on 04.11.2025
DC/25/0625	Prior Notification for Change of Use to a flexible commercial use, covering the following usages B2,B8, E or Class F or the provisional of agricultural training.	No Objection 09.06.2025
DC/24/1448	Creation of onsite storage including barn and polytunnel.	Application Permitted on 19.03.2025
DC/24/1447	Retention and use of hardstanding (Retrospective).	Application Permitted on 19.03.2025
DC/24/1411	Temporary permission to retain pop-up coffee shop, ancillary to the wider horticultural use (Retrospective)	Temporary Consent Granted 19.12.2024 – <i>Expires</i> 01.01.2027
DC/24/1575	Prior notification for the change of use of an existing portacabin to be changed to flexible commercial (Class R).	Objection 22.11.2024
DC/24/0290	Temporary permission to retain pop-up coffee shop, ancillary to the wider horticultural use (Retrospective)	Application Refused on 23.04.2024

DC/23/1563	Retention of existing hardstanding for the storage of outside plants and erection of a storage building for agricultural use (landscape supply).	Application Refused 16.04.2024	
DC/23/1536	Application to confirm the continuous use of building for Class E use as a Coffee shop for a period in excess of ten years (Lawful Development Certificate Existing)	Application Refused 10.10.2023	on
DC/20/1906	Change in use of the premises to mixed-use purposes for Use Classes B8, E and as a base for a garden design and landscaping business.	Application Refused 24.06.2021 <i>Dismissed Appeal</i>	on – at
DC/19/2454	Lawful development application seeks formal confirmation the Deemed Discharge Notice submitted and registered in respect of DISC/18/0371 was lawfully constructed, registered as such by the Council and duly came into effect in accordance with the law such that the details submitted pursuant to conditions 6 and 7 of DC/17/1067 were, in law, deemed approved 12 March 2019. (Certificate of Lawful Development - Proposed)	Application Refused 03.02.2020	on
DC/17/1067	Proposed creation of new access and vehicle crossover (VCO)	Application Permitted 29.08.2017	
DC/16/0288	Erection of a 2m high fence (Certificate of Lawful Development - Proposed)	Application Refused 11.04.2016	
DC/14/2007	Works to existing nursery operation including erection of new multi purpose main building including retail, office, exhibition spaces and ancillary facilities and site storage shed. Formation of new vehicular access to the A281 together with car parking and service road and the provision of new security fencing.	Application Refused 22.01.2015 <i>Dismissed Appeal</i>	– at
DC/11/1250	Proposed new building incorporating shop, coffee shop, kitchen, store, office and WC's	Application Permitted 20.01.2012	

DESCRIPTION OF THE SITE

The application relates to a site formerly known as 'Birchfield Nursery', which comprises an overall 2.3ha of land. The site lies in a rural area, some 540m north of the Henfield Built Up Area Boundary (as the crow flies), and is subject to a complex planning history, having been predominantly a wholesale horticultural nursery for some 30+ years before changing hands in 2010, when the nursery business continued on the site. A range of buildings and structures continue to occupy the site, even though the garden nursery use has been scaled back, with glasshouses and polytunnels, timber buildings and portacabins dotted around the site, along with shipping storage containers at the southern end. Around these structures are areas of hard-standing, gravel and compacted ground.

Vehicular access to the site has been established directly off the A281, approved under application DC/17/1067. The site is bounded by Kidders Lane to the north and the A281 along the eastern side, grassed verges, earth bunds and Oak trees.

The lawful land use of the site remains 'horticultural' in nature.

Northern part:

The northern area of the site comprises a small barn alongside the boundary with Birchfield House to the west. This barn is subject to a concurrent planning application under DC/26/0048 to replace the

existing building for a new flexible use workshop. The application submits that the site operates as a *'rural employment hub'*, accommodating a number of businesses, including storage, haulage, and construction-based enterprises in addition to the garden nursery. The application for that portion of the site seeks permission for a new building of similar proportions, but enabling a wider use (Classes B2, B8, E and F) with a view of providing *'modern workshop and office facilities that will benefit all the existing businesses'*.

At the time of the officer site visit, a new timber cabin was noted alongside the northern boundary which was stated to be for housing the water filtration / plant equipment associated with the site-wide water harvesting system. An existing black portacabin remains sited alongside the northern fence, and a further black portacabin is site in the northern part of the site, alongside existing cluster of polytunnels and structure, branded with the 'Jack Dunkley' ident. In March 2026, permission was granted for a new timber building to house a new permanent café, shop and WCs under DC/25/1828, with an external seating area to the south side of the building and doors to the northern side / car park. The permission requires a number of pre-commencement and pre-occupation conditions to be discharged, and restricts the use of the café / shop to ancillary to the use of Birchfield Nursery / Garden Sage (lawful horticultural use of the site).

Historically, this part of the site was the entrance point to the site, off Kidders Lane, but this has since been stopped up and fenced off, with the access now coming directly off the A281, as permitted under DC/17/1067. This area is largely hard-surfaced with road planings with a new perimeter hedge being established around the site boundary.

Central part:

The central part of the site has been the functional heart of the site, comprising a number of polytunnels and glass houses. In recent years, some of these structures have lost their covering and are currently dilapidated and appear to be largely unused. Large areas around the structures are hard-standing / road planings, and are used for informally laid out parking and storage of goods associated with the land uses.

A plant nursery, Garden Sage, is currently operating out of a number of the polytunnels and areas of hardstanding within the centre of the site, and is open for retail and wholesale trade. A 'pop-up' café, Mayblossom Café, has been operational from a temporary marquee adjacent to the Garden Sage entrance since March 2023, and currently benefits from lawful temporary permission until January 2027. Under the terms of the consent granted under DC/25/1828 (ancillary café / shop), the existing marquee and cabin will be removed once the consented structure has been completed, with the relocation of the café to the new permanent building.

