



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/1292

Denver Storage, Okehurst Lane, Billingshurst, West Sussex, RH14 9HR

DESCRIPTION:

Removal of Conditions 11, 19, 20, 21, 27, 38 and 39 of previously approved application DC/22/1458 (Demolition of the existing building and erection of 3no storage units (Use Class B8), incorporating vehicular access, landscaping, and on-site parking provision) relating to water neutrality.

RELEVANT PLANNING HISTORY:

DISC/26/0059	Application for Approval of Details Reserved by Condition 3, 4, 5, 6, 7, 8, 9, 10 and 12 to approved application DC/22/1458.	Split Decision on 05.06.2026
DISC/26/0202	Application for Approval of Details Reserved by Condition 19 (Water Neutrality Strategy), 20 (WN implementation), 21 (Water sampling) and 39 (Mains water supply) to approved application DC/22/1458	Withdrawn Application on 30.07.2026
DC/22/1458	Demolition of the existing building and erection of 3no storage units (Use Class B8), incorporating vehicular access, landscaping, and on-site parking provision	Application Permitted on 05.06.2024

DESCRIPTION OF THE SITE

The site is situated to the south of Okehurst Lane and outside of a defined built-up area boundary, the nearest of which being Billingshurst (~1km away). The site has previously been used for poultry farming and comprised two large, long-span poultry sheds. Historical google imagery shows the western shed being removed some time between 2001 and 2005 while the eastern shed remains in place, benefitting from B8 storage use since 2003 (BL/63/03). Permission was granted in 2024 (DC/22/1458) for the demolition of the eastern shed and the erection of 3no storage units.

Development has not yet commenced on the site, though a number of pre-commencement conditions were discharged in June 2026.

DESCRIPTION OF THE APPLICATION

Following the formal withdrawal of Natural England's Position Statement on 31st October 2025, the applicant seeks to remove conditions 11, 19, 20, 21, 27, 38 and 39 which relate to achieving water neutrality. The proposal therefore forms a s73 amendment to remove Conditions 11, 19, 20, 21, 27, 38 and 39 of permission DC/22/1458. These conditions read as follows:

Condition 11

Pre-commencement (slab level) Condition: No development above ground floor slab level shall commence until a management and maintenance plan for the rainwater harvesting system has been

submitted to and approved in writing by the Local Planning Authority. The management and maintenance plan shall include the following details:

- The sampling regime and parameters etc, recognising that the sampling will need to be undertaken a DWI certified sampler and analysed by a UKAS accredited lab.
- Detail on how any failure of any samples will be investigated and managed.
- Details, including a plan or schematic, showing the supply - storage tanks, treatment etc, and means to record the total water consumption of each unit
- Detail on what type of treatment that will be installed on the supply with information clearly indicating that it is appropriate for the amount of water being used.
- Detail on how the treatment system, pipework, tanks etc will be cleaned and maintained and who will maintain them for the lifetime of the development. This should include any re-activation of the system after it has been out of use due to lack of rainfall/use.
- The completion and sharing of the Regulation 6 risk assessment by a suitably competent person (as required by the Private Water Supply (England) Regulations 2016) prior to the water supply being put into use.
- Detail on the continuity of supply during dry periods extending beyond 35 days.
- Arrangements for keeping written records of all sampling, results of analysis, inspection, cleaning, and maintenance.
- Details of contingency plans to ensure any failure's or reported concerns with the supply are investigated and rectified as soon as possible, including timeframes. This should include notification of the investigation and corrective actions to the local authority.

The management and maintenance plan shall be operated in full at all times. No alterations or revisions to the approved management plan shall be implemented without the written approval 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).

Condition 19

Pre-Occupation Condition: The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (WATER NEUTRALITY REPORT – Development at Denver, Okehurst Lane, Billingshurst RH14 9HR For Denver Commercial LLP: Ref C2182 Rev P3 22.06.23 by cgs civils and WATER NEUTRALITY COMPONENT SCHEDULE - RAINWATER HARVESTING : DC/22/1458-WNR-RWH-08 Date 29th June 2023 by Silverline UK Ltd).

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).

Condition 20

Pre-Occupation Condition: 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. 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 day storage capacity. The installed measures shall be retained and operated as such at all times 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 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).

Condition 21

Pre-Occupation Condition: No unit shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that water taken from the tap within the unit(s) has been sampled by a person who has undertaken the DWI certification of persons scheme for sampling private water supplies, analysed by a laboratory that is accredited to the ISO 17025 Drinking Water Testing Specification and the findings submitted to the Local Planning Authority.

