Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/0342
Land Parcel at 507911 125837 , Newbridge Road, Billingshurst, West Sussex

DESCRIPTION:
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.

RELEVANT PLANNING HISTORY:

Wider Site:

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 circulation space (scale, landscaping and appearance reserved); new access to the site from A272 and pedestrian link to footbridge over A29.	Application Permitted on 10.01.2020

Phase 2:

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/24/1989	**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/24/0805	**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/25/0386	**Variation** of Conditions 1 and 18 of previously approved application DC/24/1989 (Variation of condition 1 and 17 of	Application Permitted on 09.05.2025

	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.	
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)) in relation to amending the operational hours.	Application Permitted on 20.06.2025

DESCRIPTION OF THE SITE

The application site is situated on the western edge of Billingshurst (outside the defined Built-up Area Boundary), on an area of agricultural land located between the A272 and A29 at Platts Roundabout. The site and the relationship with its surrounds is the same as described under DC/19/0295, save for the recent construction that has taken place in Phase 1a (immediately to the north of the site).

Access to the site is provided by an internal roadway connecting from the A272 which has recently been completed as part of works to facilitate the construction of approved development within Phase 1. The site is not subject to any statutory designations.

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 was granted, a variation to the petrol filling station, and a standalone coffee drive-through unit within Phase 1a has been approved, and built out. An amendment to Phase 1b has also been considered and approved to increase the size of the showroom, with works yet to commence on this parcel.

In respect of the current application site (Phase 2), this was then subject to a separate standalone outline permission under DC/22/0518 (permitted in October 2022), followed by a reserved matters application under DC/24/0805 (permitted in February 2025), and a s73 amendment to the layout under DC/24/1989 (permitted in February 2025).

Permission therefore exists on site (Phase 2) for the development of 4,627sq/m of flexible employment floorspace (falling within use classes E(g)(ii) and (iii), B2 and B8), with a number of planning conditions also having been submitted and satisfied.

More recently, a variation under S73 has been permitted (under DC/25/0386) to amend the water neutrality options available at this site, enabling an on-site bespoke rainwater harvesting system to be implemented, and / or for the development to apply to access the strategic SNOWS credits, which has since been brought forward.

DESCRIPTION OF THE APPLICATION

A S73 application has been submitted to vary the details of the approved water neutrality scheme on this site, to include the use of a borehole to supply treated potable water to the consented development, alongside a rainwater harvesting system to supply greywater for WC flushing within the units.

The proposal would amend the means of achieving a water neutral position at the site by way of the addition of a borehole to provide a reliable potable water supply, with the consented rain-water harvesting system to be used solely for grey-water purposes (WC flushing). The proposed variation would also allow a hybrid water neutrality solution to be achieved by way of bespoke on-site measures and a potential application to join the strategic SNOWS.

Taking account of the recent revisions which have taken place since this s73 application was first submitted, the description has been updated accordingly, along with the conditions being sought to be varied, noting that Conditions 10, 19 and 21 have since been removed under DC/25/0386, and a new Grampian-style condition imposed to enable the proposed development the option of applying to access SNOWS credits.

To this effect, the proposed amendment would need to be reflected in relevant planning conditions to update reference to the current Water Neutrality report (Water Neutrality Technical Note, S73 Borehole Option, Issue 1, 13 March 2025).

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

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:

INTERNAL CONSULTATIONS

HDC Environmental Health: No Comment

HDC Landscape Architect: No Objection
[No Objection 03.04.2025] – The previously plan below refers to the superseded proposals (appendix F, indicative storage layout within appendix 2 of the SBP technical note) and that the most up to date plan is that at Appendix 1 diagram of the SBP technical note. Accordingly, no concerns are expressed to the proposals as it is demonstrated that this will not affect the delivery of the approved landscape strategy.

[Holding Objection 26.03.2025] - The proposals as shown within the technical note are not supported. A number of rainwater storage tanks appear to be within and will preclude the delivery of some important landscape features/mitigation strategy. Please seek a plan to show coordination between water neutrality proposal and landscape to demonstrate how these will work alongside without compromising the landscape strategy.

OUTSIDE AGENCIES

Natural England: No Objection subject to the mitigations being secured

Environment Agency: Comment
[Summary – 15th May 2025] Abstraction from the Weald Clay Formation is variable and includes faulting and variable transmissivity within its layers, and that any abstraction should be suitably maintained and monitored with this knowledge.
SPZ1 min 50m but can be increased to 250m depending on volumes of water being abstracted.
An abstraction license would be required for a volume over 20cubic meters / day

PUBLIC CONSULTATIONS
Representations:
To date, no letters of representation have been received.

Parish Comments:
Billingshurst Parish Council: Comment
Parish Council is not an expert in Water Neutrality and trusts in the experience of the case officer in this matter.

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 consent, in order to bring forward a flexible water neutrality solution for the consented development, to incorporate on-site efficiency measures, rain-water harvesting (for WC flushing), a borehole (for potable), and / or an application to join the district-wide Sussex North Offsetting Water Scheme (“SNOWS”).

