



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0211

Land Parcel at 507911 125837, Newbridge Road, Billingshurst, West Sussex,

DESCRIPTION:

Variation of conditions 3 (CEMP), 12 (Noise Management), 17 (footpath link) and 23 (hours of operation), and removal of conditions 18 (rainwater harvesting) and 32 (offsetting scheme) of DC/24/1571 (Variation of Condition 23 of previously approved application DC/25/0386 (Variation of Condition 1 and Removal of Condition 18 of previously approved application DC/24/1989 (Variation of condition 1 and 17 of previously approved application reference DC/22/0518 (Outline Application for redevelopment of the site to provide flexible employment space (Use Classes E(g)(ii) and (iii), B2 and B8) totalling 4,627sqm, ancillary parking and circulation space with all matters reserved except access and layout))

RELEVANT PLANNING HISTORY:

DC/25/0386	Variation of Conditions 1 and 18 of previously approved application DC/24/1989 (Variation of condition 1 and 17 of previously approved application reference DC/22/0518 (Outline Application for redevelopment of the site to provide flexible employment space (Use Classes E(g)(ii) and (iii), B2 and B8) totalling 4,627sqm, ancillary parking and circulation space with all matters reserved except access and layout) regarding revised masterplan and reference to the proposed footpath and Discharge Details in relation to Conditions 5, 6 part ii, 7, 8, 9, 12, 15 and 20) to amend the Water Neutrality scheme.	Application Permitted on 09.05.2025
DC/25/0342	Variation of Condition 1, and 18, of previously approved application DC/24/1571 (Variation of Condition 23 of previously approved application DC/25/0386 (Variation of Condition 1 and Removal of Condition 18 of previously approved application DC/24/1989 (Variation of condition 1 and 17 of previously approved application reference DC/22/0518 (Outline Application for redevelopment of the site to provide flexible employment space (Use Classes E(g)(ii) and (iii), B2 and B8) totalling 4,627sqm, ancillary parking and circulation space with all matters reserved except access and layout)) Relating to water neutrality.	Application Permitted on 18.07.2025
DC/24/1989	Variation of condition 1 and 17 of previously approved application reference DC/22/0518 (Outline Application for redevelopment of the site to provide flexible employment space (Use Classes E(g)(ii) and (iii), B2 and B8) totalling 4,627sqm, ancillary parking and circulation space with all matters reserved except access and layout) regarding revised masterplan and reference to the proposed footpath and Discharge Details in relation to Conditions 5, 6 part ii, 7, 8, 9, 12, 15 and 20.	Application Permitted on 12.02.2025
DC/24/1571	Variation of Condition 23 of previously approved application DC/25/0386 (Variation of Condition 1 and Removal of Condition 18 of previously approved	Application Permitted on 20.06.2025