The scheme shall be implemented in full prior to first occupation of any unit and shall be retained and maintained at all times thereafter. No alterations or revisions to the approved management plan shall be implemented without the written approval 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).

Condition 27

Post-Occupation Condition: Within 3 months of each occupation of each unit, evidence of the water consumption of the unit occupants shall be submitted to, and have been approved in writing by, the Local Planning Authority, by the unit's landlord or occupants. The evidence shall demonstrate that in combination with all other units sharing the same rainwater harvesting system, there is sufficient water supply from the rainwater harvesting system to cater for the demand of the units with a minimum of 35 days drought storage capacity. In the event the existing rainwater harvesting system fails to cater for the combined water consumption of the units, details of how suitable rainwater supply and storage will be provided shall be submitted to and be approved in writing by the Local Planning Authority alongside the above evidence and shall be installed within 1 month of the date of its approval. Ongoing written evidence shall be made available to council officers upon their reasonable request.

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).

Condition 38

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).

Condition 39

Regulatory Condition: No unit hereby permitted shall be connected to or draw supply from the mains water supply except for emergency purposes in the event of a temporary failure of the rainwater harvesting system. Where a temporary failure has occurred, the occupiers shall immediately undertake

the contingency measures set out in the management and maintenance plan agreed under condition 11 until such time as the system is fully operational. The occupiers of each unit shall keep an ongoing record of all water taken from the mains supply and hold written evidence to explain why it was necessary as an exceptional measure to take water from the mains supply.

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).

RELEVANT PLANNING POLICIES

The following policies are considered relevant to the assessment of the application:

The National Planning Policy Framework (NPPF)

Policy N2: Improving the Natural Environment

Policy N6: Areas of particular importance for biodiversity and geodiversity

Horsham District Planning Framework (2015):

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

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 37 - Sustainable Construction

Billingshurst Neighbourhood Plan (2021)

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

Strategic Policy 1: Sustainable Development

Strategic Policy 6: Climate Change

Strategic Policy 8: Sustainable Design and Construction

Strategic Policy 9: Water Neutrality

Strategic Policy 11: Environmental Protection

Strategic Policy 13: The Natural Environment and Landscape Character

Strategic Policy 17: Green Infrastructure and Biodiversity

Strategic Policy 19: Development Quality

Strategic Policy 20: Development Principles

Supplementary Planning Guidance:

Planning Obligations and Affordable Housing SPD (2017)

Community Infrastructure Levy (CIL) Charging Schedule (2017)

Planning Advice Notes:

Shaping Development in Horsham District (SDPAN)

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

PUBLIC CONSULTATIONS:

Representations:

None.

Parish Comments:

Billingshurst Parish Council: 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

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 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 removal of conditions 11, 19, 20, 21, 27, 38 and 39 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:

As set out above, consent is sought under Section 73 of the Town and Country Planning Act to remove conditions 11, 19, 20, 21, 27, 38 and 39 of the previously approved application DC/22/1458, as the requirements of Water Neutrality are no longer necessary given the formal withdrawal of the Natural England Position Statement on October 31st 2025.

Whilst a consent under s73 creates a new planning permission for the site, government guidance set out in the PPG is clear that only the matters being amended are to be considered. 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.

The conditions attached to the planning permission are otherwise repeated in their entirety, except where details have subsequently been submitted and agreed under separate applications.

Recommendation: Application Permitted

Conditions:

- 1 Plans
- 2 **Regulatory (Time) Condition:** The development hereby permitted shall be begun before 05 June 2027.

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

- 3 **Pre-Commencement Condition:** No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

(a) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from contamination at the site.

The following aspects (b) - (c) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

(b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.

(c) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (b) and a verification plan providing details of what data will be collected in order to demonstrate that the remedial works are complete.

The scheme shall be implemented as approved. 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).

- 4 **Pre-Commencement Condition:** No soils shall be imported or re-used within the development site until the developer has submitted details of the chemical testing and assessment of the soils which demonstrates the suitability of the soils for the proposed use. The assessment shall be undertaken by a suitably qualified and competent person and full details shall be submitted to and approved in writing by the local planning authority. Prior to the first occupation (or use) of any part of the development hereby permitted, a written verification report shall be submitted which demonstrates only soils suitable for the proposed use have been placed. The verification report shall be submitted and approved, in writing, by 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).

- 5 **Pre-Commencement Condition:** No works pursuant to this permission shall commence until a method statement for the safe removal and disposal of asbestos containing materials has been submitted to and approved in writing by 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).