The current s73 application was submitted in March 2025, and therefore carried the following description:

> **"Variation of Condition 1, 10, 18, 19 and 21 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.) Relating to water neutrality."**

Application DC/24/1989 has since been amended under DC/25/0386 and then again under DC/24/1571 therefore the application description has been amended to reflect this latest consent.

The water neutrality statement approved originally under DC/22/0518 assumed a worst-case ratio of 262 full-time employees, based on all consented floor space being used for Class E(g) offices. A water neutral position was to be achieved by way of the following:

1) Efficient fittings, reducing the calculated water demand arising from the site from 9,435 l/day to 6,335 l/day.
2) On-site rainwater harvesting catchment, filtration and storage system, calculated as having the potential to supply an average of 6,606 l/d, creating a surplus of 270 l/d. On-site water storage capacity of 220,000 litres was calculated as being required, based on a worst-case staffing ratio of 262 persons at the site (based on B1 employment floorspace = offices).

More recently, In May 2025, a s73 application was approved under DC/25/0386, varying the water neutrality strategy for the site, and facilitating the ability to join the district-wide strategic solution of SNOWS (for potable water), in combination with a bespoke on-site solution. A composite staff ratio was used across all three consented use classes, considered to present a more realistic figure of 123 full-time employees. Under application DC/25/0386, the following was approved:

1) Efficient fittings
2) On-site rainwater harvesting and use within a grey-water system for WC flushing only (demand of 1,661 l/d)
3) Potable mains to be delivered by way of access to SNOWS (demand of 1,273 l/d)

Water Neutrality:
The current s73 amendment seeks to amend the on-site water neutrality solution to increase flexibility:

1) Efficient fittings
2) On-site rainwater harvesting and use within a grey-water system for WC flushing only (demand of 1,661 l/d)
3) Use of an on-site Borehole (and treatment and storage) to provide potable water (demand of 1,273 l/d)

A composite staff ratio has been used across all three consented use classes, considered to present a more realistic figure of 123 full-time employees. In this basis, officers calculate that the envisaged daily water demand would be 3,273 l/d (26l/p/d) with efficiency measures.

The submitted hydrogeological details reveal that water was struck at 12m and 35m, with testing yielding a sustained abstraction rate of 4.34 cubic metres / hour (or 4,340 litres / hour).

As originally submitted in March 2025, the current s73 amendment seeks to vary the water neutral position of the site, which had been secured by way of a full rainwater harvesting system to supply all water demands for the site, along with installing water efficient fittings within the new warehouse units (under DC/22/0518). The proposal would retain a rainwater harvesting system but would also introduce a borehole on-site to supply the potable water demands of the site.

The proposed s73 variation would therefore provide the applicants with a reliable potable source of water by way of a borehole supply, as well as being able to harvest rainwater to provide for non-potable

/ WC flushing. This would deliver a viable, yet still water neutral, solution for the site, and a variation of the originally approved WN measures under DC/22/0518.

Natural England have reviewed the revised Appropriate Assessment and submitted details and have not objected to the proposal, subject to securing the mitigation measures.

It is therefore concluded that the proposed development remains capable of achieving a water neutral position by way of the proposed amendment. Therefore, the proposal would accord with Regulation 63 of the Conservation of Habitats and Species Regulations 2017 and would not result in an adverse impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. The grant of planning permission would not therefore adversely affect the integrity of these sites or otherwise conflict with policy 31 of the HDPF, NPPF paragraph 192 and 193, or the Council's obligations under the Conservation of Habitats and Species Regulations 2017, subject to the application of the Grampian water neutrality condition.

Conclusions:
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 proposal seeks to revise the consented development only insofar as enabling a borehole to come forward as part of the on-site water neutrality solutions, thus not affecting or changing the operational part of the development.

Planning legislation enables the Local Planning Authority to grant a permission with new or amended conditions, which has the effect of creating a new and independent permission to carry out the same development as previously permitted. The developer can then opt which consent to implement.

However, officers note that since this s73 application was submitted in March 2025, two subsequent decisions have been issued at this site, resulting in a variation of the originally submitted description and the cited conditions:

- DC/25/0386 was approved in May 2025, and allows the policy-compliant development to apply to join the district-wide strategic SNOWS (Sussex North Offsetting Water Scheme): Condition 1 varied (plans list), Condition 10 has been removed, Condition 18 varied to reflect the revised WN technical note 'Water Credit Option', Condition 19 has been removed, Condition 21 has been removed and a new Condition 32 added (a Grampian-style SNOWS condition).

- DC/24/1571 was approved in June 2025, and varies the hours of use condition for the consented scheme. In addition to the above amendments, Condition 23 has been revised to reflect a change to the consented hours of operation.