A number of former polytunnels have been removed to facilitate commencement of permission granted under DC/24/1448 and DC/25/1830 to create the new storage barn associated with the lawful use of the site. Metal mesh gates have been erected to secure this area and create a defined boundary between the functional area used by Garden Sage and the remainder of the southern part of the site.

In March 2025, permission was granted for the erection of a new 3-bay barn (23.5m x 19.38m), and outside sales area some 35m x 35m, for use by Garden Sage (DC/25/1448). This external sales area was to be softened with trees and shrubs (plant stock), and enclosed by anti-climb security mesh fencing. This new barn was supported on the basis that it would replace a cluster of 4 adjoined polytunnels, and would provide a secure and dry storage area for items associated with the plant nursery: fencing, sheds, aggregates, topsoil, planters. In January 2026, permission was approved for a 3-bay extension to the consented storage barn, with a view of accommodating staff welfare facilities and an office in the extended barn. The planning permissions restrict use of this barn to agricultural / horticultural use of the on-site (DC/25/1830).

Recently (April 2026), officers are aware that this as yet unbuilt barn is being advertised online as an 'Industrial unit and large yard' for open lease.

Southern part:

Historically, this part of the site was undeveloped and unused. Lawful use of this area has now been permitted under application (under DC/24/1447) on the grounds that it would allow the site owner to

utilise the area as a secure compound to store equipment and goods associated with a landscape business 'Jack Dunkley', which has been operating from the site for a number of years, in an ancillary manner. The permission sought to consolidate and locate all equipment and machinery associated with the landscape business in one secure part of the site. An existing bund along the north side of this southern parcel was considered during the application process to provide some visual screening of the area, with additional landscaping to be secured by way of a pre-use condition. Further restrictive conditions imposed on DC/24/1447 seek to control appropriate 'ancillary' use of the compound. Since permission was granted, new mesh gates have been erected across this storage area of the site, and at the time of the site visit, a number of shipping / storage containers were sited within, along with some vehicles such as forklifts, which would be expected as part of a landscape business. Officers note that the pre-use condition on DC/24/1447 in respect of landscaping to the bund, has not been discharged.

The site currently has a number of operators listed against it, when viewed online at Google Maps:

- London Road Storage – owned by Jack Dunkley (hauliers)
- Jack Dunkley Landscape - owned by Jack Dunkley
- KM Floral Design
- Falcon Events (events / marquee hire)
- Garden Sage (retail plant nursery)
- Mayblossom cafe

DETAILED DESCRIPTION

The application site (red line area) takes in the entire site. The application seeks to formally split the site into three distinct uses:

Blue area on plan (Area 1):

This is formed of the northern area of the site, around half the site area, which is currently occupied by a garden nursery business (Garden Sage), and includes the Class R building and café.

The applicant states that this area is the existing nursery and garden centre 'core horticultural' use which is *'supported by the two other operational areas'*.

Furthermore, the DAS states that this area creates a '*countryside setting*' and '*authentic business*' which makes the site '*attractive to visitors and commercial tenants*'. The garden nursery is also stated to provide the products which are distributed through the B8 element and sold through Class E. **The application does not seek any functional changes in the use of this area of the site.**

Green area on plan (Area 2):

This comprises the central (middle) part of the site and the building and yard area subject to consent granted under DC/24/1448 and DC/25/1830 for the barn and external yard associated with the existing horticultural use of the site. This part of the site benefits from ancillary horticultural / agricultural use.

The applicant states that this area would form the '*retail, wholesale and supporting services*', and will include the following services:

- *Retail and wholesale of garden-related items (plants, tools, equipment, landscaping materials, paving slabs, construction materials, landscape supplies)*
- *Coffee shop (approved) attracting additional visitors to the garden centre*
- *Garden centre shop selling plants, seeds and garden essentials*
- *Complementary commercial activities (garden design, landscaping services, professional offices) generating rental income to subsidise nursery operations*

In support of this use, the submitted DAS states that the proposed Class E use would '*create a customer base and financial stability / rental income*' to sustain the nursery throughout the seasonal fluctuations. The use would offer space for '*complementary business or offices*'.

Red area on plan (Area 3):

Comprising the southern-most parcel and the area subject to consent under DC/24/1447, and currently benefitting from lawful use for the storage of vehicles, machinery and materials associated with the ancillary landscape business operated by the application from the site.

The applicant states that this area would provide ‘essential logistics supporting the nursery and garden centre’, and would include the following uses:

- *Delivery and haulage of construction materials, aggregates and landscaping supplies*
- *Transportation of plant stock and horticultural products*
- *Delivery of large specimen trees requiring HGV access and specialist handling*
- *Storage and distribution of plant machinery and equipment*
- *Parking and operating lorries from the location (essential for day-to-day operations)*

The submitted DAS refers to all three uses being ‘intrinsically linked and working seamlessly together to support the existing nursery and garden centre business’.

And that:

‘Together, these three areas create a viable, integrated rural business that cannot function effectively if artificially separated. Removing any one of these areas would undermine the entire operation and threaten the nursery’s long-term viability’.

Furthermore, the DAS states that the site provides HGV access which ‘enables delivery of construction materials, large specimen trees and bulk industrial supplies sold through the Class E retail / wholesale operations’, allowing the garden centre to ‘receive and distribute the products it sells’.

The applicant states that the proposal addresses the previously raised concerns expressed under the Inspector’s appeal decision dated Feb 2022 (DC/20/1906), would enhance biodiversity and ecological value through native planting and habitat creation, improved site management and reduction of visual clutter, creation of a viable rural employment cluster and jobs, and support for rural businesses.