	application DC/24/1989 (Variation of condition 1 and 17 of previously approved application reference DC/22/0518 (Outline Application for redevelopment of the site to provide flexible employment space (Use Classes E(g)(ii) and (iii), B2 and B8) totalling 4,627sqm, ancillary parking and circulation space with all matters reserved except access and layout)) in relation to amending the operational hours.	
DC/22/0518	Outline Application for redevelopment of the site to provide flexible employment space (Use Classes E(g)(ii) and (iii), B2 and B8) totalling 4,627sqm, ancillary parking and circulation space with all matters reserved except access and layout	Application Permitted on 07.10.2022
DC/24/0805	Reserved matters application pursuant to Condition 2 of outline planning permission DC/24/1989 (Variation of condition 1 and 17 of previously approved application reference DC/22/0518 (Outline Application for redevelopment of the site to provide flexible employment space (Use Classes E(g)(ii) and (iii), B2 and B8) totalling 4,627sqm, ancillary parking and circulation space with all matters reserved except access and layout) regarding revised masterplan and reference to the proposed footpath and Discharge Details in relation to Conditions 5, 6 part ii, 7, 8, 9, 12, 15 and 20).	Application Permitted on 12.02.2025
DC/24/0683	Installation of 3x non-illuminated Fascia signs, 1x non-illuminated other sign, 9x internally illuminated Fascia signs and 3x internally illuminated other signs (Forecourt Building Signs, Refuelling Canopy Signs, Petrol Price Identification totem sign).	Application Permitted on 28.06.2024
DC/23/1892	Variation of Condition 1 of previously approved application DC/20/1165 (Variation of Condition 1 of approved application DC/19/0295 (Hybrid application for the erection of petrol filling station with convenience store and sandwich bar, car wash, jet wash and car parking; motorcycle showroom and workshop with associated car parking; outline planning permission for flexible employment space (B1b/B1c/B2/B8) totalling 4,627sqm with associated car parking and appearance reserved); new access to the site from A272 and pedestrian link to footbridge over A29.) Relating to the site layout plan for Phase 1). To increase size of building for the provision of additional display space. Two car park spaces revised to electric charging spaces.	Application Permitted on 27.06.2024
DC/23/1412	Installation of 6 metre Totem, Free Standing Directional, Height Restrictor, Single Free Standing Menu, Order Canopy, Triple Free Standing Menu, Free Standing Directional, Mini Monument Sign, Two Sets of DRIVE THRU Letters, STARBUCKS Built up letters, 2 Sets Roundel logos and STARBUCKS Built up letters.	Application Permitted on 13.09.2023
DC/22/1788	Application to confirm Condition 2 attached to planning permission DC/20/1165 has been complied with and that both Phase 1a and Phase 1b has been implemented (Lawful Development Certificate - Existing)	Application Permitted on 04.11.2022
DC/21/1558	Erection of a roadside facility comprising a PFS, linked kiosk store and drive thru coffee unit (Sui Generis Use)	Application Permitted on 31.08.2022

DESCRIPTION OF THE SITE

The application site is situated on the western side of Billingshurst, outside the Built Up Area Boundary (BUAB), at Platts Roundabout situated between the A272 and A29. There is extensive history for the site and construction is underway.

The most recent variation of the site was DC/25/0342 which varied matters of water neutrality. This report set out the history of the site in detail and this is set out below:

'A hybrid permission (DC/19/0295) was granted in January 2020 for the development of the wider agricultural site to provide a petrol filling station with associated convenience store and sandwich bar within Phase 1a (north-east), a motorcycle showroom and workshop within Phase 1b (north-west), and outline permission for the erection of 4,627sq.m of flexible employment floorspace (within use classes B1b, B1c, B2 and B8) on the southern parcel of land / Phase 2.'

Since the original permission variations have been permitted at the site relating to a drive-through coffee unit, petrol filling station, showroom size and water neutrality. Works have begun throughout the site.

Alongside the variations two discharge applications have also been sought with DISC/25/0359 discharging Condition 3 of DC/24/1571 and DISC/25/0401 discharging Condition 17 of DC/24/1571.

Following an appeal decision for DC/24/1571 condition 23 was varied by the Inspector for APP/Z3825/W/25/3373279 to read:

With the exception of internal operations and associated deliveries and dispatch, no operation of plant and machinery or external activities shall take place except between the hours of 06:00 to 23:00 Mondays to Saturdays and 07:00-20:00 on Sundays and public holidays.

DESCRIPTION OF THE APPLICATION

A S73 application has been submitted for variation of conditions 3 (CEMP), 12 (Noise Management), 17 (footpath link) and 23 (hours of operation), and removal of conditions 18 (rainwater harvesting) and 32 (offsetting scheme) of DC/24/1571 to align with those previously discharged by the Local Planning Authority, are matters of water neutrality and addressed in the above report, or as amended by the Planning Inspector under appeal.

It is not the purpose or function of a s73 consent to revisit the principle of development on the site. Accordingly, the principle of development on this site remains settled and acceptable, along with all other matters not subject to these proposed amendments.

