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April 2026

Mr Jonathan Bore
c/o Kerry Tureman, Programme Officer
Horsham District Council
Albery House
Springfield Road
Horsham
RH12 2GB

Dear Sirs,

RE: WRITTEN REPRESENTATIONS REGARDING THE EXAMINATION OF THE HORSHAM DISTRICT LOCAL PLAN 2023 - 2040

TOPIC: MATTER 4: BUSINESS AND INDUSTRIAL NEEDS

CLIENT: COLDUNELL

SITE INTEREST: NORTH HEATH LANE INDUSTRIAL ESTATE, NORTH HEATH LANE, HORSHAM

D&M Planning Ltd have been instructed on behalf of the freehold owner of North Heath Lane Industrial Estate to provide comments as part of the re-opened hearing sessions concerning emerging Horsham District Local Plan 2023 – 2040.

These comments are raised as addition to those already submitted as part of the previous rounds of consultation which we trust the Inspector has copies of. Significant time, reflective of the delay to the examination of the plan, has passed since those submissions were made and therefore there is an inherent need to provide an update that previously submitted.

In preparing this representation we have given regard to the Inspector's draft agenda, the guidance note and to the Council's *Employment Topic Paper* published on 26th March 2026. It is clear from the Topic Paper that the Council consider Matter 4 to cover the following draft policies with are covered in Chapter 9 of the draft plan

- Policy 29: New Employment
- Policy 30: Enhancing Existing Employment
- Policy 31: Rural Economic Development

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Having reviewed the *Schedule of Suggested Modifications to the Regulation 19 Local Plan* published March 2026 there are some amendments proposed to Policy 30 and 31.

Owing to the overlap between matters our comments below are set out on a thematic basis.

Evidence Base

Within paragraph 14 of the Council's Topic Paper there is a recognition that some time has now passed since the submission of the draft plan and that this inherently requires an update to the evidence base in terms of data provision. Whilst this is the case, this update has only extended to Employment Land Trajectory as supported by the latest Monitoring Report.

It is principally our consideration that the evidence base which undermines the entire chapter is significantly out of date to the extent that it renders the approach to policy as unsupported to the extent that it renders those policies as being unsound.

The Council's evidence base for such policies is contained within the reports prepared by Lichfield in 2020. The parent report which covers the Northern West Sussex EGA was published in excess of six years ago in January 2020, with the Horsham focused report published later the same year in November. Other reports relevant to the chapter are even older with the Town Retail and Leisure Study being from March 2017 and the Hotel and Visitor Accommodation Study from July 2016.

The two Lichfield Reports are in turn updates to the previous North West Sussex EGA prepared in 2014 some 12 years ago.

Unlike the commentary surrounding the housing need the evidence base has not been revisited as part of the reopened consultation; this is despite there being significant shifts in the commercial market since the publication of the Lichfield reports in 2020.

It is crucial to understand the timeline of the publication of the Lichfield Report particularly in relation to the Covid-19 pandemic. The Covid-19 pandemic is arguably the biggest shock to the employment market since 2008/2009 Global Recession. As a result of the pandemic there have been fundamental shifts to working habits, employment provision, location of employment etc. There have been notable reports on the impact as prepared by the Office for National Statistics, lobbying groups, individual companies and industry experts.¹ These conclusions are commonly known and accepted and therefore we have not provided these as part of this submission.

We consider this timeline to be crucial. It should be highlighted that the parent report published in January 2020 was made prior to any Covid-19 associated issues being in place. The report itself does not mention the impact of the pandemic or its potential once. Admittedly this will be owing to the timing of the report being prior to the virus becoming of concern in the UK. It

¹ See for example: Department for Work & Pensions, *Get Britain Working: Labour Market Insights October 2025 (updated January 2026)* and Office for Budget Responsibility, *The impact of the pandemic on labour market participation*, March 2022,

does, however, reflect that the report is fundamentally out of date as it does not include any reference to the biggest shock to the employment sector and habits since 2008/09.

It is acknowledged that the second Horsham specific report published in November 2020 does give some regard to the impact of the Covid Pandemic. We would, however, direct the Inspector's attention to paragraphs 4.11 – 4.13 of the report which highlights that at the time of writing there were a range of unknown impacts arising from the pandemic to the extent that the assumptions made within the report are undermined.

Some of the wording within Chapter 9 of the emerging plan appears to include reference to Covid-19 such as at 9.16 where it seeks to support home working and smaller co-working spaces, however, this is not informed by any evidence base, and relies on assumptions in some parts that the employment/economic aspects will return to pre-pandemic levels and behaviours.

Principally we consider it wholly unreasonable that the evidence base which informs a vital part of the Council's strategic approach to employment, be so outdated. Many of the other reports that inform the Council's emerging policies as a whole are much more recent and we see no reason why this evidence base was not updated prior to the submission of the plan for examination and certainly no reason why it has not been updated as part of the hearing sessions.

Evidence to the Contrary

It is also important to note that evidence gathered on behalf of our client by an established commercial agent, Crickmay, appended to this submission (the context of which is explained later) presents a very different picture of the employment industry in Horsham than that of the report. Whilst the report is focused on the North Heath Lane Industrial Estate it does include an overview of the Horsham District Market.

The report identifies trends in the market since the pandemic noticeable as:

- Downsizing of office sizes to smaller accommodation as a result of hybrid working models
- Higher density occupation and increasingly agile working environments focusing on a need for smaller scale, high quality spaces
- Difficulty in securing occupiers for mid to large office buildings
- Significant displacement of the workforce with Horsham in part owing to development of sites
- Focus of demand for offices on premium, high quality spaces in established office locations with excellent local amenities – something which is essential to try and motivate a return to office-based working
- Focus on securing the most sustainable, energy efficient premises so as to lower demands on energy bills
- Shortage of high-quality industrial units that have high EPC ratings

Whilst acknowledging that this report is site specific for North Heath Lane it identifies trends and behaviours which are reflected in the national reporting but are absent from the Lichfield Reports which inform the plan.

We contend that this adds further weight to highlight that the evidence base informing Chapter 9 is out of date and therefore cannot be considered robust. We contend that whilst this could possibly be addressed by way of main modifications it requires updated evidence that informs the wider planning strategy. This is relevant to Policies 29, 30 and 31 as the strategy for these policies has been informed by the out-of-date Evidence Base.

Key Employment Area – Policy 30

In specific respect of Policy 30 we have previously submitted detailed statements on this policy on behalf of the freeholder Coldunell. Under this header we seek to provide further commentary and a factual update noting that it has been over two years since the previous submission was made.

Principally it remains our position that there is no justification for the designation of the North Heath Lane Industrial site as a Key Employment Area, the basis for which is largely explored in previous submission.

Factual Update

Since the previous submissions made as part of the plan making exercise our client has been exploring a range of options for the redevelopment of the Industrial Estate. To this extent the freeholder has undertaken a number of actions since such time.

Firstly, the freeholder has been in discussion with the Council by way of a pre-application submission to explore the residential redevelopment of the site. The response from the Council is attached to this report as well as the viability information as referred to. As is clear from the pre-application response the Council, in the absence of robust testing, did not support the conclusions of the submitted viability assessment. Whilst the report references discussion with a consultee they were not instructed nor did they visit the site, this in part being a failure between the Council and the freeholder to agree to pay the quoted £50,000 + VAT sum as quoted by the Council's preferred consultant. Accordingly, the comments within the pre-application response should be read in this context. The report does, however, conclude that if the matter of viability is addressed then the potential redevelopment of the site for residential could be supported in principle.

Secondly, an application was made to the Council under reference; DC/26/0024, to change the use of one of the buildings within the estate (Bentley House) to provide 9 residential units. That submission has been appealed as a non-determination and the decision remains pending. The appeal statement is appended to this submission for reference of the Inspector. As was presented as part of that submission and is included within the submission it is clear that this building has been vacant, despite the best marketing efforts, for a period of 5 years. This in turn provides a clear example of the reality of the housing market contrary to the evidence base as referenced above. Should the appeal be allowed, this would result in a further expansion of the mixed uses within the estate though this would not prejudice

Response to Policy

As set out in the original submission concerning the policy it is principally our client's position that it would be unsound to designate North Heath Lane Industrial Site as a Key Employment Area. The original submission provides commentary regarding the following points:

- There is an inherent conflict between the uses the policy seeks to protect namely B2 (General Industry), B8 (storage and distribution) and E(g)(ii) (Research and Development) and E(g)(iii) Industrial Processes and the actual uses on site. As set out the majority of floor space within the estate is in office use E(g)(i) and many of the buildings have conditions limiting the use of such buildings to that use. Accordingly, the allocation as a Key Employment Area would result in an inherent conflict with the policy from the outset.
- The quality of the stock is in poor condition, and it is unviable to upgrade or replace existing stock to meet the identified market needs.
- The hours of operation controlled by way of condition across the site limit the suitability of it as meeting current employment needs and expectations. The site is surrounded by residential properties which presents a potential conflict if an application were made to vary these hours. Indeed, it is noted that the Council has previously sought to enforce compliance with these hours and permission has previously been refused by the Council to amend said hours.