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 10 - Rural Economic 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 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

Henfield Neighbourhood Plan (Made June 2021):

Policy 1: Spatial Plan for the Parish
Policy 3.1: Employment Development Site Allocations
Policy 3.2: Development of New and Existing Employment Uses
Policy 4: Transport, Access and Car Parking
Policy 12: Green Infrastructure and Biodiversity

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 14: Countryside Protection
Strategic Policy 16: protected Landscapes
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 29: New Employment
Strategic Policy 30: Enhancing Existing Employment
Policy 31: Rural Economic Development

West Sussex Joint Minerals Local Plan (2018)

Policy M9 - Safeguarding Minerals

Supplementary Planning Guidance:

Community Infrastructure Levy (CIL) Charging Schedule (2017)

Parish Design Statement:

Henfield Parish Design Statement (2008)

Planning Advice Notes:

Biodiversity and Green Infrastructure (2022)

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:

INTERNAL CONSULTATIONS

HDC Environmental Health: More Information

[Summary 1st March 2026] WC requirements for Café to be indicated, staff WC's needed, details of on-site foul sewerage and drainage needed

HDC Landscape Architect: Advice / Objection

[Summary 28th April 2026] In the absence of a detailed proposal, it's difficult to establish the likely effects that the proposed change of use of land to Class B8 and E may have on the landscape character and visual amenity of the area. While certain uses, such as those previously granted

planning consent subject to appropriate conditions, may be capable of being accommodated within the countryside location, there are equally other uses that would be inappropriate.

Granting consent to a general change of use of the land, particularly where open air storage is sought, would limit the ability the ability to control the nature of any future end use through the planning system. Such uses could result in significant adverse effects on landscape character and local amenity.

These concerns and main issue were previously considered by the Inspector in relation to DC/20/1906 application, which concluded that from a landscape perspective, the proposed uses would not comply with the requirements of HDPF Policy 26 and '*would amount to an inappropriate use in the countryside raising conflict with those policies.*'. In addition, it is noted that this conclusion was reached in the context of a scheme that included landscape mitigation measures, which are not currently proposed as part of this application.

Therefore, it is unclear what material circumstances have changed to justify a different conclusion. While the subsequent approval of schemes within the site which align with the various use classes now being applied for is acknowledged, these permissions are intrinsically linked to the established nursery use. This association appears to have been an important consideration within the planning balance in determining those applications to be acceptable by the planning officers.

On this basis, a general change of use of the land would not be supported, unless there is sufficient certainty that any future development proposals are capable of being fully considered and assessed through the planning process.

OUTSIDE AGENCIES

WSCC Highways: More Information

[Summary – 27th March, 2026] The site will be accessed from the A281 Kidders Lane. The access is wide enough to accommodate HGV'S, and 2 cars passing each other simultaneously and is already existing. Therefore, WSCC raise no issue with the continued use of this access for the current proposals.

The applicant states they will provide car parking for the use, which will be marked out. Please can the applicant provide this information to the LPA for approval and ensure it meets with the standards set out in the WSCC Car Parking Guidance Document. It should also include what is already provided for the nursery and coffee shop, as these will be based on what is already being used.

Parking Ratios:

- B8 Storage and Distribution = 1 space per 100sqm
- E-commercial = 1 space per 14sqm
- Staff Parking – up to 47 jobs in a rural location to be factored in
- Provision of cycle parking hoops on site
- Provision of a staff travel information pack which promotes sustainable travel to and from the site by all employees of the site and if different uses

PUBLIC CONSULTATIONS

Representations:

To date 2 letters of Objection have been received from 2 addresses, objecting to the application on the following grounds:

- Inappropriate location for proposed use – within open countryside / not designated for development
- Storage areas would still be seen from passing by / A281
- Conflict with HDPF policies (25 and 26) and Henfield Neighbourhood Plan (3.2)

Henfield Parish Council: Comment

- Would like to see all existing enforcements are discharged or executed before being required to decide on the current application.

- Inadequate details relating to sewerage
- Concerns over what's being sought not matching public comments / objections

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

Background:

In 2012, permission was granted, but not implemented, for the redevelopment of the site to create a retail garden centre with feature building which was to house a new café, sales area, staff facilities, along with storage barns / buildings, customer car park and HGV delivery area (DC/11/1250).

Permission for a scheme with a smaller building was refused on grounds of its harmful prominent appearance being at odds with the rural character of the locality and the site (DC/14/2007). The submitted site plan at the time retained the development within the northern part of the site, leaving the southern area open and undeveloped. The subsequent Appeal was dismissed with the Inspector finding the 10m tall pyramidal building was not innovative, nor displayed any traditional rural 'pedigree' and could not be comparable to agricultural buildings found nearby. The building was deemed to be 'starkly and strangely alien' in form and scale with little sympathy for its setting'. The relocation of the entrance to the A281 was considered to increase the scope for viewing the building, although as an access itself, there were no highways concerns expressed.

In the intervening years Officers note that the horticultural use of the site waned, with unlawful uses being introduced, including storage uses. There is an associated enforcement history during 2018 and into 2020, culminating in an Appeal Decision on the Enforcement Notice under EN/18/0135 (in February 2020), whereby the Inspector upheld the Enforcement Notice with amendments, to require the cessation of storage uses of the land and removal of items or vehicles, not functionally related to the plant nursery, within 6 months.

The Enforcement Notice was also appealed under ground (a) and a deemed planning application, whereby the Inspector considered the following aspects:

- Whether the site is an appropriate location for use of land and structures for the storage of domestic and commercial vehicles and other items
- The effect of the change of use of land to include the storage of domestic and commercial vehicles and other items on the character and appearance of the surrounding area

As part of the Appeal, the Inspector considered the extent to which the storage uses contributed to the local economy in terms of employment, support for local services, or whether it met a specific local need for storage space of vehicles and other items. The Inspector considered there to be a lack of substantive evidence to demonstrate any positive local economic contribution, and found that the site was not an appropriate location for the storage of domestic items and vehicles under HDPF policies 2 and 10.