- 6 **Regulatory Condition:** The scheme shall be constructed as per the drawings agreed under DISC/26/0059 (Site Layout - Proposed Drainage and Levels, Interim Drainage Maintenance and Management Plan, Construction Details Plan (Ref: 501 and 502) and Method of Construction Statement and Working Method Statement (V1.0)) as well as the method statement and Drainage Statement including Flood Risk (The Civil Engineering Practice, 10th November 2023, v1.2). The scheme shall remain in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with the NPPF and Policy 38 in the Horsham District Planning Framework and Policy BILL 16 of the Billingshurst Neighbourhood Plan (2021)

- 7 **Regulatory Condition:** The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the Interim Drainage Maintenance and Management Plan (The Civil Engineering Practice, 04 February 2025) agreed under application DISC/26/0059 in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with the NPPF and Policy 38 in the Horsham District Planning Framework and Policy BILL 16 of the Billingshurst Neighbourhood Plan (2021)

- 8 **Pre-Commencement Condition:** Any works which will impact the breeding / resting place of bats, shall not in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
- b) evidence of site registration supplied by an individual registered to use a Bat Mitigation Class Licence; or
- c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To conserve protected species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998 in accordance with Policy 31 of the Horsham District Planning Framework (2015).

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

- All trees on the site shown for retention on approved drawing number [insert number], 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).
- 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.
- 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).

- 10 **Regulatory Condition:** The development shall be implemented and thereafter carried out at all times strictly in accordance with the Arboricultural Impact Assessment and Method Statement (Lizard Landscape Design and Ecology, April 2025) agreed under DISC/26/0059. 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).

- 11 N/A

- 12 **Regulatory Condition:** Works shall be implemented in accordance with the Ecological Design Strategy (Lizard Landscape Design and Ecology, 06 May 2026, REV 01) agreed under DISC/26/0059.

Reason: To enhance protected and Priority species & habitats and allow the Local Planning Authority to discharge its duties under the NPPF 2021 and s40 of the NERC Act 2006 (Priority habitats & species) in accordance with Policy 31 of the Horsham District Planning Framework (2015).

- 13 **Pre-Occupation Condition:** The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification that the remediation scheme required and approved under the provisions of condition 3(c) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Thereafter the

scheme shall be monitored and maintained in accordance with the scheme approved under condition 3(c), unless otherwise agreed in writing by 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).

- 14 **Pre-Occupation Condition:** Prior to occupation, a lighting design strategy for biodiversity in line with Guidance Note 08 Bats and Artificial Lighting at Night (ILP, 2023) shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham Development Framework.

- 15 **Pre-Occupation Condition:** The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification that any identified asbestos has been removed from the application site and disposed of by a licensed asbestos contractor in accordance with the Control of Asbestos Regulations 2012.

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).

- 16 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until visibility splays for the access serving the development (including details of any planting to be removed) have been submitted to and approved in writing by the Local Planning Authority. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

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

- 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 (including but not limited to clarification of height of hedge to be maintained along Okehurst Lane and succession planting to reinforce existing boundaries and retain rural character of Okehurst Lane)

- Details of all hard surfacing materials and finishes (including but not limited to choice of appropriate rural materials such as gravel and block/sett paving in warm colours for parking bays)
- Details of all boundary treatments (including but not limited to proposed post and rail fence installed to the inner side of the existing hedge along Okehurst Lane)
- Details of all external lighting

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

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

- 18 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a landscape 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 communal landscape areas has 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 Policy 33 of the Horsham District Planning Framework (2015).

19 N/A

20 N/A

21 N/A

- 22 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a verification report demonstrating that the SuDS drainage system has been constructed in accordance with the approved design drawings has been 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) and Policy BILL 16 of the Billingshurst Neighbourhood Plan (2021).

- 23 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. 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.

Reason: To encourage and promote sustainable transport and in accordance with Policy 40 of the Horsham District Planning Framework (2015) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021).

- 24 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the cycle parking facilities serving it have been constructed and made available for use in accordance with details submitted to and approved in writing by the Local Planning Authority. The cycle parking facilities shall thereafter be retained as such for their designated use.
- 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) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021).
- 25 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until details for the provision for the storage of refuse and recycling facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided prior to occupation (or use) of the development hereby permitted and thereafter be retained for use at all times.
- Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).
- 26 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the parking, turning and access facilities necessary to serve that unit have been implemented in accordance with the approved details as shown on plan and shall be thereafter retained as such.
- Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021).
- 27 N/A
- 28 **Regulatory Condition:** No works relating to the construction of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours of the same day Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays, unless otherwise agreed in writing by the Local Planning Authority.
- Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021).
- 29 **Regulatory Condition:** No deliveries of construction materials or plant and machinery and no removal of any spoil from the site, 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, unless otherwise agreed in writing by the Local Planning Authority.
- Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021).
- 30 **Regulatory Condition:** Except for the use of the premises as set out in condition 31 of this decision notice, the premises shall not be open for trade or business except between the hours of:
- 0800 hours and 1800 hours of the same day, Monday to Friday inclusive,
0800 hours and 1300 hours on Saturdays,
- Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021).