It remains our position that the designation of North Heath Industrial Site as a Key Employment Area is not supported by the particular site circumstances. Accordingly, we do not consider the evidence sufficiently robust to justify the designation and to this extent would be unsound. Policy 30 would still provide protections to the employment use, but this would be commensurate with the specific challenges and circumstances of the estate itself. This could readily be rectified by a main modification to remove North Heath Lane from Table 7.

In addition to those points raised above it is highlighted that the pre-application response on site draws attention to the Lichfield Report from January 2020 to justify why the site is proposed for inclusion as a Key Employment Area. Notwithstanding the comments regarding the nature of that report as being out of date it is highlighted that neither this report, nor any of the others within the Evidence library, provide any site-specific justification for its allocation as a Key Employment Area.

The only available evidence appears to come from the Employment Floorspace review carried out by Crickmay in June 2016. This report coincidentally also mentions a number of the other sites newly proposed for inclusion. We have been unable to find any other document that post-dates the adoption of the current local plan that considers or provides any detailed analysis of North Heath Lane itself. This report, however, does not appear to form any part of the evidence base relied upon as part of the submitted plans as it is not included within the submitted documents. If, however, this has shaped the decision to include the site within the designation we would highlight in the first instance its age being nearly some 10 years old. Secondly, it is highlighted that the author who prepared that report is now indicating that North Heath Lane is not viable for said purposes.

Accordingly, it is clear that there is an inherent unsound logic to the designation of North Heath Lane for such purposes, and that said allocation would impede the ability to explore viable options on the site. Further, it is contended that the evidence which informs the designation is significantly out of date having been prepared prior to the Covid pandemic and without any detailed site-specific analysis.

As set out this could be resolved by way of a main modification to amend table 7 of the plan.

Concluding Remarks

It is our position that the evidence base which informs Chapter 9 of the emerging plan with specific relation to the proposed designation of North Heath Lane Industrial Site as a Key Employment Area is unsound as it should not be considered robust. The evidence is significantly out of date and does not reflect the significant impact that the Covid-19 pandemic has had on the employment sector. Further, there is no evidence or justification as to why our client's site is proposed as a designation despite the number of issues raised already.

As has been demonstrated the allocation would be contradictory from the outset, would result in the designation of poor-quality stock that is not fit for modern day employment use and that would not be viable to redevelopment for such uses.

It is our consideration that in respect to our client's site this could be resolved by way of a main modification though this does not address the wider issues regarding the soundness of the evidence base and whether it is sufficiently up to date so as to inform the economic strategy of the district over the plan period.

We trust that these comments will be considered by the Inspector and the Council in the hearing session relating to Matter 4.

Yours Sincerely,

Matt Smith BA(Hons), MA, MRPTI
D&M Planning Ltd

On behalf of Coldunell

Appendices:

1. Crickmay Report
2. Pre-application response
3. Appeal statement and acknowledgement



SUMMARY OF MARKETING

North Heath Lane Industrial Estate, North Heath Lane, Horsham
West Sussex, RH12 5QE

PROFESSIONALS | EXPERIENCED | MOTIVATED | FOCUSED | PASSIONATE | COMMITTED | QUALIFIED



Crickmay Chartered Surveyors is the trading name of Crickmay Ltd. A list of Directors' names is open to inspection at the Registered office 22 London Road, Horsham, West Sussex RH12 1AY. Registered in England No 04258882. VAT number GB-397667381.

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*Also at Brighton & Hove
and Haywards Heath*

7th November 2024

Dear Sir / Madam,

North Heath Lane Industrial Estate, North Heath Lane, Horsham, West Sussex, RH12 5QE

I am writing in respect of your response to our client Coldunell Ltd's pre-application for the 'demolition of existing commercial buildings and erection of residential development for a scheme of up to 74 dwellings at North Heath Lane Industrial Estate, North Heath Lane, Horsham RH12 5QE' and more specifically to provide a summary of our marketing activities conducted to date along with my general observations in respect of the estate, an analysis of the current Horsham District commercial property market and finally a recommendation as to the suitability of the site for continued commercial use.

About Crickmay

Crickmay have extensive knowledge of the South-East property market having been established since 1984. From our offices in Horsham, Haywards Heath and Brighton & Hove we have a combined team of 10 Chartered Surveyors and 2 graduate surveyors who act for a mix of occupiers, landlords, developers and investors on a multitude of commercial properties and residential developments.

We acquire, sell and lease commercial property in addition to providing valuations, building consultancy and property management services, together with the provision of general Landlord & Tenant and business rates advice.

About the Author

Jonathan Mack BSc (Hons) MRICS is a Chartered Surveyor with over 18 years in the commercial property industry. Jonathan is a co-owner and director of Crickmay heading its agency department across our Horsham, Haywards Heath and Brighton & Hove offices.

The Estate

North Heath Lane Industrial Estate is situated approximately 1.5 miles to the north of Horsham town centre and comprises a mixture of purpose-built office and industrial accommodation across 5 individual office buildings and 3 terraced blocks of industrial units (one also incorporating office accommodation). The western block provides what was initially 4 individual units (units 1-4), the northern block providing what was originally 6 individual units (mixture of basic office accommodation and 3 industrial units) – (Units C, D, E, F, 8 & 9) and the central block providing 3 individual industrial units (units 5-7). Each building/unit features dedicated parking spaces, supplemented by two large overflow car parks located centrally within the estate and adjacent to the main entrance. The estate as a whole is surrounded by residential properties along with the Pondtail Park playing field, which is immediately to its southern boundary.

The A264, which connects to the A23/M23 is within a seven-mile distance, facilitating access to Gatwick Airport and the wider Southeast motorway network. Additionally, the estate is near Littlehaven railway station, providing direct services to London Victoria, with travel times of approximately 55 minutes.

The properties

Planet House comprises a prominent, L-shaped two-storey detached office building located at the entrance of the estate, immediately adjacent to its access road and one of the estate's main visitor car parks.

The main access road, which runs through the middle of the estate then leads to both Wilson House and Units A&B. Wilson House again comprises a detached, two-storey office building with designated parking immediately to its front. Unit B comprises an older style building likely to have originally been a block of 3 terraced houses, which I suspect were subsequently converted into what is now cellular office accommodation. In more recent years a separate 2-storey office building (Unit A) was constructed, with the two buildings since having been amalgamated via a single storey link.

Beyond Wilson House and Units A&B the main access road leads into the main industrial section of the estate incorporating the three industrial terraces and second visitor car park.

Beyond the central terrace of industrial units lies two detached 2-storey office buildings known as Quadrant House and Bentley House.

The majority of office accommodation within the estate is reasonably well specified with carpet tiled floors, suspended ceilings, CAT II lighting, central heating, double-glazed windows etc. The exceptions to this are the offices within Unit B which we do not believe to have been purpose built and are generally now considered too cellular for modern day office requirements, along with the office accommodation within Unit F which are housed within what is effectively an industrial building. It should also be noted that both Quadrant House and Bentley House are within a poor location set back within the estate behind the central terrace of industrial units, which results in a poor outlook.

A plan further indicating the layout of the site has been included at Appendix 1.

Tenure

The whole estate is owned on a freehold basis and is at present occupied by 5 different tenants, with Bentley House remaining vacant and available on the market to let. The principal tenant of the estate (Chess Dynamics) who occupy some 12 units together with Quadrant House, are known to have been looking in the market for alternative accommodation more suited to the needs of their business and the needs that could be expected of a modern-day office and industrial occupiers generally. Their present leases are all due to expire towards the latter stages of 2028 and they have indicated to our client that they may not wish to remain. The leases to the other 4 tenants expire at the same time in 2028 and so the Landlord faces the prospect of the entire estate being vacated in 2028. I summarise the various occupiers, as follows:-

Property	Tenant	Use
Planet House	Netsol	Offices
Units A & B	Envitia	Offices
Wilson House	Sureserve	Offices
Bentley House	Vacant	Offices
Quadrant House	Chess	Offices
Unit 1	Chess	Industrial
Unit 2	Chess	Industrial
Unit 3 & 4	Chess	Industrial
Unit 5	Chess	Industrial
Unit 6	Chess	Industrial
Unit 7	Chess	Industrial
Unit 8	Chess	Industrial
Unit 9	Chess	Industrial
Unit C	Chess	Offices
Unit D	Chess	Industrial
Unit E	Chess	Industrial
Unit F	Chess	Offices

Accommodation

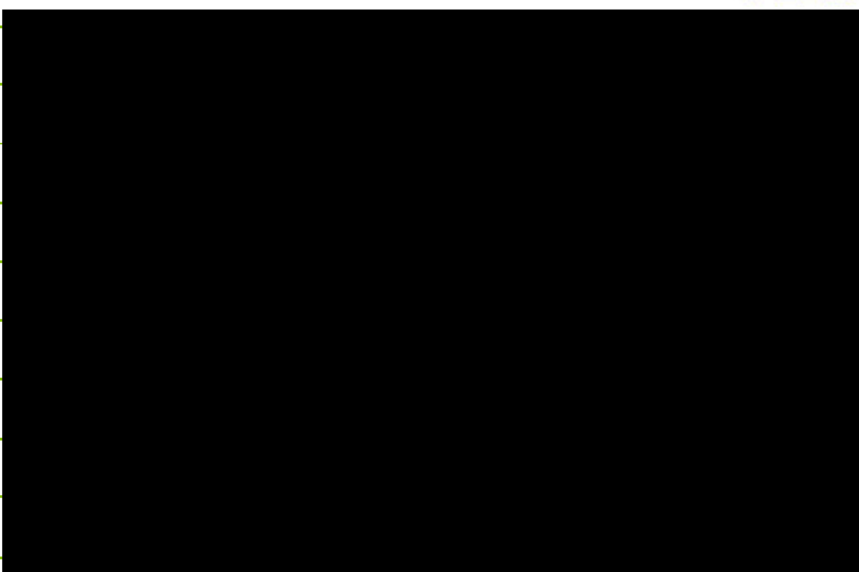
The accommodation comprises the following approximate net internal (NIA) (in the case of the office accommodation) or gross internal (GIA) (in the case of the industrial accommodation) floors areas, measured in accordance with the RICS Code of Measuring Practice 6th edition: -