In considering the visual impact of the appeal proposal on the rural character of the area, the Inspector noted that at the time, that the storage uses within the site would be visible from beyond the site boundaries, and that the storage of vehicles, including caravans and camper vans, would be an alien

feature in the wider rural landscape, notwithstanding potential conditions to secure height limits within the site and boundary planting.

A planning application was submitted in 2020 seeking formal permission for B8 storage uses and Class E use, alongside a garden design and landscape business, to operate from the site (DC/20/1906). The proposal was refused at committee in June 2021, with the Council finding the proposal to be inappropriate in location and harmful to the rural character, landscape and appearance of the area. The subsequent appeal was dismissed in February 2022, with the Inspector acknowledging the proposals for landscaping within the site, but found that overall, the storage uses would have an unacceptable effect on the character and appearance of the building.

Principle of Development:

As noted in the preceding appeal decisions, the site lies within a countryside location, where countryside protection policy HDPF policy 26 applies. In this context, in accordance with HDPF policy 26, it would be expected that development be **essential** to this countryside location and not lead to a significant increase in overall activity on an individual or cumulative basis. Essential development under HDPF 26 is considered to involve works supporting the needs of agriculture or forestry (1), mineral extraction or waste disposal (2), quiet recreational use (3), or sustainable development of rural areas (4). One of the criteria of HDPF policy 26 is that suitable proposals must be of a scale appropriate to the countryside character and location, and would be considered acceptable where they do not 'lead, individually or cumulatively, to a significant increase in the overall activity in the countryside, and protects, and/or conserves, and/or enhances, the key features and characteristics of the landscape character area in which it is located'. In this, there have been no material changes to the context since the appeal decisions.

As horticulture and agriculture are defined as rural land uses, the ongoing garden nursery business is compatible with HDPF policy 26(1). The consented development under DC/25/1447 and DC/25/1448 were both assessed as being ancillary to the wider horticultural use of the land. The current application, in seeking unfettered B8 use of the hardstanding / yard area, and Class E use of the barn and associated yard, would not immediately be in line with the requirements of HDPF policy 26.

Nationally however, para 88 of the NPPF supports the sustainable growth and expansion of all types of businesses in rural areas, and the diversification and development of agricultural and other land-based rural businesses. Under para 125(a), the NPPF recognises that there are multiple benefits to encouraging mixed use schemes of rural land where environmental gains can be had.

District-wide, HDPF policy 10 accepts that sustainable rural economic development and enterprise within the district is necessary and can bring social, economic and environmental benefits, support rural land-based businesses, and generate local employment opportunities. Under this policy, acceptable development should maintain the quality and character of the area, contribute the diverse and sustainable farming enterprise and / or other countryside-based enterprises and activities, contribute to the wider rural economy and / or promote recreation in and enjoyment of, the countryside. Furthermore, acceptable development should be either contained within existing buildings suitable for conversion, or within the boundaries of an established rural industrial estate, or result in substantial environmental improvements and reduce the impact on the countryside.

More locally, policy 1 of the Henfield Neighbourhood Plan (HNP) operates to support the spatial strategy of the development plan in seeking to support development beyond defined settlement boundaries where appropriate in location to national and local planning policy. Although the application site is not an allocated employment site within the HNP, policy 3.2 provides policy support for other employment development (not covered under HNP policy 3.1) which is outside the defined BUAB and which can be accommodated within the curtilage of an existing employment site, provided that there is acceptable access to the A281, can meet car parking standards and would minimise the visual impact by way of design, landscape, massing.

Conclusion on principle:

Despite the location of the site being in a rural area, and outside of the defined BUAB, there are local and national planning policies which offer support for appropriate economic development in countryside locations. Therefore, officers consider that the principle of the proposal, which would support an

existing rurally-appropriate land use (being a garden nursery) could be supported by planning policies 10 and 26 of the HDPF, 1.2 and 3.2.1 of the Henfield Neighbourhood Plan, and paras 88 and 125 of the NPPF, subject to carefully worded conditions linking the proposed uses to the wider existing use of the site.

Justification:

Officers acknowledge the appeal decision on this site in Feb 2022 (**DC/20/1906**), and the earlier Enforcement Appeal decision (EN/18/0135), which both concluded in finding harm to the countryside location by way of the open storage proposals at the site.

On the face of it, the current application seeks a proposal which appears to share many similarities with the preceding appeal cases, including the location of the proposed B8 use in the southern part of the site. Officers have established by way of a site visit (May 2026) that in the intervening period since the previous appeal cases were determined, the site context has changed insofar as the landscape business uses having been consolidated within the site, now utilising the southern part of the site where consent was granted under **DC/24/1447**, the garden nursery business 'Garden Sage' having a more established and formalised presence within the site, alongside a temporary café, with new boundary fencing and planting to the site's road-side boundary having been implemented. Furthermore, the existing bund that separates the southern parcel has become informally vegetated and now forms a screen and physical division between the site's southern and central areas. The site's vehicular off the A281 has now been finished.

Therefore, officers note that there are some fundamental material changes to the site context and the extant planning consents which are relevant in the consideration of the current application, and which differ to the previous appeal cases.

Furthermore, officers note that the DAS submits that the proposal would '*create a sustainable rural business hub that supports the continued operation of the garden centre, whilst enabling complementary businesses to operate from the site*', as well as enabling the site to attract a diverse range of tenants which offer the garden centre financial stability during seasonal fluctuations, allow re-use of underutilised buildings and spaces and assist with the financial overheads associated with maintaining the site and its infrastructure. The DAS further describes this as a 'cross pollination' of uses to help support each aspect of the site's users, for example, staff using the on-site café, trades using the garden products, hauliers providing logistics support for garden centre deliveries, and business / workspaces being used by craftspeople or makers who could sell products on site.

