



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0213

Baileys Farm, Brooks Green Road, Coolham, West Sussex, RH13 8GR

DESCRIPTION:

Variation of Condition 1 and Removal of Condition 3 of previously approved application DC/23/1792 (Erection of a business unit (Classes E and B8 Use) with associated parking) relating to water neutrality.

RELEVANT PLANNING HISTORY:

DC/23/1792	Erection of a business unit (Classes E and B8 Use) with associated parking.	Application Permitted on 26.07.2024
------------	---	-------------------------------------

DESCRIPTION OF THE SITE

The application site is located within the Parish of Coolham, approximately 380 metres from the North Coolham crossroads. The site is located outside the built up area boundary and situated immediately to the south of a small industrial estate comprising a mixture of Class E offices and light industrial uses. There is a Grade II Listed Building called Baileys Farmhouse located to the north of the buildings adjacent to Brooks Green.

The land to the south of the existing industrial site comprising the application site is predominantly grassed farm land. To the south-east a row of residential properties line Brooks Green Road. William Penn Primary School is located approximately 210 metres to the south-east of the application site. Bailey's Farmhouse is a Grade II listed house located to the north east and this property is situated roughly 130m from the site.

DESCRIPTION OF THE APPLICATION

The application seeks to remove condition 3 of DC/23/1792.

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 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 34 – Cultural and Heritage Assets
Policy 37 - Sustainable Construction
Policy 40 - Sustainable Transport
Policy 41 – Parking

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 1 year. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

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):

Policy 1: Sustainable Development
Policy 6: Climate Change
Policy 7: Appropriate Energy Use
Policy 8: Sustainable Design and Construction
Policy 11: Environmental Protection
Policy 13: The Natural Environment and Landscape Character
Policy 14: Countryside Protection
Policy 17: Green Infrastructure and Biodiversity
Policy 19: Development Quality
Policy 20: Development Principles
Policy 24: Sustainable Transport
Policy 25: Parking
Policy 45: Replacement Dwellings and House Extensions in the Countryside

Supplementary Planning Guidance:

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

Shipley Neighbourhood Plan 2019-2031:

Policy Ship HD3: High Quality Design
Policy Ship CO2: Employment

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:

Natural England: Standing advice

PUBLIC CONSULTATIONS:

Representations:

None received.

Parish Comments:

Parish Council: At the meeting of Shipley PC held on 10th March 2026, Members voted to SUPPORT the application.

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

The application seeks permission for the variation of Condition 3 of DC/23/1792:-

“Pre-Occupation Condition: The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (Water Design Engineers received 03 June 2024). The use of the building hereby permitted not shall be brought into first use until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that use has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.

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 185 and 186 of the National Planning Policy Framework (2023), and to allow 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).”

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. The above conditions were imposed to ensure water neutrality. This current application seeks to remove this condition.

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.

Biodiversity Net Gain (BNG):

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG) unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

As the original planning permission, which this application seeks to amend, was submitted prior to April 2024 it is exempt from BNG.

Conclusions:

The proposal is considered to comply with relevant local and national planning policies and is therefore recommended for approval.

Recommendation: Application Permitted

Conditions:

- 2 **Standard Time Condition:** The development hereby permitted must be commenced by the 26/07/2027.

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

- 3 **Not used**

- 4 **Pre-Occupation Condition:** A Biodiversity Enhancement Layout for bespoke biodiversity enhancement shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Layout shall include the following:

- a) detailed designs or product descriptions for bespoke biodiversity enhancements; and
- b) locations, orientations and heights for bespoke biodiversity enhancements by appropriate maps and plans.

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

Reason: To enhance protected and Priority species & habitats and allow the Local Planning Authority to discharge its duties under the National Planning Policy Framework 2023 and s40 of the NERC Act 2006 (Priority habitats & species).

- 5 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the car parking spaces necessary to serve it have been constructed and made available for

use in accordance with approved drawing number 22-11-01. The car parking spaces permitted shall thereafter be retained as such for their designated use.

Reason: To provide car-parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 6 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until details of secure and covered cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. No use hereby permitted shall be occupied or use hereby permitted commenced until the approved cycle parking facilities associated with that dwelling or use have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 7 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a Delivery, Collection & Service Management Plan, which includes details of the types of vehicles, how deliveries and collections will take place and the frequency of deliveries relating to the B8 use has been submitted to and approved in writing by the Local Planning Authority. In addition, the plan shall detail the arrangements for the loading and unloading of deliveries, in terms of location and frequency, and set out arrangements for the collection of refuse shall be detailed. All deliveries and collections shall thereafter be carried out in accordance with the approved plan unless otherwise agreed to and approved in writing by the Local Planning Authority.

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).

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

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

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

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

- 10 **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), the premises hereby permitted shall be used solely for purposes within Class E(g)(iii) and B8 (storage and distribution), as defined in the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, and for no other purposes whatsoever without express planning consent from the Local Planning Authority first being obtained.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2023), and to allow the Local Planning Authority to discharge its duties under the

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/26/0213

Schedule of plans/documents **approved:**

Plan Type	Description	Drawing Number	Received Date
Supporting Statement		NONE	06.02.2026
Elevation & Floor plan		22-11-01	06.02.2026

DELEGATED

Case Officer sign/initial Hannah Darley Date: 02.04.2026

Authorising Officer sign/initial RHERMITAGE Date: 02.04.2026