

From: Nik Antoniou <njaltd@gmail.com>
Sent: 02 July 2026 15:44:06 UTC+01:00
To: "Shazia Penne" <Shazia.Penne@horsham.gov.uk>
Subject: Re: Condition 3 and Condition 9 – Clarification Required

Hi Shazia

Thank you for your email and I believe your rewording of the condition and referencing to documentation is fine.

To make this less complicated for all, I am minded to suggest that we remove Condition 9 altogether because as you say, revised Condition 3 appears to cover everything. I assume you can, through this application simply remove Condition 9 so we just have Condition 3 as amended.

Kind regards

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On Thu, 2 Jul 2026 at 08:55, Shazia Penne <Shazia.Penne@horsham.gov.uk> wrote:

Good morning,

Whilst this is ready to be signed off, I note that if Condition 3 is amended to the revised wording which is a regulatory:

Regulatory Condition: The development hereby approved shall be carried out in full accordance with the Arboricultural Impact Assessment and Method Statement approved under application DC/25/0944, except where amended by application DC/26/0730, in which case the development shall be carried out in accordance with the Arboricultural Report Addendum: Section 73 Variation of Conditions Application Relating to Tree Protection Measures Approved Under Planning Consent Ref: DC/25/0944, and the associated Tree Protection Plan prepared by Duckworths Arboriculture Ltd on behalf of Merryhill Mushrooms.

Reason: To ensure the successful and satisfactory protection of important trees, shrubs and hedges on site, in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).

This may conflict with the requirements of Condition 9 as currently drafted:

Regulatory Condition: All works shall be executed in full accordance with the submitted Arboricultural Impact Assessment/Method Statement BS:5837 Arboricultural Report, AIA/AMS

06647/2025 0.2, 05.06.2025.

Reason: To ensure the successful and satisfactory protection of important trees, shrubs and hedges on the site in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).

Could you please review this and confirm whether Condition 9 should also be amended? My initial view is that, if Condition 3 is varied to include the new wording, Condition 9 could either:

- Be updated to incorporate reference to the Tree Addendum; or
- Be removed altogether if it would effectively duplicate the requirements already secured through the revised Condition 3.

I would be grateful if you could clarify your intentions regarding these conditions.

Kind regards,

Shazia Penn
e
Planning Officer

Telephone: [01403 215258](tel:01403215258)

Email: Shazia.Penne@horsham.gov.uk



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