This applicant's ambition to form a cohesive, symbiotic collective of mutually beneficial uses is to be admired, however, in planning terms, the wider use class would be considered, and where Class E is concerned, a potential limitation of uses within the broader category. Officers note that the proposal is not supported by detailed financial viability assessments of the existing consent vs the proposed unfettered use of the site.

For context, the southern area of the site (red shaded area) is sought for open B8 (storage and distribution use), whilst the central area (green shaded area) is sought for wider Class E use. The applicant has indicated that ideally, open Class E use is sought. However, the applicant is amenable to accepting a limitation of the following uses:

- **E(a)** Display or retail sale of goods, other than hot food
- **E(c)** Provision of:
 - **E(c)(i)** Financial services,
 - **E(c)(ii)** Professional services (other than health or medical services), or
 - **E(c)(iii)** Other appropriate services in a commercial, business or service locality
- **E(f)** Creche, day nursery or day centre (not including a residential use)
- **E(g)** Uses which can be carried out in a residential area without detriment to its amenity:
 - **E(g)(i)** Offices to carry out any operational or administrative functions,
 - **E(g)(ii)** Research and development of products or processes
 - **E(g)(iii)** Industrial processes

Conclusion on justification:

The application must be considered on the planning merits of open, which seeks unfettered B8 storage and distribution use, and Class E use, with potential limitations within the wider Class E use given the rural location of the site and the lack of sustainable access. Given the lack of financial viability to support the application, no weight can be attributed to the potential year-round viability of the site which such a proposal might yield.

Design and Appearance:

Policies 25, 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.

The proposed use would not impact on any established landscape features or trees within the site or in close proximity to the boundary. Significantly, the site context has evolved in the intervening years since the planning appeal decisions, with the garden nursery business having established a greater presence on the site, and with a number of dilapidated structures and polytunnels having been removed. More consolidation of uses has seemingly occurred within the site, with the northern half of the site now largely occupied by the plant nursery 'Garden Sage', with a future café / shop ancillary to the garden nursery having been consented under DC/25/1828, with a formalised parking layout to be secured by condition.

Officers are satisfied that the southern part of the site remains less visually noticeable from the public interface along the northern and eastern sides abutting the public highways. Furthermore, the existing bund has a potential for increased screening with appropriate management and planting (as per the required planning condition under DC/24/1447), creating a definitive separation between the functionally distinct storage yard in the southern part of the site (red shaded area on the Proposed Block Plan – DWL 02), and the barn building and yard area permitted for horticultural use (under DC/24/1448) and shaded green on the Proposed Block Plan – DWL 02.

Conclusion on the visual impact of B8 use:

Under the current application, the southern area (shaded red on the Proposed Block Plan – DWL 02) would no longer be restricted to ancillary landscape business uses associated with the wider horticultural use, but would enable wider B8 use (storage and distribution) of this part of the site. The applicant is open to restricting height limits within this part of the site to 2.5m, but has since confirmed that a 3m height is preferred as this would acknowledge the permitted shipping containers under DC/24/1447, which are generally around 2.8m in height. Furthermore, it is acknowledged that the applicant is seeking complementary uses that would support the exiting horticultural use of the site, envisioning 'essential logistics' to support the nursery use of the site:

- *Delivery and haulage of construction materials, aggregates and landscaping supplies*
- *Transportation of plant stock and horticultural products*
- *Delivery of large specimen trees requiring HGV access and specialist handling*
- *Storage and distribution of plant machinery and equipment*
- *Parking and operating lorries from the location (essential for day-to-day operations)*

In contrast to the previous appeal decision, where the Inspector concluded that that formal open storage of the southern part would lead to an unacceptable impact on the character and appearance of the surroundings, even though a height limit of 3.5m was proposed at the time, the visual changes to the site and a lower height limit of 3m would effectively ensure that anything stored in this area would be largely screened from public views by way of the vegetated bund. Officers acknowledge that the B8 storage use of the southern area under the appeal decision was assessed against the then open and unused character of the site. The current considerations note the material fall-back position of the consented landscape storage yard use (under DC/24/1447), and the consented use of shipping containers within the yard.

Therefore, officers consider that the proposed complementary B8 (storage and distribution) use of the red shaded part of the site, could be supported by planning policies 25, 32 and 33 of the HDPF, 1.2 and 3.2.1 of the Henfield Neighbourhood Plan, and paras 88 and 135 of the NPPF.

Conclusion on the visual impact of Class E use:

In contrast to the previously dismissed appeal schemes, the context for the proposed 'supporting' Class E use of the central area (shaded green on the Proposed Block Plan – DWL 02) involves a consented barn-style storage building and fenced yard, which would largely physically and visually contain the proposed uses. Whilst the permission under **DC/24/1448** did not contain any restrictions on height limits within the open yard area, the permission was on the basis of use for horticultural and plant-related goods, thus suited to the rural location and established character of the site.

Given the wide range of activities that could otherwise fall within Class E, officers are concerned that unrestricted occupation of the area shaded green on the Proposed Block Plan – DWL 02, could give rise to uses that are increasingly commercial in character and visually at odds with the site's horticultural origins and rural setting. Officers have particular concern over the use of the external yard area, where unrestricted storage and display activities could adversely affect the character and appearance of the site and surrounding countryside. Officers do not consider it desirable to introduce further physical subdivision of the site beyond the mesh fencing previously approved under **DC/24/1447**, as the overriding objective is for the three operational areas to continue to function as a cohesive and integrated rural enterprise. The applicant has confirmed a willingness to accept a maximum storage height of 3 metres, which broadly reflects the height of a standard shipping container (approximately 2.8 metres), thereby providing a reasonable means of controlling visual impacts within the yard areas.