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 4 - Strategic Policy: Settlement Expansion Policy 7 - Strategic Policy: Economic Growth Policy 9 - Employment Development Policy 12 - Strategic Policy: Vitality and Viability of Existing Retail Centres Policy 13 - Town Centre Uses 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

Billingshurst Neighbourhood Plan (2021)

Policy BILL 1: Billingshurst Built-Up Area Boundary Policy

BILL 3: Energy Efficiency and Design

Policy BILL 7: Retaining and Enhancing the Vitality and Viability of the Village Centre
Policy BILL 10: Flexible Workspaces
Policy BILL 12: Protection and Enhancement of Key Movement Routes
Policy BILL 16: Multi-Value Sustainable Drainage Systems

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

Horsham District Local Plan (2023-40) (Regulation 19):

Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 3: Settlement Expansion
Strategic Policy 4: Horsham Town
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 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
Policy 26: Gatwick Airport Safeguarding
Strategic Policy 27: Inclusive Communities, Health and Wellbeing
Policy 28: Community Facilities, Leisure and Recreation
Strategic Policy 29: New Employment
Strategic Policy 30: Enhancing Existing Employment
Policy 31: Rural Economic Development
Strategic Policy 35: Town Centre Hierarchy and Sequential Approach
Strategic Policy 36: Town Centre Uses

Supplementary Planning Guidance:

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

Parish Design Statement:

Billinghurst Design Statement

Planning Advice Notes:

Facilitating Appropriate Development
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:

INTERNAL CONSULTATIONS

None received

OUTSIDE AGENCIES

None received

PUBLIC CONSULTATIONS:

Representations:

None received

Parish Comments:

None received

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

As set out above, consent is sought under Section 73 of the Town and Country Planning Act to vary the details of the approved permission DC/24/1571.

Condition Three:

'Pre-Commencement Condition: No development (including any ground clearance or site levelling) shall commence until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The approved CEMP shall be a single document covering the development of this part of the site and shall be strictly adhered to throughout the construction period. The CEMP shall provide for, but not be limited to:

- i. An introduction consisting of construction phase environmental management plan, definitions and abbreviations and project description and location;*
- ii. A description of management responsibilities;*
- iii. A description of the construction programme which identifies activities likely to cause high levels of noise or dust;*
- iv. Site working hours and a named person for residents to contact;*
- v. Detailed Site logistics arrangements;*
- vi. Details regarding parking, deliveries, and storage;*
- vii. The anticipated number, frequency and types of vehicles used during construction;*
- viii. Details of construction traffic routing, including site access;*
- ix. Details of any construction-related floodlighting, including location, height, type, timing and direction of light sources and intensity of illumination;*
- x. Details regarding dust and noise (including vibration) mitigation measures to be deployed including identification of sensitive receptors and ongoing monitoring;*
- xi. Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network;*
- xii. Communication procedures with the local community regarding key construction issues -*

newsletters, fliers etc.

xiii. Locations and details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

xiv. The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);

xv. Details of a scheme for the recycling/disposing of waste resulting from site clearance and construction works.

Reason: As this matter is fundamental in the interests of good site management, highway safety, and to protect the amenities of adjacent businesses and residents during construction works to accord with Policies 33 & 40 of the Horsham District Planning Framework (2015).'

Proposed Wording:

'The development hereby permitted shall be carried out in strict accordance with the approved Construction Environmental Management Plan (None Rev 3.0 dated 13.11.2025) as approved under Discharge Notice DISC/25/0359'

Condition Three Conclusion:

Condition Three was discharged under DISC/25/0359. The change to a regulatory condition securing compliance with the document approved under DISC/25/0359 is acceptable.

Condition 12:

'Regulatory Condition: The development hereby permitted shall be carried out and operated in strict accordance with the approved Noise Management Plan dated 17th December 2024. Reason: In order to ensure that the safe operation of the development and to protection of the amenities of nearby residents, in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).'