Property	Size (sq m)	Size (sq ft)
Planet House NIA	606.56	6,529
Units A&B NIA	1,050.35	11,306
Wilson House NIA	362.88	3,906
Bentley House NIA	624.77	6,725
Quadrant House NIA	527.96	5,683
Unit 1 GIA	175.59	1,890
Unit 2 GIA	175.12	1,885
Unit 3 GIA	175.31	1,887
Unit 4 GIA (exc Mezzanine)	174.84	1,882
Unit 5 GIA (exc Mezzanine)	190.82	2,054
Unit 6 GIA	186.27	2,005
Unit 7 GIA (exc Mezzanine)	190.26	2,048
Unit 8 GIA (exc Mezzanine)	125.42	1,350
Unit 9 GIA (exc Mezzanine)	126.16	1,358
Unit C NIA	413.23	4,448
Unit D GIA (exc Mezzanine)	230.96	2,486
Unit E GIA	231.23	2,489
Unit F NIA	440.08	4,737

Business Rates

From our research on the Valuation Office Agency (VOA) website it would appear that the properties have the following Rateable Values:

Property	Rateable Value	UBR (2024/25) (based on occupier)	Rates Payable (2024/25)
Bentley House			
Planet House			

Quadrant House	
Wilson House	
Units A&B	
Units C & D	
Units E & F	
Unit 5	
Unit 6	
Unit 7	
Units 8-9	

Whilst these Rateable Values are anticipated to increase at the next revaluation date (anticipated April 2026), the above table demonstrates that following the vacation of the principal tenant in 2028 and after the vacant property relief periods (currently 3 months in respect of office and 6 months in respect of industrial accommodation), Coldunell will be liable for a significant rating sum anticipated to exceed , just in respect of the units currently occupied by the principal tenant alone.

Energy Performance Certificates

Minimum Energy Efficiency Standards (MEES) for Commercial Properties, under the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 currently requires non-domestic properties in England and Wales to have a minimum EPC rating of E if they are to be let. As of 1st April 2023 this was extended to include properties already under lease, as opposed to those that were simply undergoing a transaction in the form of new letting, or renewal. Whilst at present the MEES legislation only requires Landlords of non-domestic property to ensure their properties have an E rating or above, the UK government proposes to mandate that all non-domestic properties are to achieve a minimum EPC B rating by 2030, aligning with its goal to reduce carbon emissions and reach net-zero by 2050. Properties failing to meet this standard could face legal restrictions, prohibiting leasing or the occupation of non-compliant buildings. Additionally, property owners who continue to rent or sell properties that fall below a B rating may incur fines along with other types of enforcement action.

As demonstrated within the table below, currently, none of the buildings across the estate meet (or in the absence of a current EPC are anticipated to meet [by Coldunell's EPC Surveyor]) the suggested future legislative requirement for an EPC B rating. As part of Coldunell's future planning we understand they have liaised with a qualified Energy Performance Assessor to provide an in-depth analysis as to the improvements that will likely be required to the various buildings in order to reach an EPC B rating. Armed with this information our clients have subsequently appointed a specialist quantity surveyor to provide indicative costings for the improvements required, which having been carefully considered are understood to be prohibitive and unviable, particularly taking into account additional expenditure required to future-proof the buildings including necessary upgrades to the common parts and general infrastructure of the estate, relative to the anticipated future returns on their investment. We understand

further viability information in this regard will be provided directly by Coldunell and their external consultants within a separate viability report.

Property	EPC Rating	Expiry Date
Bentley House	C-53	10 March 2025
Planet House	C-69	08 October 2028
Quadrant House (anticipated EPC Rating)	C	
Wilson House (Unit G)	C-65	4 January 2032
Unit C	C-55	8 April 2028
Unit D (anticipated EPC Rating)	F	
Unit E	C-66	26 November 2029
Unit F	C-64	26 November 2029
Unit 1 (anticipated EPC Rating)	F	
Unit 2 (anticipated EPC Rating)	F	
Unit 3 (anticipated EPC Rating)	F	
Unit 4 (anticipated EPC Rating)	F	
Unit 5		Expired 24 September 2024
Unit 6	D-96	24 June 2029
Unit 7 (anticipated EPC Rating)	G	
Unit 8 (anticipated EPC Rating)	F	
Unit 9 (anticipated EPC Rating)	F	

Planning and Restricted Hours of Operation

The various buildings described above and that form part of North Heath Lane Industrial Estate are understood to have been used for the purposes of office and light industrial uses. As part of new planning legislation that came into force on 1st September 2020 the UK government introduced a set of new permitted development rights to allow greater flexibility for the interchanging of non-domestic use classes, without the need for a full and formal planning application and consent process. This was primarily to address the significant changes being experienced pre and post the pandemic to consumer behaviours and working practices and in part to reduce commercial property vacancy rates by enabling properties to be converted into spaces that better matched local demand. An example of this could be the change of use of obsolescent office accommodation to gymnasium space or other alternative uses where more demand might be experienced. This new legislation is known as 'The Town & Country Planning Act (Use Classes) (Amendment) (England) Regulations 2020'. The introduction of Class E planning consent within this legislation essentially consolidates several former use classes (A1, A2, A3,

B1, D1 and D2) into one, allowing the interchanging of uses to include the following, without the need for full planning permission.

- Retail (e.g. shops, hairdressers, retail outlets etc)
- Restaurants & Cafes
- Offices
- Gyms, sports and health clubs
- Clinic and health services
- Community uses (e.g. libraries, day nurseries, places of worship) etc
- Assembly & leisure spaces (e.g. cinemas, concert halls, dance studios) etc

Despite the introduction of this legislation and the government's desire to make it easier to convert non fit-for-purpose, vacant commercial accommodation into other uses, unfortunately in the case of North Heath Lane Industrial Estate there is a planning restriction on the hours of operation of the estate, which has completely prohibited interest from such alternative use operators. In this case the restrictive hours of operation in place, state that:

'No work shall be undertaken, nor shall any traffic movement occur within the site between the hours of 9p.m. and 7 a.m. between Monday evening and Saturday morning inclusive, and between 1.p.m on Saturday and 7 a.m on Monday'.

This restriction has deterred various potential occupiers including IT and telecommunications companies, clinical researchers, and engineering firms, together with alternative use operators such as gymnasium, private medical and veterinary operators, all of whom, regardless of their size have stated they would require more flexibility in hours to accommodate the modern day demands of their businesses and client demands (to include international clients) and have required late night and weekend operations.

This restriction has also been cited by the principal tenant of the estate as one of the many reasons they also feel this site is unfortunately no longer fit-for-purpose in meeting the modern-day requirements of their business. We also understand the imposition of the current or indeed any imposed hours of restriction on the estate has formed part of their major consideration process in determining not to renew their current leases in this location beyond 2028.

In addition to the restricted hours of use we understand there are also conditions limiting specific uses within Class E across the estate, further reducing the intended flexibility.

Condition

Although we have not carried out any formal building surveys, it is evident that the North Heath Lane Industrial Estate is now well over 40 years old and faces significant challenges due to its aging buildings and outdated infrastructure. A single example of this is emergency repairs that were required to underground water pipes at the estate last year, costing Coldunell in the region of [REDACTED]. It is considered that significant investment is required, even for just basic upkeep of the estate. In addition many of the office buildings and industrial units on the estate are considered to be nearing the end of their economic life expectancy and are considered to require substantial improvement works not only to meet the requirements of modern day office and industrial occupiers but also to meet the government's intended EPC requirements, as outlined above.

Horsham District Market Overview

Commencing initially with the office market, whilst we have seen some take-up within the Horsham District following the pandemic, this has generally stemmed from occupiers downsizing to smaller accommodation as a result of a change in their working practices and in adopting hybrid working between the home and office. This trend has led to a general demand for higher density occupation and increasingly agile working environments leading to a shift of demand for large floorplates in favour of smaller scale, high quality space. As a result of this we are finding mid to larger office buildings such as those within the North Heath Lane Industrial estate have been the most difficult to let in the current marketplace and we do not anticipate this changing within the mid to long term future.