- 31 **Regulatory Condition:** In the event of 'self-storage/personal' storage use of the premises, the premises shall not be open for trade or business except between the hours of:

0800 hours and 2000 hours of the same day, Monday to Friday inclusive,
0800 hours and 1800 hours on Saturdays and Sundays

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015)) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021).

- 32 **Regulatory Condition:** Except for the use of the premises as set out in condition 33 of this decision notice, despatch or receipt of deliveries, loading and unloading shall be restricted to 0800 hours and 1800 hours of the same day, Mondays to Fridays inclusive, 0800 hours and 1300 hours on Saturdays and no deliveries, loading or unloading shall be undertaken on Sundays or public holidays.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021).

- 33 **Regulatory Condition:** In the event of 'self-storage/personal' storage use of the premises, despatch or receipt of deliveries, loading and unloading shall be restricted to 0800 hours and 2000 hours of the same day Monday to Friday inclusive, 0800 hours and 1800 hours on Saturdays and Sundays.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021).

- 34 **Regulatory Condition:** No externally located storage of any materials or waste shall occur except within the areas shown on the approved plans or otherwise agreed by local planning authority in discharge of a condition attached to this decision notice without the prior approval in writing of the Local Planning Authority.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021).

- 35 **Regulatory Condition:** No steel stockholding or heavy plant hire shall take place on site.

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021).

- 36 **Regulatory Condition:** No internally and/or externally located plant, machinery equipment or building services plant shall be operated until an assessment of the acoustic impact arising from the operation of all such equipment has been undertaken and has been submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken in accordance with BS 4142:2014 and shall include a scheme of attenuation measures to mitigate any adverse impacts identified in the acoustic assessment and ensure the rating level of noise emitted from the proposed building services plant is no greater than background levels. The scheme as approved by the Local Planning Authority shall be fully installed prior to first operation of the plant and shall be retained as such thereafter.

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021).

- 37 **Regulatory Condition:** No external lighting or floodlighting shall be installed without the prior written approval of the Local Planning Authority. Any that is installed with the permission of the Local Planning Authority shall be maintained in accordance with the approved details.
- Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021).
- 38 N/A
- 39 N/A
- 40 **Regulatory Condition:** All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (Lizard Landscape Design and Ecology, March 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.
- Reason: To conserve protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham Development Framework.
- 41 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or the Town and Country Planning (Use Classes) Order 1987 (as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020) (or any order amending or revoking and/or reenacting these Orders), the premises hereby permitted shall only be used for uses falling with Class B8 use only and for no other purposes whatsoever, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without express planning consent from the Local Planning Authority first being obtained.
- Reason: To ensure the development remains in appropriate employment use and due to unknown and potentially harmful impacts on local amenity under Policies 7, 9 and 33 of the Horsham District Planning Framework (2015) and Policy BILL 10 of the Billingshurst Neighbourhood Plan (2021), and to ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).
- 42 **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 Class H of Part 7 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.
- Reason: to ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 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).
- 43 **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 not include trade counters or showroom/retail uses without express planning consent from the Local Planning Authority first being obtained.

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

- 44 **Regulatory Condition:** No soils shall be imported or re-used within the development site until the developer has submitted details of the chemical testing and assessment of the soils which demonstrates the suitability of the soils for the proposed use. The assessment shall be undertaken by a suitably qualified and competent person and full details shall be submitted to and approved in writing by the local planning authority. Prior to the first occupation (or use) of any part of the development hereby permitted, a written verification report shall be submitted which demonstrates only soils suitable for the proposed use have been placed. The verification report shall be submitted and approved, in writing, by 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).