Accordingly, officers consider that this part of the site could accommodate some appropriate Class E uses in line with planning policies 25, 32 and 33 of the HDPF, 1.2 and 3.2.1 of the Henfield Neighbourhood Plan, and paras 88 and 135 of the NPPF, noting the extant permission for use of the building and yard for ancillary garden sales, goods storage and staff welfare facilities, and given the applicant's desire to introduce the ability for the site to accommodate 'complimentary commercial activities' that generate financial income and stability for the existing lawful horticultural use of the site. Therefore, in order to ensure that the site and uses remain appropriate to the rural location and the lawful horticultural base-use of the site, officers would seek to limit the potential Class E uses to the following:

- **E(a)** *Display or retail sale of goods, other than hot food*
- **E(g)** *Uses which can be carried out in a residential area without detriment to its amenity:*
 - **E(g)(i)** *Offices to carry out any operational or administrative functions,*
 - **E(g)(ii)** *Research and development of products or processes*
 - **E(g)(iii)** *Industrial processes*

Officers do not consider that the use of the site for Class E(f) use would be appropriate to the wider horticultural uses of the site (eg creche, day nursery or day centre) on account of the likely traffic drop-off/pick-up vehicular movements, proximity to commercial and retail uses, HGV and machinery movements, and the inherent difference in operational needs and patterns, along with the recognition that Class E(f) would require vulnerable uses of and a duty of care.

Residential Amenity:

Policy 33 of the HDPF seeks to ensure that proposed development does not result in unacceptable harm to the amenities of nearby occupiers/users of land, in terms of privacy, the receipt of natural light and/or disturbance.

The application site is found within a highly rural context, which, with the exception of sporadic residential properties to the north-west of the site, retains a predominantly agricultural character.

As mentioned in the preceding paragraphs, the application site benefits from extant consent for a storage barn and for open storage yard for landscape equipment. There are restrictive conditions on the extant permissions, covering hours of use, and lighting, which would be appropriate to carry over on any unfettered consent and specified Class E use. Officers consider that the combined separating distance of 70m+ to the nearest residential property (Birchfield House) and appropriate regulatory conditions, would be sufficient to ensure that the proposal would not lead to any new and unduly adverse impacts on the private amenities of nearby residential properties.

Therefore, officers consider that the proposal, subject to planning conditions, would offer alignment with HDPF policy 33 and the previously consented development under DC/24/1447 and DC/24/1448, in seeking to ensure that neighbouring amenities are not unduly harmed.

Highways Impacts:

Access:

Policy 40 of the HDPF states that transport access and ease of movement is a key factor in the performance of the local economy. The need for sustainable transport and safe access is vital to improve development across the district.

Policy 41 of the HDPF stipulates that development must provide adequate parking and facilities to meet the needs of anticipated users, with consideration given to the needs of cycle parking, motorcycle parking and electric/low emission vehicles. Development which involves the loss of existing parking spaces will only be allowed if suitable alternative provision has been secured elsewhere or the need for development overrides the loss of parking and where necessary measures are in place to mitigate against the impact.

The proposal does not seek any change to existing access arrangements, with no evidence before the Authority that the point of existing access onto the A281 is operating unsafely, or that the proposals would exacerbate a highway safety concern, with the vehicular access that has been formed off the A281 having been subject to approval from the Local Highways Authority under separate planning consent.

Parking:

The site can lawfully operate as an agricultural / horticultural landholding and already benefits from areas of hard-standing which provide for informally laid out parking and turning areas.

The proposed formalisation of the southern half of the site, introducing unfettered business and storage uses have been assessed as yielding a potential for staff and associated parking. Based on the provision of commercial floorspace, the proposal would be expected to provide 27 parking spaces (based on 1 space per 30sq.m of E Class /Business floorspace), and some 32 spaces for the B8 use based on 1 space per 100sq.m floor / yard space). Officers are aware that under DC/25/1828, a planning condition has been added to secure parking layout details, so it would not be unreasonable to require a cohesive plan to show that turning and parking can be appropriately accommodated within the respective planning parcels, so as to ensure they function independently to the adjacent car park that serves the garden nursery, to demonstrate that sufficient onsite parking can be created for the proposed uses, alongside necessary parking and turning areas for HGVs.

Conclusion:

The use of existing hard-standing and the consented building for unfettered B8 and wider Class E use is considered to be well-served by the existing access point of the site onto the A281. Furthermore, the site benefits from a sizable area of hard-standing which currently accommodates informal parking across the site. However, given the desire to create more formalised and distinct uses within the site, and uses which would no longer be ancillary / incidental to the existing horticultural use it is considered that the submission of a parking plan prior to first use, and to demonstrate accordance with WSCC parking standards, the proposal would satisfy the requirements of HDPF policies 40 and 41, and NPPF paragraph 116.

Ecology:

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.

The development qualifies as 'de minimis' under Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024

Water Neutrality:

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.

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.

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 10th 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.

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.

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.

Conclusions and Planning Balance:

It is acknowledged that this site has seen long-established active use as a horticultural plant nursery, first selling wholesale, then opening up to include public retail, and which continues to at the current time. Officers acknowledge that there have been intervening periods of use across the site which has seen unlawful activities resulting in enforcement notices being issued, and appeal decisions which have successfully removed the unlawful uses from the site.

The current planning application has been submitted on the basis of supporting the existing viability and financial position of the ongoing horticultural use of the site, having successfully gained planning permission for the use of the southern part of the site for the storage of landscape business-related equipment and materials (under DC/24/1447), and for the erection of a new, enlarged barn for use by the retail garden nursery (under DC/24/1448 and DC/25/1830). At the current time, the extant planning permissions remain subject to ancillary use conditions, ensuring they remain linked to the main horticultural use of the site, and cannot be used independently, thus ensuring the site remains rurally-appropriate and policy-compliant.