Office demand within Horsham and the wider district remains limited and mainly stems from lease events or redevelopment taking place to other office buildings within the area, causing displacement of their occupiers. The demand we are experiencing is mainly concentrated on premium, high-quality spaces in established office locations. In recent years, businesses have become increasingly focused on securing office premises with excellent local amenities as a strategy to attract and retain talented and suitably qualified/experienced staff. This has been especially true as many companies have looked to entice employees back to the office after the massive shift to remote and hybrid working during and since the Covid-19 pandemic. The thinking behind this shift revolves around creating an attractive, comfortable and convenient working environment that hopefully makes employees want to spend time in the office, rather than work from home or worse still for another employer. These local amenities would typically include cafes, gyms, restaurants, shops, transport hubs and easy access to essential services such as medical centres. We are also finding that modern day office occupiers are generally seeking modern, well equipped and higher specified accommodation with prioritisation being given to energy efficiency and higher EPC rated properties and with a focus upon sustainable features.

With the changes in general office demand outlined above, we are starting to see new sites coming forward that are being designed to cater for such requirements within close proximity. These include the proposed redevelopment of the **former Norvatis site (Horsham Enterprise Park)** which is set to include 300 homes, **circa 269,000 sq ft of brand new employment space**, an enterprise hub and community facilities. Another example is the proposed new **Mowbray development** which is set to provide 2,750 new homes along with a bespoke business park of **up to 500,000 sq ft of modern office accommodation**, a new railway station and associated retailing and amenity facilities.

The industrial market has generally remained strong within the Horsham district with good levels of take-up and low vacancy rates. This being said there is currently a major shortage of modern, highly specified industrial accommodation with sufficient eaves height, power supply and yard & circulation areas that otherwise have good access and transportation links, without limitations and restrictions on the hours of operation and with BREEAM excellent and high EPC ratings, within the Horsham District.

Whilst in recent times industrial occupiers have typically had to put up with aging and obsolescent buildings that have not typically benefitted from the above amenities, such as those found at the subject estate, we are starting to see new sites now coming forward within the general locality and further afield that far better cater to the modern-day requirements of industrial occupiers. These sites include **Billingshurst Enterprise park (circa 150,000 sq ft of new-build industrial accommodation, together with further trade counter units)**, **Audio Business Park in Southwater (circa 104,000 sq ft of**

new-build industrial accommodation), Axis-24 (circa 100,000 sq ft of newbuild industrial accommodation with integral office space), along with Panattoni Park developments in Crawley, Burgess Hill and Shoreham providing circa 200,000, 460,000 and 270,000 sq ft respectively. All such developments will provide alternatives that will far better meet current location, amenity and efficiency/sustainability expectations of current prospective occupiers.

Marketing Activities

Crickmay have been involved with the lettings of vacant units at this estate for a number of years. With the site having been predominantly occupied by a single and growing business in the form of Chess the landlord has generally been able to dispose of vacant units to them. Chess are essentially a “special purchaser”. The exception being Bentley House. Crickmay have been marketing Bentley House (one of the office buildings within the estate) since March 2020 (over 4 years) without success. This combined with the threat of the majority (if not all) of the estate becoming vacant in 2028, has led us and Coldunell to carefully consider the prospects of securing new tenant(s) across the various other buildings as and when they fall vacant. To highlight our concerns I summarise as below our marketing efforts to date in respect of Bentley House:-

At the commencement of marketing we prepared detailed property particulars (attached with this report) and circulated these details amongst applicants upon our database seeking office accommodation of this nature and within the locality, along with a number of local agents who were deemed likely to have their own clients also seeking such accommodation. The availability of the premises has also been circulated regularly through both our website along with other national commercial property listings to include Focus, P I Property, the Commercial Property Database and the Gatwick Diamond Commercial Property register, Estate Agents Clearing House, Zoopla Pro, Prime Location and Office Agents Society. In addition to this and subsequent to our initial marketing campaign we also utilised Zoopla’s ‘premium listing’ service in the hope of increasing both reach and visibility to prospective occupiers and agents acting for such occupiers. In addition to the above we have also had marketing boards clearly advertising the property’s availability both at the entrance of the estate such that they are visible to passers-by, along with a marketing board having also been affixed to the property itself.

As part of considering further marketing initiatives to enhance the attractiveness of the property we also offered the premises in flexible configurations, to include the entire building, on a floor-by-floor basis along with clearly advertising that consideration would be given to the further division of floors and alternative uses. Our client also carried out various refurbishment works to the property to try and enhance its attractiveness. During the period of our marketing we re-produced various iterations of our marketing particulars predominantly to incorporate updated marketing photos, which we then recirculated across our databases and internet portals in the hope of generating new interest. I attach together with this report 3 different iterations of our detailed particulars.

You will note that throughout our marketing material we have been quoting ‘rent on application,’ not only to entice parties to make an enquiry but also due to the fact that the quoting rent will depend upon the extent of space any party has been looking to take, along with works that they may require. To enquiring parties looking to take at least a whole floor we have been guiding a rent of [REDACTED] per square foot, per annum exclusive and have stated that at this level the Landlord would be amenable to carrying out internal works to the property, if required. This level is in line with headline rents that have been quoted and achieved elsewhere within the town. We have also stated to parties looking to take at least a whole floor that if the accommodation were to be taken as-is, our clients would consider

a headline rent of [REDACTED] per square foot, per annum exclusive dependant upon the other terms proposed and covenant strength of the tenant.

Despite all of the above efforts, the property has unfortunately remained vacant. A full schedule of enquiries is attached to this report, along with a summary of the general feedback received.

Key obstacles from feedback received

Over our four years of marketing, enquiries have been very limited. Whilst a few enquiries have progressed further to one or more viewings, we have unfortunately found that these parties have consistently opted for alternative properties. We understand this is to be for reasons to include location, better amenities surrounding other options and without these options having restricted hours of operation.

The limited demand for North Heath Lane Industrial Estate has also proven to be reflective of the general reduced demand and appetite for office space within the Horsham district generally, combined with the fact that even less demand has been experienced for secondary, out-of-town locations such as this estate. The restricted hours of operation on the estate has proven to be a major issue.

Unless taken by Chess, the letting of the industrial units that have historically become available across the estate has also been particularly difficult. Due to their proximity to office occupants on the estate and neighbouring residents and the restricted hours of use in particular. Prospective occupiers see the proximity to residential use and office occupants as a potential source of conflict – with noise, smells etc. Whilst the restricted hours of operation have ruled out occupiers who work outside of these hours – of which there are many.

Conclusion

The North Heath Lane Industrial Estate, now over 40 years old, faces significant challenges due to aging buildings, dated infrastructure and the trajectory of energy efficiency for commercial buildings as set out by the Government. With at least 14 of the 17 units/properties on the estate likely to become vacant in 2028 the landlord clearly needs to consider the future of the estate. Achieving the mandatory EPC B rating will demand substantial upgrades in addition to the significant general refurbishment required to the buildings and site infrastructure. This investment needs to be considered in the context of likely tenant demand and rent following these works. In so doing regard must be had to our experience of how the hours of use and other planning restrictions that apply to the estate notably reduce the occupier market and, in turn, the rents achievable. We understand that the landlord has engaged appropriate consultants to prepare options, costings and to undertake financial viability assessments to appraise the options for refurbishment of the estate or redevelopment of the estate for ongoing commercial use and these have shown all options to be financially unviable.

Given the direction of travel with the energy efficiency of buildings, finding new occupiers will become increasingly difficult without major investment in the estate and its buildings. Even with such investment the hours of use restriction will continue to be a significant impediment to achieving lettings and the level of rent that can realistically be achieved. In light of this and the knowledge that the Financial Viability Assessments show the refurbishment and redevelopment options for ongoing use to be unviable our strong recommendations to the landlord is to consider and pursue options for redevelopment of the estate to alternative uses.



**Horsham
District
Council**

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Our ref: PE/24/0118
Your ref:
Officer: Matthew Porter
Email: matthew.porter@horsham.gov.uk
Tel: 01403 215187
Date: 3rd October 2025

Dear Sir/Madam,

Location: North Heath Lane Industrial Estate, North Heath Lane, Horsham, West Sussex

Details: Demolition of existing commercial buildings and erection of residential development for a scheme of up to 74 dwellings.

Pre-application advice is sought for the demolition of existing commercial buildings and erection of residential development for a scheme of up to 74 dwellings at North Heath Lane Industrial Estate, North Heath Lane, Horsham, RH12 5QE.

Your enquiry has been considered and I can advise as follows:

Procedural Matters

This pre-application query is based on the following submitted material:

- North Heath Lane Estate Vision Document by HTA Design LLP/ Coldunell Limited February 2024
- Supporting letter from North Horsham Community Land Trust
- Ref: 008/24/MS February 2024 RE: COMMENTS RELATING TO REGULATION 19 CONSULTATION ON LOCAL PLAN by D&M Planning
- REF: 008/24/MS May 2024 Pre-Application Planning Statement by D&M Planning
- Braithwaite Energy letter 29 February 2024
- Flude Report 28 February 2024 Financial Viability Assessments for options for the redevelopment of North Heath Business Park, Horsham to residential use
- Flude Report 1 November 2024: Responses to the pre-application response from Horsham District Council for redevelopment of North Heath Business Park, Horsham to a 74 unit residential scheme and further Financial Viability Assessments to support the redevelopment proposals.

The Flude Report 1 Nov 2024 was provided in response to the draft pre-application response provided by Horsham District Council. This draft response included the full consultation responses from the council's strategic policy and economic development teams.