Proposed Wording:

'Regulatory Condition: (Noise Management Plan) The development hereby permitted shall be carried out and operated in strict accordance with the approved Noise Management Plan dated 17th September 2025.'

Condition 12 Conclusion:

The Appeal Inspector for APP/Z3825/W/25/3373279 (Council ref DC/24/1571) allowed a variation to condition 23 and in doing so varied condition 12 to read *'The development hereby permitted shall be carried out and operated in strict accordance with the approved Noise Management Plan dated 17th September 2025'*. The Council do not seek to dispute the condition set by the inspector and consider with an added reason (see condition list) the amendment is suitable.

Condition 17:

'Pre-Occupation Condition: Prior to the first occupation or use of the development hereby permitted, full details of the proposed footpath link along the eastern boundary to the existing footbridge as shown on approved Proposed Block Site Plan reference [101 Rev B] shall have been submitted to and approved in writing by the Local Planning Authority. The footpath shall be implemented in accordance with the approved details prior to the first occupation (or use) of any part of the development and maintained as such thereafter.'

Reason: To encourage and promote sustainable travel options to the site, and in the interests of visual amenity in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).'

Proposed Wording:

'Regulatory Condition: (Public Footpath Link) The development hereby permitted shall be carried out in strict accordance with the approved PlanG02 Rev C1 dated 17.12.2025 titled External finished and slab joints as approved under Discharge Notice DISC/25/0401'

Condition 12 Conclusion:

DISC/25/0401 discharged the requirements to provide details of the proposed footpath link. The change to a regulatory condition securing compliance with the document approved under DISC/25/0401 is acceptable.

Condition 23:

'Regulatory Condition: The site shall be subject to the following: a) With the exception of internal operations and associated deliveries and dispatch, no operation of plant and machinery, or external activities shall take place in connection with the units 5-9 on the Proposed Block Site Plan [101 Rev B] hereby permitted under DC/24/1989; except between the hours of 06:00 to 23:00 Mondays to Saturdays, and 07:00-20:00 on Sundays and public holidays.

b) No operations or activities, including the operation of plant and machinery and deliveries/dispatches, shall take place in connection with the units 1-4 on the Proposed Block Site Plan [101 Rev B] hereby permitted under DC/24/1989; except between the hours of 06:00 to 23:00 Mondays to Saturdays, and 07:00-20:00 on Sundays and public holidays.

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

Proposed Wording:

'With the exception of internal operations and associated deliveries and dispatch, no operation of plant and machinery or external activities shall take place except between the hours of 06:00 to 23:00 Mondays to Saturdays and 07:00-20:00 on Sundays and public holidays.'

The Appeal Inspector for APP/Z3825/W/25/3373279 (Council ref DC/24/1571) allowed a variation to condition 23 and in doing so varied condition 23 to read *' With the exception of internal operations and associated deliveries and dispatch, no operation of plant and machinery or external activities shall take place except between the hours of 06:00 to 23:00 Mondays to Saturdays and 07:00-20:00 on Sundays and public holidays.'* The Council do not seek to dispute the condition set by the inspector and consider with an added reason (see condition list) the amendment is suitable.

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 was required to demonstrate water neutrality.

The application seeks the removal of Conditions 18 and 32 attached to planning permission DC/24/1571, which requires the implementation and verification of a water neutrality strategy in accordance with the approved Water Neutrality Statement.

Condition 18:

'(a) No development shall commence until full details of the water efficiency measures and rainwater/greywater harvesting system required by the approved Water Neutrality Technical Note 's73 Water Credit Option' (prepared by SB Partnership, received 18.03.2025) have been submitted to and been approved in writing by the Local Planning authority. The submitted details shall include: • The specification of the fittings and fixtures to be installed within each unit