Officers consider that unfettered and unrestricted use B8 and Class E use would materially weaken the functional relationship between the proposed commercial activities within the application areas of the site and the existing horticultural use of the site. Without adequate and appropriate controls, there is the potential for parts of the site to be occupied by a broad range of retail, business, storage and distribution uses that are unrelated to the horticultural enterprise and which would not ordinarily be supported in this countryside location. This could result in a gradual transition of the site from a horticultural nursery with ancillary commercial activities to a wider commercial operation, fundamentally

altering the character of the site and undermining the basis upon which the application has been advanced.

The applicant's case is advanced on the basis that the red and green shaded areas on plan Proposed Block Plan – DWL 02 comprise a single integrated rural enterprise, with the submitted DAS states that the three operational areas are 'intrinsically linked' and operate together to support the existing nursery and garden centre business, with the proposed retail, business, storage and distribution activities providing a supporting function to the established horticultural operation.

Officers therefore consider that any permission should ensure that this operational relationship is retained.

In assessing the proposal, officers have had regard to the findings of the Appeal Inspector in relation to application **DC/20/1906**. Whilst the Inspector's conclusions remain a material consideration, officers note that the current proposal differs from that previously considered, both in terms of the physical circumstances of the site and the applicant's stated intention to establish a more cohesive and integrated business model centred around the existing lawful horticultural use. The site also benefits from direct access to the A281 and sufficient internal space to accommodate vehicle manoeuvring, servicing and operational requirements without reliance on the public highway.

Having regard to the above, officers are satisfied that the proposed development can be appropriately controlled through the imposition of planning conditions. In particular, conditions are recommended to ensure that the uses within the red and green shaded areas remain functionally linked to the horticultural nursery and garden centre operation (shaded blue on plan Proposed Block Plan – DWL 02) to restrict the scope of Class E and B8 activities, to control external storage, parking and servicing arrangements, and to ensure that the site does not evolve into an unrestricted commercial, storage or distribution facility within the countryside. Subject to these controls, officers consider that the proposal would maintain an appropriate relationship with the established horticultural use whilst limiting the potential for unacceptable impacts.

In relation to the proposed widened Class E use of the shaded green area on p Proposed Block Plan – DWL 02, officers consider that a number of the uses within the wider Class E would **not** be suitable for this site, and would therefore impose limitations within that use class to **exclude:**

Use Class E:

b) for the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises,

c) for the provision of the following kinds of services principally to visiting members of the public—

(i) financial services,

(ii) professional services (other than health or medical services), or

(iii) any other services which it is appropriate to provide in a commercial, business or service locality,

d) for indoor sport, recreation or fitness, not involving motorised vehicles or firearms, principally to visiting members of the public,

e) for the provision of medical or health services, principally to visiting members of the public, except the use of premises attached to the residence of the consultant or practitioner,

f) for a creche, day nursery or day centre, not including a residential use, principally to visiting members of the public

The proposal, subject to the conditions, is therefore recommended for approval.

Recommendation: Application Permitted

Conditions:

- 2 **Standard Time Condition:** The development (or use) hereby permitted shall begin before the expiration of three years from the date of this permission.

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

- 3 **Pre-Commencement (slab level) Condition:** No development above slab level of the development permitted under DC/24/1448 or DC/25/1830 shall take place within the green shaded area on the approved plan (Proposed Block Plan – DWL 02, received 04.03.2026) until details of soft landscaping works along the boundary between the green and blue shaded areas on the approved plan (Proposed Block Plan – DWL 02, received 04.03.2026), including the area immediately surrounding the installed access gates, and a timetable for implementation, have been submitted to and approved in writing by the Local Planning Authority. The details shall include the following:

- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation / use 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 10 years after completion of the development. Any proposed or retained planting, which within a period of 10 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 safeguard the visual amenities of the area and the rural character of the site, having regard to the more intensive and potentially visually intrusive nature of Class E commercial uses, compared to the ancillary horticultural use of the site, and in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015) and Policy 3.2 of the Henfield Neighbourhood Plan (2021).

- 4 **Pre-Occupation / First Use Condition:** Within three months of the date of this permission full details of soft landscaping works on and around the existing and retained bund, and a timetable to implementation, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
- Sections through the north and eastern bunds to show the relative land levels on each side and the proposed height of planting to be achieved.

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation / use 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 10 years after completion of the development. Any proposed or retained planting, which within a period of 10 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 rural landscape and 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 3.2 of the Henfield Neighbourhood Plan (2021).

- 5 **Pre-Occupation / First Use Condition:** No use hereby permitted within the red or green shaded areas on the approved plan (Proposed Block Plan – DWL 02, received 04.03.2026)

shall be commenced 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).

- 6 **Pre-Occupation / First Use Condition:** No use hereby permitted within the red or green shaded areas on the approved plan (Proposed Block Plan – DWL 02, received 04.03.2026) shall commence until a plan showing the parking and turning layout of the proposed development including the provision of car parking spaces for staff and customers, along with HGV delivery and turning space, for those areas, has been submitted to and approved in writing by the Local Planning Authority. No use hereby permitted shall be commenced until the parking and turning spaces associated with it have been provided in accordance with the approved details. The areas of land so provided shall thereafter be retained for the parking and turning of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of all highways in accordance with Policy 40 of the Horsham District Planning Framework (2015) and Policy 4 of the Henfield Neighbourhood Plan (2021) and Policy 3.2 of the Henfield Neighbourhood Plan (2021).

- 7 **Regulatory Condition:** No external lighting or floodlighting shall be installed within the red or green shaded areas on the approved plan (Proposed Block Plan – DWL 02, received 04.03.2026) 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).