As requested in the Pre-Application Planning Statement (D&M REF:008/24/MS May 2024), this pre-application response, following an Officer visit to site on 16/07/2024, is focused to respond to the listed questions at para 7.5 of the Statement, namely:

- a) The principle of development – namely whether the Council would support the residential scheme
- b) Whether the Council consider that sufficient justification has been provided to justify the loss of the employment use on grounds of viability
- c) Any updates on the Council's Housing Land Supply and the emerging requirement for housing as set out in the emerging plan
- d) Whether, in applying the tilted balance, the scheme would be supported by officers
- e) The Council's support towards a 100% Build-to-Rent Scheme and what information would need to accompany an application in support of such. Information about how the Council would secure such would also be invaluable
- f) Comments regarding the proposed housing mix
- g) Whether the Council is supportive of the proposed layouts, or if any amendments should be made to ensure such
- h) Whether any other provisions should be included in the layout, with particular regards to the comments made regarding Pondtail Park
- i) Comments as to whether the Council could support the overall design approach as set out or if not what the expectation would be on the site
- j) Comments regarding the proposed provision of Affordable Housing and any other advice on the matter
- k) Whether the Council consider that the development will deliver a suitable standard of accommodation for future occupiers
- l) Considerations regarding the impact on neighbouring properties and any principles/rules of thumb that a worked up plan should conform to ensure that there are no adverse impacts
- m) Whether the Council would consider the proposed improvement to accessibility into and within the site
- n) Whether the Council would support the overall approach to highways matters
- o) Any advice regarding the preference for the deliverability of BNG on site
- p) The current position of West Sussex County Council as Lead Local Flood Authority in terms of flood risk and the requirement for the sequential test
- q) Comments regarding SuDs and Flood Risk in general
- r) An update to the rollout of the Council backed water offsetting to deliver water neutrality on site or any other alternative schemes
- s) Whether any other information should be required not discussed in this report
- t) The Council's views on whether additional supporting information is required and justified for the application.
- u) Requirements in terms of the level of detail required to accompany a submission to minimise the number of pre-commencement conditions.
- v) Advice on the formal planning application documents in light of the Council's current and adopted Local Requirement List.
- w) Whether officers and the Council could support the development and any amendments that may be required.

Site Description

North Heath Lane Industrial Estate consists of commercial buildings, predominately two storey purpose-built office blocks and several industrial sheds laid out around a central road with parking allocated throughout. It is presented in the pre-application package that the buildings are of an age and condition which requires significant investment to make them serviceable for commercial purposes going forward, as demonstrated within such submission this would not be viable. The buildings and associated hardstanding are located to site boundaries with extensive vegetation on the boundaries outside of the site particularly to the north. There is currently a single access to the site from North Heath Lane.

The surrounding area is residential in character and includes a range of housing types, sizes and detailing. An area of amenities including shops, sports clubs, schools, places of worship etc are

within the immediate context. The site is adjacent to Pondtail Park. The site is well located in terms of public transport providing services to Horsham Town Centre and beyond.

Proposal

The submission documents demonstrate how the site could deliver between 68 and 74 units in a highly sustainable manner, maximising the potential for the site. The site has been designed to be 100% Build-to-Rent (based on current viability projections) and to incorporate the delivery of 20% affordable housing.

Viability

The pre-application package presents reasons why the site is not viable for employment use, namely:

- Restrictive hours of operation, including vehicle movements.
- Upcoming Energy Performance Certificate requirements and associated costs.
- Not financially viable to redevelop (existing buildings or site) to deliver business park.
- All current tenancies due to end by summer 2028 and not sought to re-lease their units/are actively expressed interest in moving elsewhere.
- Units and site infrastructure coming to end of its life and associated costs of addressing this, includes below ground drainage due to recent water leaks

Notwithstanding this, in the pre-app material it is presented that options have been considered, which include:

1. Retention and refurbishment of the existing buildings on the estate
2. Retention and full refurbishment of some of the existing buildings on the estate – to include all works necessary to improve the EPC ratings – and redevelopment of part of the site with new industrial / warehouse units.
3. Redevelopment of the estate with a small unit scheme.

Detailed cost advice was obtained from Quartz Quantity Surveyors for each option. This includes for works necessary to improve the EPC ratings to meet forthcoming EPC legislation. The submitted Braithwaite Energy report presents that only five of the 16 assessed buildings have EPC assessments which comply with current legislation.

The proposed legislation is that buildings must have an EPC C rating by 1 April 2027 and a B rating by 1 April 2028. The applicant has commissioned advice on what needs to be done to meet these EPC ratings, how much this will cost and then modelling options to retain and refurbish the existing estate and to redevelop the estate in part or in whole.

It is presented by the applicant that the financial viability assessments for the above three options to retain commercial use to the estate – to include a small unit scheme - shown generate substantial negative site values, and they are each therefore unviable. Whilst the residential scheme shows a positive site value and is therefore viable. It is not a matter that the units cannot be upgraded to meet standards for re-letting (including EPC ratings). It is a matter that the costs involved to achieve this are not financially viable.

To demonstrate options to partial redevelopment of the estate as opposed to whole estate redevelopment, the applicant also prepared two further schemes to show redevelopment of the site to: 1. 25% of the site to residential use and 75% of the site to commercial use; 2. 75% of the site to residential use and 25% of the site to commercial use. The associated financial viability assessments show negative site values, and these options are therefore unviable.

STATUTORY BACKGROUND

Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 5 - Strategic Policy: Horsham Town
Policy 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 15 – Housing Provision
Policy 16 – Meeting Local Housing Needs
Policy 24 - Strategic Policy: Environmental 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
Policy 42 - Strategic Policy: Inclusive Communities
Policy 43 – Community Facilities, Leisure and Recreation

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

Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 3: Settlement Expansion
Strategic Policy 6: Climate Change
Strategic Policy 7: Appropriate Energy Use
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 10: Flooding
Strategic Policy 11: Environmental Protection
Strategic Policy 12: Air Quality
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 23: Infrastructure Provision
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Strategic Policy 27: Inclusive Communities, Health and Wellbeing
Policy 28: Community Facilities, Leisure and Recreation
Strategic Policy 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs
Policy 39: Affordable Housing
Policy 40: Improving Housing Standards in the District

West Sussex Joint Minerals Local Plan (WSCC 2018, Revised 2021)

Policy M9 - Safeguarding Minerals

West Sussex Waste Local Plan (2014, Reviewed 2019)

Supplementary Planning Documents:

HDC Planning Obligations and Affordable Housing Supplementary Planning Document (2017)

HDC Community Infrastructure Levy (CIL) Charging Schedule (2017)

WSCC Supplementary Planning Guidance (September 2020) - revised county parking

standards and transport contributions methodology
Horsham Town Plan SPD (HDC, 2012)
Horsham Town Design Statement SPD (HDC, 2008)

Other Guidance:

Horsham Town Centre Vision (GVA/HDC, 2017)
Horsham District Council Local Cycling and Walking Infrastructure Plan (HDC Dec 2020)
HDC Sports, Open Space and Recreation Assessment (2014)
HDC Open Space, Sport & Recreation Review (2021)
Air Quality and Emissions Mitigation Guidance for Sussex (2020)
HDC Planning Advice Note: Biodiversity and Green infrastructure (2022)
HDC Planning Advice Note: Shaping Development in Horsham District (2025)
Good By Design (Horsham Society 2018)

ASSESSMENT

Considering the quantum of development proposed, the main areas for consideration are:

- Principle of Development (Development Plan and loss of the existing commercial and town centre vision)
- Housing Mix and Affordable Housing
- Townscape character
- Impact on Residential Amenity (future occupiers and adjoining properties)
- Highways Impact, Access, and Parking
- Ecology • Water Neutrality
- Drainage and Flooding
- Climate Change; and
- Community Infrastructure Levy

Principle

The Development Plan at the application site area comprises the Horsham District Planning Framework (HDPF 2015) and the West Sussex Joint Minerals Local Plan (2018). In accordance with planning law, these documents form the statutory development plan and the starting point for the assessment of the development proposals.

The Development Plan and planning policy context

This matter is twofold; i) whether redevelopment of the employment site acceptable and ii) whether residential development is supported in this location having regard to Horsham town centre planning policy.

Redevelopment of employment site

The site is brownfield, in an accessible urban location of Horsham town, and its redevelopment as a broad principle would accord with HDPF Policies 2 and 3 (Development Hierarchy) and is compatible with Horsham Town vision objectives under HDPF Policy 5.

The HDPF currently seeks to increase gross employment floorspace within the district to improve the delivery of employment stock to satisfy future needs. Policy 7 of the HDPF sets out the strategic approach to delivering sustainable employment development in the district, including through redevelopment, regeneration, intensification and smart growth of existing sites. The site currently constitutes an 'employment area' under Policy 9 of the HDPF. Policy 9 states that the redevelopment of employment sites and premises outside Key Employment Areas must demonstrate that the site/premises is no longer needed and/or viable for employment use.

The Council's most recent employment evidence is set out in the Northern West Sussex Economic Growth Assessments (EGAs) and related documents (Jan 2020 [including Appendix] and Nov 2020), as part of the Council's evidence base for its Local Plan Review. The Council identified a

lack of supply of commercial sites in the district, in terms of meeting the needs of the office and industrial/warehouse sector.