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/26/1292

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

Plan Type	Description	Drawing Number	Received Date
Plans	Building C - Proposed Plan & Elevations	2.07 REV A	27.10.2023
Plans	Proposed Master Plan	2.02 REV E	27.10.2023
Plans	Vehicle Tracking Max Legal Articulated Vehicle	11	12.10.2023
Plans	Proposed Vehicle Tracking Fire Tender & Refuse Truck	05 REV A	12.10.2023
Plans	Building A - Proposed Floor Plan	2.03 REV C	28.06.2023
Plans	Building A - Proposed Elevations	2.04 REV C	28.06.2023
Plans	Building B - Proposed Floor Plan	2.05 REV B	28.06.2023
Plans	Building B - Proposed Elevations	2.06 REV C	28.06.2023
Plans	TREE CONSTRAINTS Plan	LLD2288-ARB-DWG-001 Rev 01	01.08.2022
Plans	TREE RETENTION AND PROTECTION PLAN	LLD2288-ARB-DWG-002 REV 00	01.08.2022
Plans	Landscape Masterplan Strategy	LLD2288-LAN-DWG-001 REV 03	01.08.2022

Plans	Location & Block Plan	2.01	01.08.2022
Plans	EXISTING ELEVATIONS	21062-E- REV A	08.08.2022
Plans	EXISTING FLOOR PLAN	21062-FP- REV A	08.08.2022
Plans	EXISTING ROOF PLAN	21062-R	08.08.2022
Plans	Existing Topographical Survey (1 OF 2)	21062-T	01.08.2022
Plans	Existing TOPOGRAPHICAL SURVEY (2 OF 2)	21062-T	01.08.2022
Supporting Docs	Drainage Statement including Flood Risk Version 1.2 by The Civil Engineering Practice (dated 10th November 2023) Project Number 23516		14.11.2023
Supporting Docs	Designer's Response Project Number 23516 Date of response 10 November 2023 by The Civil Engineering Practice		14.11.2023
Supporting Docs	BAT EMERGENCE SURVEY REPORT REV 00 Date 13/07/23 Denver, Okehurst Lane, Billinghamurst by Lizard LLD2288-ECO-REP-004-00-BES		01.08.2023
Supporting Docs	PRELIMINARY ROOST ASSESSMENT REV 01 Date 13/07/23 Denver, Okehurst Lane, Billinghamurst by Lizard LLD2288-ECO-REP-003-01-PRA		01.08.2023
Supporting Docs	Email ECE Planning dated 30 March 2023: Response to WSCC Highways		30.03.2023
Supporting Docs	Email ECE Planning dated 8th November 2022: CLARIFICATION AS TO CONTROL OF HIGHWAY LAND		08.11.2022
Supporting Docs	HERITAGE STATEMENT March 2022 Denver Farm, Okehurst Lane, Billinghamurst by Orion Heritage Ltd		01.08.2022
Supporting Docs	ARBORICULTURAL IMPACT ASSESSMENT AND METHOD STATEMENT Denver Okehurst Lane, Billinghamurst by Lizard REV 00 Date 31 March 2022 LLD2288-ARB-REP-001		01.08.2022
Supporting Docs	EXISTING TREE SCHEDULE AND SCHEDULE OF TREE WORKS Denver, Okehurst Lane, Billingshurst by Lizard 31.03.22 Rev 01 Ref LLD2288		01.08.2022
Supporting Docs	LANDSCAPE DESIGN STRATEGY REV 02 Date 12.04.22 Denver Commercial LLP by Lizard LLD2288-LAN-REP-001		01.08.2022

Supporting Docs	LANDSCAPE AND VISUAL APPRAISAL REV 02 by Lizard Date 30.03.2022 Ref: LLD2288-LPL-REP-001 APPENDIX A - E inclusive		01.08.2022
Supporting Docs	LANDSCAPE AND VISUAL APPRAISAL REV 02 by Lizard Date 30.03.2022 Ref: LLD2288-LPL-REP-001		01.08.2022
Supporting Docs	PLANNING STATEMENT Denver Poultry Farm, Okehurst Lane, Billingham Issue PL3 Date 12/04/2022 Ref P1800		01.08.2022
Supporting Docs	TRANSPORT STATEMENT Version 1.1 14 April 2022 Project Number 23516 by CEP The Civil Engineering Practice		01.08.2022
Supporting Docs	ECOLOGICAL IMPACT ASSESSMENT REV 01 Denver, Okehurst Lane, Billingham by Lizard Date 31st March 2022 Ref LLD2288		01.08.2022
Supporting Docs	PRELIMINARY CONTAMINATION RISK ASSESSMENT Denver Commercial LLP by Environmental Assessment Services Ltd April 2021 427/ECE/DenverComm/PCRA		01.08.2022

DELEGATED

Case Officer sign/initial Sophie Moore Date: 24/09/2026

Authorising Officer sign/initial Adrian Smith Date: 24/09/2026