- *Details of the rainwater storage tank capacity to allow for a minimum of 35 days storage.*
 - *Detail on the proposed rainwater treatment system and maintenance regime.*
 - *Details of who is responsible for the management and maintenance of the rainwater system.*
 - *Arrangements for keeping written records of all sampling, results of analysis, inspection, cleaning, and maintenance.*
- (b) No unit hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that unit has been implemented in full in accordance with the approved details. The evidence shall include the specification of fittings and appliances used, evidence of their installation, evidence they meet the required water consumption flow rates, and evidence of the installation and connection of the rainwater harvesting system and appropriate storage tanks to provide a minimum 35 days storage capacity. The installed measures shall be retained and operated as such at all times thereafter to an equivalent or better water performance standard.'*

Condition 32:

'Pre-Commencement Condition: No development shall commence until either:

- Details have been submitted to and been approved in writing by the Local Planning Authority confirming that the necessary credits to achieve water neutrality have been secured via the Sussex North Offsetting Water Scheme; or*
- A site-specific water neutrality mitigation scheme has been submitted to and been approved in writing by the Local Planning Authority. The site-specific water neutrality mitigation scheme shall include full details of the means of any and all onsite and offsite mitigation and any necessary agreements pursuant to S106 of the Town and Country Planning Act 1990 to deliver and secure the approved mitigation; and*
- iii) The development shall not be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority confirming that the approved site specific water neutrality mitigation scheme has been fully implemented. The approved mitigation shall thereafter be retained, maintained and operated to the same or better water performance standard.*

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), Paragraph 193 of the National Planning Policy Framework (2024), and to enable the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).'

(2015), Paragraph 193 of the National Planning Policy Framework (2024), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

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 10 November 2025 raises no objection to using these savings to enable development to come forward. The standing advice clarifies that it functions as Natural England's formal response pursuant to Regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 to all relevant planning applications which seek to achieve water neutrality using the above Southern Water savings.

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.

For the above reasons the removal of conditions 18 and 32 are supportable.

Conclusions:

It is not the purpose or function of a s73 consent to revisit the principle of development on the site. Accordingly, the principle of development on this site remains settled and acceptable, along with all other matters not subject to these proposed amendments.

As set out in preceding paragraphs of this report, the amendments sought under this submission are acceptable on their own merit, would not change the fundamental acceptability of the scheme as permitted, and the principle of the development remains unchanged due to no material change in wider site considerations arising in the intervening time since planning permission DC/24/1571, and having regard to all new material policy considerations that have arisen since that last permission.

The latest suite of amendments to the listed condition wording takes account of previous s.73 permissions as set out in the planning history detailed in this report, align with those previously discharged by the Local Planning Authority, are matters of water neutrality and addressed in the above report, or as amended by the Planning Inspector under appeal.

Recommendation: Application Permitted

Conditions:

- 1 **Approved Plans**
- 2 **Regulatory (Time) Condition** (a) Approval of details relating to the scale and appearance of each building, access within the site, and landscaping of the development (hereinafter called "the Reserved Matters"); shall be obtained from the Local Planning Authority in writing before any development of this phase is commenced.

(b) Plans and particulars of the Reserved Matters referred to in condition (a) above, relating to the scale and appearance of each building, access within the site, and landscaping of the development shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

(c) Application for approval of the Reserved Matters shall be made to the Local Planning Authority before 07.10.2025.

(d) The development hereby permitted shall be begun either before 07.10.2025, or before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development of the Outline element in detail and to comply with Section 92 of the Town and Country Planning Act 1990.
- 3 **Regulatory Condition** The development hereby permitted shall be carried out in strict accordance with the approved Construction Environmental Management Plan (None Rev 3.0 dated 13.11.2025) as approved under Discharge Notice DISC/25/0359.

Reason: As this matter is fundamental in the interests of good site management, highway safety, and to protect the amenities of adjacent businesses and residents during construction works to accord with Policies 33 & 40 of the Horsham District Planning Framework (2015).

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

- o All hedgerows, trees and vegetation on the site shown for retention [in the Tree Constraints Plan, by Treescene, received 10/03/2022] as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).

- o Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.