The Council's Economic Development and Planning Policy teams previously identified that the proposed potential loss of some 7,000sq.m of commercial / employment floorspace as outcome to this pre-application proposal as a concern. Horsham town is the main commercial area within the district. Based on the Economic Growth Assessment (Jan 2020) (EGA) Horsham town provides around 37.8% of the jobs in the district, for comparison the next biggest commercial settlement is Southwater which provides around 4.5% of the jobs.

The Lichfields Update (Nov 2020) concluded it continues to be necessary to protect valued employment and commercial sites to ensure there are sufficient local employment opportunities to meet the needs of the District, and so current local plan policy expressed in criterion 2 of HDPF Policy 9 'Employment Development' therefore continues to be relevant - resisting the loss of employment sites unless it has been demonstrated that the site is no longer needed and/or is no longer viable for employment use.

In researching property market signals, the Lichfields study concluded that whilst Horsham District operates as a secondary property market, it continues to attract demand from a range of occupiers. For the industrial market (B1c, B2, and B8) the Council's monitoring data identifies the need to prepare for additional opportunities.

For the industrial market, the study assessed scenarios of future economic growth in Horsham and produced B class floorspace requirements. For Horsham, the scale of requirement implied by the past take-up and baseline labour supply scenarios (i.e. between 35 and 39 ha / 154,940 sqm and 157,710 sqm) appears to represent the most robust and aspirational scenario to plan for and would appear to align well with the Council's ambitions for development and regeneration over the coming years. The quantitative balance between identified future employment development needs and pipeline supply appears to be more even in Horsham District, with pipeline planning permissions providing a quantum of employment floorspace that would broadly match future growth needs associated with the past take-up and baseline labour supply scenarios, albeit with a likely shortfall in terms of industrial space. So, the Council will want to consider how this shortfall could potentially be addressed through intensifying existing employment sites.

From a more qualitative perspective, there is significant scope to enhance the quality of offer associated with Horsham's office market, and to support the district to strengthen its office-based economy following significant losses of office space and occupiers because of Permitted Development Rights over the last few years.

The key challenge facing the office market going forward is to accommodate changing patterns of demand through provision of high quality, Grade A space in accessible locations which also offers the flexibility sought by occupiers (in terms of smaller units and associated amenity space).

Following these studies, the site is now proposed to be identified as a Key Employment Area under Strategic Policy 30 of the Submission Horsham District Local Plan (HDLP). Presently the HDLP carries limited weight, for reasons explained here: <https://www.horsham.gov.uk/planning/local-plan/local-plan-examination>

It is acknowledged that some types of employment would not be attracted to the site due to the restrictions on operating hours. However, as reported in the Economic Growth Assessment (Jan 2020) approximately 90.5% of businesses are micro (0 to 9 employees) which means many are one person businesses and many would just be operating in normal working hours due to the need to connect with other businesses and because the number of employees is too few to operate 24/7 hours.

EPC rating and MEES Regulations

The methodology employed in the submitted financial viability assessments to costing for the EPC ratings has been queried and has been the subject to further investigation by the council following an approach it made to an external consultant.

The advice given to the council was that the presentation in the pre-application is inaccurate and consequently there is risk of consenting a scheme with regard taken of the claimed difficult/financial impossibility of ensuring the properties achieve the future MEES standards.

Furthermore, the presentation in the application on this point is misleading and instead it would be expected that the applicant (or an alternative future landlord of the property) will readily be able to ensure the properties meet the required standards at minimal or no capital cost.

Consequently, the Council would be placing no leaning whatsoever on this point in their consideration of whether any of the properties on the site may be suitable for demolition as opposed to future employment use in their existing form.

Whilst it was expected there to be some units achieving poor results, it is anticipated that the means of remedying this or otherwise enabling the units to continue to be let in compliance with the 'MEES Regulations' will not be prohibitive or significantly affect the ongoing commercial viability of the site retained in its current form.

It is important the Council gains independent advice from a suitable 'Level 5' qualified EPC assessor to review the units and guide in turn on what the reality is on the task of ensuring their future compliance.

To advise comprehensively on this, the advice was the most apt action would be for a wholesale assessment of the units across the site. Alternative means of assessment to those employed by the applicant are available to verify the submitted assessments - SBEM' (level 3 or level 4 assessments) or 'DSM' (level 5 assessment), with the Level 5 assessment deemed the most detailed/accurate/dependable, but the SBEM alternative being acceptable.

Having regard to this advice, the Council challenges the validity of the conclusions of the submitted financial viability assessments. The applicant has been made aware of the need to address this in any future application submission.

Residential development

The site is considered a sustainable location (the key settlement of Horsham) which would accord with the Council's strategic policies about where development should be located (HDPF Policy 2). Being within Horsham it would be deliver housing in accordance with the aims of the settlement hierarchy (Policy 3 of the HDPF), which also is clear that any infilling and redevelopment must demonstrate appropriate nature and scale to maintain characteristics and function of the settlement.

Horsham Town Plan (2012) and Horsham Town Centre Vision (2017)

In 2012 the Council developed the Horsham Town Plan SPD which sets criteria by which the merit of planning applications within the town centre are assessed. The Town Plan SPD sets out that future commercial development (including B1, B2 and small scale B8 uses) should be focused on Hurst Road and Nightingale Road area and that the Council will consider the loss of office floor space in the town centre subject to conditions (there being certain occasions when the loss of commercial floorspace is outweighed by the benefit to the community and overall contribution to the future prosperity of Horsham. In this instance the loss of commercial uses, to uses such as residential, use may be acceptable, para 5.7).

The Horsham Town Centre Vision (2017) added to this work by establishing a medium-term vision (10-15 years) for the town centre to be used by the Council to ensure proposals reflect this vision.

The Vision was devised in part to meet forecast requirements and, in relation to the commercial and office markets, its guidance did not deviate from that set out in the 2012 Town Plan.

Accordingly, it is considered that the current development proposals are sufficiently aligned with the broad Aims and Objectives of the town centre SPDs.

Summary

Therefore, a full detailed case should be submitted with any application to evidence that it is not viable for all or indeed part of the site to be upgraded to meet the necessary standards for re-lease, detailing the nature of work required to meet the minimum MEES criteria in the event of the existing being re-let, alongside the costings of such work. Absent of a clear and compelling case to this effect, the principle of the loss of this significant quantum of employment floorspace would be resisted as being contrary to Policy 9 of the HDPF.

As detailed within the Council's Economic Development and Planning Policy comments, insufficient information has been provided as part of the pre-application submission to address the requirements of policies 6 and 9 of the HDPF. Accordingly, based on the information submitted so far, the principle of the loss of the pre-application site as an employment area would not be supported.

b) Justification to loss of employment use on grounds of viability

Addressed above.

c) Update on Council's Housing Land Supply and emerging plan

The council's latest housing land supply position is the authority's published position in its 2023/24 Authority Monitoring Report (1 year), found here: <https://www.horsham.gov.uk/planning/planning-policy/authority-monitoring-report>. The latest position on the Council's emerging local plan can be found here: <https://www.horsham.gov.uk/planning/local-plan/local-plan-examination>

d) Applying tilted balance

Based on the information submitted with this pre-application enquiry, a full understanding of planning merit is not available to officers to advise on a conclusion in applying the tilted balance.

e) 100% Build-to-Rent Scheme

The starting point is for development schemes to seek conformance with the affordable housing models set out in Policy 16 of the HDPF, which is evidenced to identified affordable need in the district.

In the absence of Council adopted local policy or standards in relation to Build to Rent (BTR), paragraph 71 of the NPPF and the Annex 2 Glossary definition 'other affordable housing for rent' prevails.

HDPF Policy 16 requires a mix of housing sizes, types and tenures to meet the needs of the district and local communities, and, at face value, a BRT offer would add to housing choice within Horsham town for those who wish to rent.

It is noted there is a trend for BTR to enter the single-family market, with professionally managed estates of single-family homes, with a focus on two and three-bedroom homes. This helps support the notion that a suburban, low-to-mid-rise BTR development could provide an alternative living option for middle-income families in Horsham town and thereby add to housing choice in the market.

On the securing mechanism of Build to Rent terms through the planning submission, regard will be had to the Planning Practice Guidance chapter on Build to Rent (last updated 13th September 2018), particularly Paragraphs 005-010.

f) Housing mix

It is acknowledged a BTR offer would skew the housing mix so it would not confirm to the SHMA 2019 as Build-to-Rent (BTR) properties are essentially housing developments specifically designed for target renter demographics and so tailored to the needs of specific tenant groups, such as families.

In justifying a BTR tailored housing mix for families, a future submission should be supported by an evidenced assessment that high house prices in Horsham are challenging homeownership for most middle-income earners, with evidence of the number of renters in the 35-64 age group having grown and evidence of a need for a different style of rental experience, with access to more space and amenities while still having a sense of own private space.

Specific demographic data is available on open data communities which can be used to inform this process. Such an assessment will enable an evidence-based planning judgement to be made about the need for build to rent homes in the area, and how it can meet the housing needs of different demographic and social groups.

g) Layout

It is understood both options 1 and 2 presented in the Vision Document detail a BTR scheme designed to the target demographic and their needs.

However, the layouts shown more resemble an overlay of a conventional suburban estate than a translation of the principles of an BTR scheme; the communal areas of BTR buildings in urban settings (lobbies, corridors, or other internal shared spaces) should translate to areas such as streets, squares and landscaped spaces in a sub-urban context. These are the places where members of the community can engage with one another, which is why their design is of such key importance.