- 8 **Regulatory Condition:** The uses hereby permitted within the red or green shaded areas on the approved plan (Proposed Block Plan – DWL 02, received 04.03.2026) shall not be open for customers, visitors or dispatch activities, except between the hours of 07:30–20:00 Monday to Saturday and 10:00–16:00 on Sundays and Public/Bank Holidays, and no deliveries shall take place except between the hours of 06:00–20:00 Monday to Saturday and 10:00–16:00 on Sundays and Public/Bank Holidays.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015)

- 9 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended), or the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any Order revoking or re-enacting those Orders, the green shaded area on the approved plan (Proposed Block Plan – DWL 02, received 04.03.2026) shall be used only for purposes directly associated with, and ancillary to, the horticultural nursery, garden centre, landscaping, arboricultural or related rural enterprises operating from the wider site within the blue shaded area. No independent retail, office, commercial, professional service, financial service, medical, leisure, food and drink use shall take place without the prior written consent of the Local Planning Authority first being obtained by way of a formal application.

Reason: The permission has been granted on the basis that uses within the stated part of the site support the horticultural nursery and garden centre operation. The condition is necessary to ensure that the use remains functionally linked to that enterprise and to prevent the establishment of unrestricted retail, office or commercial uses in this countryside location in accordance with Policies 10, 26 and 33 of the Horsham District Planning Framework (2015) and Policy 3.2 of the Henfield Neighbourhood Plan (2021).

- 10 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or reenacting that Order with or without modification), no development permitted by Classes A, B, C, D and H of Part 7 of Schedule 2 shall be carried out within green shaded area on the approved plan (Proposed Block Plan – DWL 02, received 04.03.2026), without prior written consent from the Local Planning Authority first being obtained by way of a formal application.

Reason: To retain effective control over the scale and intensity of commercial development in this countryside location, in order to safeguard rural character and ensure that the development remains functionally related to the approved horticultural nursery and garden centre use, in accordance with Policies 25, 26, 27 & 33 of the Horsham District Planning Framework (2015) and Policy 3.2 of the Henfield Neighbourhood Plan (2021).

- 11 **Regulatory Condition:** No externally mounted fixed plant, machinery, air conditioning equipment, refrigeration equipment, extraction equipment or ventilation equipment shall be installed within the green shaded area on the approved plan (Proposed Block Plan – DWL 02, received 04.03.2026) until details of its location, appearance and noise emissions have been submitted to and approved in writing by the Local Planning Authority. The equipment shall thereafter be installed and operated in accordance with the approved details.

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

- 12 **Regulatory Condition:** External storage within the green shaded area on the approved plan (Proposed Block Plan – DWL 02, received 04.03.2026) shall not exceed a height of 3m when measured from the existing ground level, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the locality in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

- 13 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended), the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any Order revoking, re-enacting or modifying those Orders, the red shaded area identified on approved drawing (Proposed Block Plan – DWL 02, received 04.03.2026) shall be used only for storage and distribution purposes that are ancillary to and functionally related to the horticultural nursery, garden centre and landscaping business operating from the application site.

The storage and distribution activities within the red shaded area shall be limited solely to the storage, handling and distribution of goods, materials, machinery, equipment and products which:

- (a) are produced, grown or cultivated on the application site;
- (b) are utilised in connection with the horticultural nursery, garden centre or landscaping business operating from the site; or
- (c) are sold or supplied through the horticultural nursery, garden centre or landscaping business operating from the site.

The red shaded area shall not be used for any independent storage, warehousing, freight distribution, haulage, logistics, parcel distribution, plant hire operation, builders' merchant, contractor's yard, depot operation, or any other storage and distribution activity unrelated to the horticultural nursery, garden centre or landscaping business operating from the site, without the prior written consent of the Local Planning Authority first being obtained by way of a formal application.

Reason: To ensure that the storage and distribution activities remain ancillary to and functionally linked with the horticultural nursery, garden centre and landscaping business which form the basis of the development hereby approved; to prevent the establishment of

independent storage, warehousing, logistics, haulage or depot uses in an unsustainable rural location; and to safeguard the character and appearance of the countryside and promote sustainable patterns of development, in accordance with Policies 10, 26 and 33 of the Horsham District Planning Framework (2015) and Policy 3.2 of the Henfield Neighbourhood Plan (2021).

- 14 **Regulatory Condition:** External storage within the red shaded area on the approved plan (Proposed Block Plan – DWL 02, received 04.03.2026) shall not exceed a height of 3m when measured from the existing ground level, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the locality in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015) and Policy 3.2 of the Henfield Neighbourhood Plan (2021).

- 15 **Regulatory Condition:** No external storage or display of goods for sale, goods, machinery, waste, containers or products shall take place other than within the red or green shaded areas on the approved plan (Proposed Block Plan – DWL 02, received 04.03.2026), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the locality in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015) and Policy 3.2 of the Henfield Neighbourhood Plan (2021).

- 16 **Regulatory Condition:** No development, material change of use, external storage, display of goods, operational activity or commercial activity associated with this permission shall take place within the blue shaded area shown on approved plan (Proposed Block Plan – DWL 02, received 04.03.2026), other than the existing horticultural nursery and garden centre use and those works expressly authorised by approved plans or consents, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To define the scope of the permission and to ensure that development remains confined to the areas assessed by the Local Planning Authority, thereby safeguarding the character and appearance of the countryside and preventing incremental commercial expansion beyond that approved, in accordance with Policies 10, 26 and 33 of the Horsham District Planning Framework (2015) and Policy 3.2 of the Henfield Neighbourhood Plan (2021).

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/26/0398

(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved:**

Plan Type	Description	Drawing Number	Received Date
Location plan		NONE	04.03.2026
Site plan	Proposed	DWL02	04.03.2026

DELEGATED

Case Officer sign/initial Nicola Pettifer Date: 14.07.2026

Authorising Officer sign/initial Adrian Smith Date: 17/07/2026