- o Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 5 **Regulatory Condition:** The development hereby permitted shall be carried out in strict accordance with Flood Risk Technical Note [23-027-GOY], Submission to discharge Condition 5 - Drainage [23-030-I&L], drawing ref: D01 Proposed Drainage, drawing ref: 5017393-RDG-XXXX-DOC-C-9950 Part 1 of 4, Flood Risk Drainage Strategy - Part 1 of 4, drawing ref: 5017393- RDG-XX-XX-DOC-C-9950 Part 2 of 4 Flood Risk Drainage Strategy - Part 2 of 4, drawing ref: 5017393-RDG-XX-XX-DOC-C-9950 Part 3 of 4 Flood Risk Drainage Strategy - Part 3 of 4, and drawing ref: 5017393-RDG-XX-XX-DOC-C-9950 Part 4 of 4 Flood Risk Drainage Strategy - Part 4 of 4. The Drainage Strategy shall be implemented prior to first occupation in accordance with the approved details and thereafter retained as such.

Reason: As this matter is fundamental to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015).

- 6 **Regulatory Condition:** The development hereby permitted shall be carried out in strict accordance with the approved Specification for an Archaeological Evaluation by Trial Trenching: Land Off Newbridge Road, Billingshurst, West Sussex and Archaeological Evaluation Report dated April 2024 [AAL 2024051].

Reason: This matter is fundamental as the site is of archaeological significance and it is important that it is recorded by excavation before it is destroyed by development in accordance with Policy 34 of the Horsham District Planning Framework (2015).

- 7 **Regulatory Condition:** The development hereby permitted shall be carried out in strict accordance with the approved Submission to discharge condition 7 - Contamination Risk Assessment, including Appendix A - Phase 1 & 2 Ground Investigation Report by

GeoEnvironmental dated March 2020. Any changes to these components require the consent of the local planning authority.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 8 **Regulatory Condition:** The site levelling works shall be carried out in strict accordance with approved drawing ref: G00 Rev P4 Earthworks Cut and Fill Volumes prior to the commencement of development of any building within Phase 2.

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

- 9 **Regulatory Condition:** The development hereby permitted shall be implemented and retained in strict accordance with the approved Biodiversity Enhancement Strategy dated 19th April 2024 [16479_R02_MJ]. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

- 10 **Pre-Commencement (Slab Level) Condition:** Not applicable

- 11 **Pre-Occupation Condition:** Prior to the first occupation or use of the development hereby permitted, a Marketing Report shall have been submitted to and approved in writing by the Local Planning Authority. The Marketing Report shall set out how the occupation of the units hereby approved have been marketed to existing or new businesses based within the Horsham District (local businesses). The minimum marketing period shall be as follows:

i. An initial period of 6 months from the date of grant of Planning Permission. During this period, no sales or letting shall be agreed with businesses other than local businesses.

ii. A subsequent period of 6 months (up to a period of 12 months from the grant of Planning Permission). During the subsequent period, no more than 50% of the unoccupied units shall be marketed for occupation to businesses based outside the Horsham District

Reason: To ensure the development promotes local economic growth in accordance with Policy 7 of the Horsham District Planning Framework (2015).

- 12 **Regulatory Condition:** (Noise Management Plan) The development hereby permitted shall be carried out and operated in strict accordance with the approved Noise Management Plan dated 17th September 2025.

Reason: In order to ensure that the safe operation of the development and to protection of the amenities of nearby residents, in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

- 13 **Pre-Occupation Condition :** Prior to the first occupation or use of the development hereby permitted, a Landscape and SuDS Management and Maintenance Plan (including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility) for all landscape areas and SuDS infrastructure (existing and proposed) shall have been submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.

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

- 14 **Pre-Occupation Condition:** Prior to the first occupation or use of the development hereby permitted, a verification report demonstrating that the SuDS drainage system has been constructed in accordance with the approved design drawings shall be submitted to and approved by the Local Planning Authority. The development shall be maintained in accordance with the approved report.