Conversely, the scheme layouts show predominately pairs of semis of conventional footprint, plot shapes and sizes, with servicing infrastructure (parking) within individual plot demises. The prevailing character is private sphere rather than communal.

The design of the public realm needs to be carefully considered and, as with any feature that adds a higher level of quality, service or amenity, it is important to understand the relationship between cost, ongoing operational expenditure and the potential value or return which could be generated.

It is not considered either option 1 or 2 embrace BTR principles, especially in regard to communal self-containment of the scheme; the suggestion not to provide integral child play space within the development and instead rely on play space outside of the development is especially telling in this regard.

h) Other layout provisions with regards to Pondtail Park

Site redevelopment should maximise opportunities for dedicated off-road Active Travel routes through the development and into Pondtail Park; firstly, a west-east link from North Heath Lane into Pondtail Park and, secondly, north-south from Amundsen Road (subject to selective vegetation removal) into Pondtail Park.

The movement hierarchy in the development should prioritise these links, with building form arranged to provide strong vistas along the link route to the end destinations. The links shown on the pre-application material are inadequate to achieving this.

i) Design approach

Subject to some tempering by reference to surrounding built form (in particular building heights and scale), expectations would be to take the opportunity to add a genuine alternative housing

choice to the Horsham market, with adoption of BTR principles realised in the design expression of any proposal, as illustrative below.



There is a suite of design documents relating to Horsham town that require a development scheme to respond to: Horsham Town Neighbourhood Appraisal (2005); The Horsham Town Design Statement SPD (2008); Horsham Town Plan (2012); Horsham Heritage and Character Assessment ("017); and Good By Design 2018) by Horsham Society.

j) Affordable Housing

As stated above regard is had to the Planning Practice Guidance chapter on Build to Rent. Paragraph 002 of this chapter states that the NPPF states that affordable housing on build to rent schemes should be provided by default in the form of affordable private rent, a class of affordable housing specifically designed for build to rent. 20% is generally a suitable benchmark for the level of affordable private rent homes to be provided (and maintained in perpetuity) in any build to rent scheme. National affordable housing policy also requires a minimum rent discount of 20% for affordable private rent homes relative to local market rents.

However, regard is also given to Paragraph 004, below:

Is affordable private rent the only form of affordable housing permitted on build to rent schemes? It is expected that developers will usually meet their affordable housing requirement by providing affordable private rent homes. However, if agreement is reached between a developer and a local authority, this requirement can be met by other routes, such as ... other forms of affordable housing as defined in the NPPF glossary.

In 2024, the Housing Register in Holbrook had 444 households waiting for housing of which is broken down to 110 households in need of a 1-bedroom unit, 115 households in need of a 2-bedroom unit, 167 households in need of a 3-bedroom unit and 52 households in need of 4 or more bedrooms.

Based on these figures, a percentage split for affordable rental housing mix has been calculated and the percentage difference with the proposed housing mix established in the table below.

No. beds	Proposed housing mix		Affordable housing mix demand		Difference
	No. proposed	% of total	Holbrook Housing Register	% of total	% provision difference
1-bed	8	11%	110	25%	-14%
2-bed	35	47%	115	26%	+21%
3-bed	27	36%	167	38%	-2%
4+bed	4	5%	52	12%	-7%
TOTAL	74		444		

Housing Officers expect to see a delivery of tenure sizes in line with the current demand, while the number of households waiting for 3- and 4-bedroom properties can be lower than other tenure size they tend to be the households who wait the longest on average to be rehoused, therefore

Housing Officers would ask for this to be taken into consideration when determining the affordable housing provision.

From the above table, an overprovision of 2-bed housing and under provision of 1-bed, 3-bed and 4+ beds are proposed within the 20% offer of the BTR presented. It is recommended that these figures are reviewed, and a revised housing mix considered to better reflect the local need for affordable housing ahead of any application submission.

On the offer of 20%, this is a policy standard with the emerging Local Plan, which is afforded only limited weight. This does not reflect adopted policy 16, which seeks 35% affordable homes (tenure type being social rented, affordable rented or intermediate housing). It is therefore welcomed that a financial viability assessment has been run for residential redevelopment of the site to 74 units assuming 35% affordable housing (Flude Report Nov 2024). This shows this option to be unviable. Albeit it remains the least unviable of all the options. It is noted that a further assessment for residential redevelopment of the site to 74 units was run to establish at what level of affordable housing the appraisal shows a positive site value. This shows that allocating 30% to affordable housing generates a small positive site value and that this option is viable.

As previously set out, the loss of employment is a serious concern to the council. An increased affordable provision of 30% with some of this as tenure that meets the HDPF Policy 16 definition, within a BTR offer, would be afforded appropriate weight in the overall balance of material planning considerations.

Shaping Development in Horsham District (SDPAN)

The Council has produced the Shaping Development in Horsham District (SDPAN) which will be a material consideration in planning applications, with status as a Planning Advice Note. The document sets out the Council's aspirations and the weight that can be given to current policy within the context of current legislation, national policy and guidance.

The Shaping Development in Horsham District document was endorsed at Cabinet on 17 September 2025. It continues to endorse the requirements of HDPF Policy 16 in planning decision-making: https://www.horsham.gov.uk/_data/assets/pdf_file/0016/150802/Shaping-Development-in-Horsham-District-Planning-Advice-Note.pdf

k) Suitable standard of accommodation for future occupiers

The Planning Practice Guidance chapter on Build to Rent at Paragraph 011 states that individual schemes should meet any relevant local and national planning policy requirements.

Whilst not a requirement, there is strong encouragement to the provision of Part M4(2) and M4(3) within any future scheme submission.

Paragraph 63 of the NPPF identifies that the needs arising from all sections of the community should be considered when establishing the need, size, type and tenure of housing required. Policy 42 of the HDPF recognises that there are likely to be specific needs arising from the aging population, and those with disabilities amongst others. Chapter 10 of the Northern West Sussex SHMA (November 2019) provides the most recent assessment of these needs, which recognises that it would be appropriate for new housing to be delivered to meet Part M4(2) accessible and adaptable home standards, subject to viability testing. Applicants are therefore encouraged to consider whether they can deliver an element of such housing to meet the identified requirement for the district.

l) Neighbouring properties - impacts

Regarding existing neighbouring occupiers (Barnsnap Close and Amundsen Road), to avoid adverse amenity impacts, expectations would be for adherence to planning practice 'rule of thumb' separation distances and orientations appropriate to the prevailing pattern to development at the site perimeter (25 metres back-to-back and 15 metres flank to rear etc).

Within the developable area itself, there may be opportunity for some foreshortened distances/orientations between future dwellings, dependent on the scheme concept utilised to maximise appropriate redevelopment potential (courtyard mews etc, for instance).

m) Improvement to accessibility into and within site

Addressed in preceding questions.

n) Overall approach to highways matters

As WSCC Local Highway Authority operates its own pre-application advice service, highway matters, including parking provision, are for the County to advise.

It is strongly recommended to engage with the pre-application services at WSCC as such matters are critical to inform layout and density.

o) BNG

The statutory framework is clear that Biodiversity Net Gain be delivered on-site before offsite delivery is considered. Any on-site 'significant' gain, defined as 0.5 Biodiversity Units, is to be secured via s106 agreement. Likewise the use of off-site gain on unregistered land is to be secured by s106 agreement. Completion of the BNG matrix is required as part of any submission to establish the baseline and how BNG is to be achieved.

p) Flood risk and sequential test

The site is located within Flood Zone 1 but the rear (west) of site is identified in Environment Agency flood risk mapping to be within 1 in 1000 year and 1 in 30 high risk of surface water flooding.

It is for Horsham District Council planning officers to determine if a sequential test for flood risk is required. Planning Practice Guidance (PPG) Paragraph 027 was updated 17th September 2025 on how the sequential test should be applied to planning applications, below:

In applying paragraph 175 [of the NPPF] a proportionate approach should be taken. Where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified e.g. by Environment Agency flood risk mapping), without increasing flood risk elsewhere, then the sequential test need not be applied.

Provided a site-specific Flood Risk Assessment satisfies PPG paragraph 027, a sequential test is not required.