Officers therefore consider that the permission can be varied, taking account of the intervening amendments created by way of the preceding two decisions, thus exercising the right to apply conditions of differing wording on the permission for the proposed amendments sought under Section 73(2)(a) of the TCPA, with a revised description agreed with the applicant:

> ***"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."***

Recommendation: Application Permitted

Conditions:

1 Plans list

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 **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).

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:

- 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).
- 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).

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-XX-XX-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 4Flood 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 Geo-Environmental 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**: 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 Polices 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 co-ordinate 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 **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).

18 **Pre-Commencement Condition**: No development shall commence until full details of the water efficiency measures and rainwater harvesting system required by the approved Water Neutrality Technical Note ‘s73 Borehole Option’ (prepared by SB Partnership, received 13.03.2025) 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.

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), 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).

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**: 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)

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 form 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 re-enacting 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), 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).

32 **Pre-Commencement Condition**: No development shall commence until either:
i) 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

ii) Confirmation has been received in writing setting out that the borehole supply set out in the approved Water Neutrality Technical Note ‘s73 Borehole Option’ (prepared by SB Partnership, received 13.03.2025) will be delivered to provide all potable water for the development;

or

iii) 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

iv) 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 under part iii) 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).

33 **Pre-commencement Condition:** Subject to Condition 32, no development shall commence until a management and maintenance plan for the borehole, pump and treatment plant 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 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.
- 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

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), 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).

34 **Pre-commencement Condition:** Subject to Condition 32, no development, other than the drilling of the borehole, shall commence until evidence that water from the borehole has been sampled by a person who has undertaken the DWI certification of persons scheme for sampling private water supplies and analysed by a laboratory that is accredited to the ISO 17025 Drinking Water Testing Specification and the findings submitted to the Local Planning Authority. In the event the samples show that any of the parameters are above the prescribed concentrations or values, as detailed in Schedule 1 of the Private Water Supplies (England) Regulations 2016, no development shall commence until a mitigation scheme has been submitted to and been approved in writing by the Local Planning Authority that demonstrates how the water will be

treated to meet the requirements of Schedule 1 of the Private Water Supplies (England) Regulations 2016 (or subsequent superseding equivalent). The mitigation scheme shall then be implemented in full prior to first occupation of any dwelling and shall be retained and maintained 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), 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).

35 **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 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, and, subject to Condition 32, evidence of the installation and connection to the borehole water supply system. The installed measures shall be retained and operated as such at all times thereafter to an equivalent or better water performance standard.

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), 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).

36 **Regulatory Condition:** Subject to Condition 32, prior to first use of the borehole system, details of the Source Protection Zone for the borehole shall be provided to the Local Planning Authority and Environment Agency, alongside evidence that all landowners within the Source Protection Zone have been notified of the borehole and their responsibilities to avoid contamination of the borehole supply.

Reason: To ensure the quality of water is maintained and 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), 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).

37 **Pre-occupation Condition** Subject to Condition 32, no unit(s) shall be brought into first use 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) meets the requirements of Schedule 1 ‘Prescribed concentrations or values’ of the Private Water Supplies (England) Regulations 2016.

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), Paragraph 193 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).

38 **Regulatory condition:** Subject to Condition 32, 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 borehole 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 33 until such time as the system is fully operational. The occupiers of each dwelling 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), 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).

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/24/1571

(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 (SUPPORTING INFO)	784-B033054	28.07.2022
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
Supporting Statement	Submission to discharge Condition 7 (3) - Contamination	23-030-I&L Part 3 of 5	24.05.2024
Supporting Statement	Submission to discharge Condition 7 (4) - Contamination	23-030-I&L Part 4 of 5	24.05.2024
Supporting Statement	Submission to discharge Condition 7 (5) - Contamination	23-030-I&L Part 5 of 5	24.05.2024
Supporting Statement	Submission to discharge Condition 8 (1) - Levels	23-030-I&L Part 1 of 2	24.05.2024
Details plan	Submission to discharge Condition 8 (2) - Levels	23-030-I&L Part 2 of 2	24.05.2024
Supporting Statement	Submission to discharge Condition 9 - Biodiversity Enhancement Strategy	16479_R02_MJ	24.05.2024
Supporting Statement	Submission to discharge Condition 12 - Noise Management Plan	A5083 V2	17.12.2024
Supporting Statement	Air Quality Damage Cost Assessment	A5083 V2	18.12.2024
Supporting Statement	Submission to discharge Condition 15 - Air Quality Technical Note	A5083	24.05.2024
Supporting Statement		23-030_001A	15.08.2024
Supporting Statement	Water Neutrality / Technical Note s73 Borehole Option	Issue 1	13.03.2025
Supporting Statement	Technical Note	Feb 2025	30.04.2025
Supporting Statement	Technical Note in response to EHO comments	Feb 2025	30.04.2025

DELEGATED

Case Officer sign/initial Nicola Pettifer Date: 18/07/2025

Authorising Officer sign/initial Adrian Smith Date: 18/07/2025