Reason: To ensure a SuDS drainage system has been provided to an acceptable standard to the reduce risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015).

- 15 **Pre-Occupation Condition:** Prior to the first occupation or use of the development hereby permitted, an Air Quality Mitigation Scheme shall be submitted to and approved in writing by the Local Planning Authority. The Air Quality Mitigation Scheme shall detail the measures to achieve a minimum environmental damage cost value of £25,435.73 and include (but not be limited to) the measures detailed in the Mitigation Section of the ACCON UK Air Quality Assessment v2 (18th December 2024). The approved scheme shall be installed prior to first occupation of the development and shall thereafter remain as such.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

- 16 **Pre-Occupation Condition:** Prior to the first occupation or use of the development hereby permitted, a Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority and shall include details to mitigate impacts on air quality as set out in the Council's latest Air Quality and Emissions Reduction Guidance document. The applicant shall use all reasonable endeavours to work with other businesses in the immediate area to coordinate the measures within the travel plan. The Travel Plan once approved shall thereafter be implemented as specified within the approved document.

Reason: To encourage and promote sustainable transport and mitigate the impacts of the development on air quality in accordance with Policies 35, 40 & 41 of the Horsham District Planning Framework (2015).

- 17 **Regulatory Condition:** (Public Footpath Link) The development hereby permitted shall be carried out in strict accordance with the approved PlanG02 Rev C1 dated 17.12.2025 titled External finished and slab joints as approved under Discharge Notice DISC/25/0401'
Reason: To encourage and promote sustainable travel options to the site, and in the interests of visual amenity in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

Reason: To encourage and promote sustainable travel options to the site, and in the interests of visual amenity in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

- 18 **Pre-commencement Condition** Not Applicable

- 19 **Post-Occupation Condition:** Not applicable

- 20 **Regulatory Condition:** The approved fire hydrant shall be installed in accordance with drawing ref: 101 Rev B Proposed Block Site Plan and ready for use prior to the first use of the development hereby permitted and 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).
- 21 **Regulatory Condition:** Not applicable
- 22 **Regulatory Condition:** All works within the development hereby permitted shall be carried out in full accordance with the mitigation and enhancement measures and/or works contained within the Ecological Walkover Report [Tetra Tech, 784-B033054, dated 17 January 2022].
- Reason: To conserve and enhance protected and priority species in accordance with the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981, s40 of the NERC Act 2006, and Policy 31 of the Horsham District Planning Framework (2015).
- 23 **Regulatory Condition:** With the exception of internal operations and associated deliveries and dispatch, no operation of plant and machinery or external activities shall take place except between the hours of 06:00 to 23:00 Mondays to Saturdays and 07:00-20:00 on Sundays and public holidays.
- Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015)
- 24 **Regulatory Condition:** No external lighting, other than low level lighting to emergency exits, shall be operated within the development site hereby permitted between the hours of 23:00 to 06:00 hours the following day on Mondays to Fridays, 23:00 to 07:00 hours the following day on Saturdays, and 20:00 to 06:00 hours the following day on Sundays and public holidays.
- Reason: To safeguard the ecology and tranquillity of the countryside and amenities of adjacent occupiers in accordance with Policies 24, 25, 26 & 33 of the Horsham District Planning Framework (2015).
- 25 **Regulatory Condition :** No externally located plant or equipment within the development site hereby permitted shall be installed or operated without the prior written approval of the Local Planning Authority by way of formal application.
- Reason: To safeguard the amenities of neighbouring residents and in accordance with Policy 33 of the Horsham District Planning Framework (2015).
- 26 **Regulatory Condition:** Following first occupation of each unit within the development hereby approved, no mezzanine or additional floor levels (other than any already identified on the approved drawings listed in Condition 1) shall be constructed within any unit without express planning consent from the Local Planning Authority first being obtained.
- Reason: To ensure the traffic generation from the site is sustainable having regard the car park facilities within the wider development to ensure no overspill parking into surrounding roads to accord with Policies 40 & 41 of the Horsham District Planning Framework (2015).
- 27 **Regulatory Condition:** No external storage of any materials or waste shall take place at any time within the development hereby permitted without the prior approval in writing of 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).

- 28 **Regulatory Condition:** No works for the implementation of the development hereby permitted shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays
- Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).
- 29 **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) no development falling within Classes F, G, H and J of Part 7 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of buildings within the development hereby permitted, without express planning consent from the Local Planning Authority first being obtained.
- Reason: In the interest of visual amenity to protect the rural character of the area in accordance with Policies 25, 26, 27 & 33 of the Horsham District Planning Framework (2015).
- 30 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and/or re-enacting that Order), no change of use of the units within the development hereby permitted from the uses granted for that unit by this permission shall take place without express planning consent from the Local Planning Authority first being obtained.
- Reason: To ensure the development remains in employment use in accordance with Policies 7 & 9 of the Horsham District Planning Framework (2015).
- 31 **Regulatory Condition:** No part of the building or the 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 SACSPA 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).
- 32 **Pre-Commencement Condition** Not applicable

NOTE TO APPLICANT

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/26/0211

(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
Supporting Statement	AIR QUALITY (SUPPORTING INFO)	784-B033054	28.07.2022

Supporting Statement	Noise Management Plan	A5083 V3	17.09.2025
Section plan	Proposed Site Sections	CHQ.18.15464-PL04E	10.03.2022
Location plan	Location Plan	CHQ.18.15464-PL01C	10.03.2022
Site plan	Proposed Block Site Plan	101 REV B	23.12.2024
Supporting Statement	Flood Risk Assessment and Drainage Strategy	5017397 Rev 1.0	10.03.2022
Supporting Statement	Updated Ecological Walkover Report	784-B033054	10.03.2022
Supporting Statement	Landscape and Visual Impact Appraisal Addendum Appendix 3	DD554	10.03.2022
Supporting Statement	Energy Statement	5017397	10.03.2022
Supporting Statement	Lighting Assessment	784-A101561-3	10.03.2022
Tree plan	Tree Constraints Plan	Treescene	10.03.2022
Supporting Statement	Tree Survey	Treescene	10.03.2022
Supporting Statement	Transport Technical Note	784-B032970	10.03.2022
Supporting Statement	Air Quality Assessment	784-B033054	10.03.2022
Supporting Statement	Specification for an Archaeological Evaluation by Trial Trenching: Land Off Newbridge Road, Billingshurst, West Sussex		13.03.2024
Site plan	Proposed Block Site Plan	101 REV B	23.12.2024
Details plan	Proposed Drainage	D01	24.05.2024
Supporting Statement	Submission to discharge Condition 5 - Drainage	23-030-I&L	24.05.2024
Supporting Statement	PART 1 OF 4Flood Risk Drainage Strategy - Part 1 of 4	5017393-RDG-XX-XX-DOC-C-9950 Part 1 of 4	24.05.2024
Supporting Statement	Flood Risk Drainage Strategy - Part 2 of 4	5017393-RDG-XX-XX-DOC-C-9950 Part 2 of 4	24.05.2024
Supporting Statement	Flood Risk Drainage Strategy - Part 3 of 4	5017393-RDG-XX-XX-DOC-C-9950 Part 3 of 4	24.05.2024
Supporting Statement	Flood Risk Drainage Strategy - Part 4 of 4	5017393-RDG-XX-XX-DOC-C-9950 Part 4 of 4	24.05.2024
Supporting Statement	Flood Risk Technical Note	23-027-GOY	24.05.2024
Supporting Statement	Archaeological Evaluation	AAL 2024051	24.05.2024
Supporting Statement	Submission to discharge Condition 7 (1) - Contamination	23-030-I&L Part 1 of 5	24.05.2024
Supporting Statement	Submission to discharge Condition 7 (2) - Contamination	23-030-I&L Part 2 of 5	24.05.2024