<https://www.gov.uk/guidance/flood-risk-and-coastal-change#the-sequential-approach-to-the-location-of-development>

q) Sustainable urban Drainage

Necessary incorporation of SuDS is integral to informing an appropriate surface and foul water drainage strategy that meets national and local planning policy and guidance. The Local Lead Flood Authority provides its own pre-application advice service, and it is strongly advised to obtain this.

r) Water neutrality

Background to Water Neutrality is found here: <https://www.horsham.gov.uk/planning/water-neutrality-in-horsham-district>. A Water Neutrality Statement is required to demonstrate there will not be a net increase in capacity or if there is, how this will be addressed through on-site water efficiency fixture and fittings measures and eligibility to access the council's Sussex North Water Certification Scheme (SNWCS) or a bespoke off-site strategy (including onsite borehole).

s) Any other matters

Environmental Protection

Horsham District Environmental Health advice:

i) Land Contamination: Given historic/current use of site the view ground on site has potential to be contaminated. Given above and fact the proposed use is sensitive to presence of contamination any full or outline application for residential development will need to be supported by robust preliminary risk assessment (PRA), undertaken by suitably competent, qualified and experienced environmental consultant.

ii) Air Quality: Applicant should undertake a screening level assessment of air quality in line with the requirements set out in the Air Quality and Emissions Mitigation Guidance for Sussex, which should include: Definition of baseline conditions, including identifying relevant monitoring data and existing sources of pollutants in area; Qualitative assessment of impacts of road traffic emissions associated with proposed development (based on latest EPUK/IAQM guidance); Qualitative assessment of suitability of site for introduction of new sensitive receptors, based on existing air quality baseline; Assessment and control of dust during demolition and construction - Air Quality dust risk assessment; Damage costs and Emission Mitigation Assessment. The purpose of this assessment is to quantify monetised health damage value associated with transport emissions from the development. Refer to latest Sussex Air Quality Guidance. Regarding measures put forward in air quality mitigation plan request applicant avoids duplication of measures normally required through other regimes.

iii) Noise: East side of development is near heavily trafficked North Heath Lane – road traffic noise therefore potential constraint to development. To ensure site suitable for residential development any application will need to be supported by robust noise impact assessment undertaken by suitably competent noise consultant who are members of ANC and accredited to Institute of Acoustics (IOA).

t) Additional supporting information

Refer to commentary above.

u) Level of detail to minimise conditions

Submission at application stage of the detail necessary to discharge pre-commencement conditions (such as coordination of the landscaping strategy and tree protection with drainage, surface and foul drainage strategy, site levels, and underground services, as well as construction phase logistics), has the potential to avoid imposing of relevant pre-commencement conditions (dependent on the acceptability of such detail).

v) Local Requirement List

In addition to the application form, fee and usual suite of location plans and architectural drawings, the supporting documents that should be submitted include:

- Site specific Flood Risk Assessment
- Surface and Foul Drainage Strategy
- Planning Statement (including affordable provision detail)
- Marketing information, details on improvements necessary to confirm to MEES
- Design and Access Statement
- Landscape Masterplan
- Preliminary Ecological Assessment
- Arboricultural Appraisal and Tree Survey
- DEFRA Metric / BNG
- Transport Statement
- Energy Statement
- Land Contamination Assessment

- Noise Impact Assessment
- Air Quality Assessment
- Water Neutrality Statement
- S106 Draft Heads of Terms

w) Support of the development

The evidence presented in this pre-application material to justify the loss of the employment space is not at this stage compelling nor convincing, with advice from an external consultant approached by the Council challenging the validity of the methodology undertaken to assess viability, and for this reason alone the pre-application proposal is not supported based on its conflict with Policy 9.

However, in the scenario that evidence is submitted that would address this matter, under the current development plan, there is potential for residential redevelopment of the site, provided the quantum and type of redevelopment would help meet identified housing need. If such need for those wishing to rent can be evidenced, this could include Build to Rent, with an affordable provision that satisfies the Planning Practice Guidance chapter on Build to Rent whilst also offering provision to need as identified in local plan policy (HDPF Policy 16).

Officers advise this when the proposal is assessed against the development plan and policies in the NPPF when taken as a whole, having regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination, there is the potential for officers to conclude that, applying the tilted balance, the benefits of the housing would outweigh the lack of continued viable employment use of the site (if sufficiently evidenced).

The above comments are given as the opinion of the Case Officer and do not prejudice any outcome of a subsequent application. Should you submit a formal planning application, please quote reference number PE/24/0118 in your submission.

Yours faithfully

Matthew Porter
Senior Planning Officer

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council implemented a Community Infrastructure Levy (CIL) Charging Schedule on 1st October 2017.

The Community Infrastructure Levy is a charge placed on new development. The funds raised will help to pay for a wide range of infrastructure to support development across Horsham District.

Most new development which creates net additional floorspace of 100m² or more, or creates a new dwelling, (including permitted development), is potentially liable for the levy.

How does it affect you?

Applications for CIL liable development which are determined on or after 1st October 2017 are required to pay the Community Infrastructure Levy (unless the development qualifies for relief or exemption).

Further information and the rates charged by Horsham District Council are set out in the CIL Charging Schedule which can be viewed online at www.horsham.gov.uk/planning/apply/cil

General Consent e.g. Permitted Development

Developments which are permitted by way of a general consent (such as permitted development) may still be liable to pay the Community Infrastructure Levy if they meet the above criteria.

In these circumstances, you must submit a Notice of Chargeable Development (CIL form 5), notify us of the person who will assume liability to pay the CIL and make any applications for relief or exemption, before the development is commenced.



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APPEAL AGAINST THE NON-DETERMINATION OF APPLICATION DC/26/0024

FOR

CHANGE OF USE OF BUILDING TO PROVIDE 9 C3 RESIDENTIAL UNITS

**BENTLEY HOUSE, NORTH HEATH LANE INDUSTRIAL SITE, HORSHAM,
RH12 5QE**

**D&M REF: 243/25/MS
March 2026**

DIRECTOR - ANDREW BANDOSZ BA (Hons) MSc Dip UPI MRTPI
SENIOR ASSOCIATE - MATT SMITH BA (Hons) MA MRTPI **ASSOCIATE** - Chris French BSc (Hons) MSc MRTPI
PLANNER - PAUL HARDWICK BSc (Hons) MRTPI

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- 4.0 Planning Policy Assessment and Planning Merits**
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Appendix 1 – Validation Letter

Appendix 2 – Originally submitted Planning Statement

Appendix 3 – Housing Delivery Action Plan

Appendix 4 – Local Plan Correspondence

Appendix 5 – *Shaping Development in Horsham District Planning Advice Note*

Appendix 6 – Crickmay report

Appendix 7 – Consultee responses

1.0 INTRODUCTION

- 1.1 D&M Planning Ltd have been instructed by the applicant to submit this appeal relating to the failure of the Council to determine the application reference **DC/26/0024** within the agreed time. The application seeks full planning permission for the change of use of the existing office building to provide 9 self-contained C3 residential units at Bentley House, North Heath Lane Industrial Site, Horsham.
- 1.2 The application was validated on 9th January 2026 with a determination date of 6th March 2026. The validation letter is attached at **Appendix 1**. An extension of time until 13th March 2026 was agreed to allow for consultation on conditions and to address queries raised by the Council's Environmental Health Officer in respect of noise.
- 1.3 The existing building consists of a mid-twentieth century two storey office building that has been vacant for in excess of five years. The building has been marketed in a variety of manners and potential layouts throughout this time with no interest from prospective tenants. The building is located within an existing industrial estate which provides accommodation for both offices, research and development, light industrial purposes and storage/distribution. The surrounding area is residential in character.
- 1.4 The site, as shown on the location plan below, is sustainably located within the defined boundaries of the major urban centre of Horsham (though outside the centre) and with close proximity to local amenities including shops, transport hubs, schools, open space etc.



- 1.5 The application site is designated as being within the built-up area of Horsham and is within an existing industrial estate which is otherwise surrounded by residential properties and Pondtail Park. The industrial estate is not identified under the adopted development plan to be of any strategic or local importance.
- 1.6 The original application was accompanied by a detailed planning statement setting out our contention that the proposed development would be compliant with the relevant policies of the development plan and that it would deliver a number of material benefits, particularly the provision of additional residential accommodation against the backdrop of the Council's significant under delivery. Where relevant this statement will cross reference to said statement attached at **Appendix 2**.
- 1.7 The application does not seek to make any changes to the built form of the building with the only additional work proposed being for bike storage. The application proposes the material change of use of the building.
- 1.8 This statement will, in line with the Appeal Procedure Guidance, set out the main planning considerations of the appeal and as set out will cross reference to the originally submitted planning statement. Relevant documents are attached within the appendices.

2.0 THE PROPOSAL

- 2.1 The proposal is set out in detail within the submitted plans. A written description is also included within Section 5 of the originally submitted planning statement. No amendments to the plans have been made during the life of the application and the Council have not sought any either.
- 2.2 The proposal is the change of use of the existing office building to provide 9 residential properties falling within use Class C3.
- 2.2 Such a proposal could typically be undertaken under the auspices of the General Permitted Development Order, however, historic conditions across the site limit the use of the building to being for office purposes only – this is made more complex by subsequent applications for which Horsham does not hold complete records which include similarly worded conditions. The result of such being that it cannot reasonably be determined what conditions from which conditions would actually need to be removed to allow such a change to be undertaken. We do, however, highlight that the existence of such rights should form a material consideration in that they recognise the Government’s position on such schemes.
- 2.3 The table below sets out the proposed mix of properties.

Bedrooms	Persons	Number of Units
1	2	2
2	3	3
2	4	3
3	5	1

Use

Amount

- 2.9 The overall development would provide 9 residential units of accommodation. The housing mix is set out above.
- 2.10 Internally the properties would range in size from circa 50sqm to circa 91sqm.

Scale

- 2.11 The proposed development would not alter the scale of the built form with no extensions or alterations proposed.
- 2.12 The proposed cycle store would be modest in scale appropriate to the use.



Proposed Front Elevation

Appearance

- 2.13 The proposed dwelling would retain the existing appearance with no changes proposed to the external façade of the building.
- 2.14 The proposed bike store would be of modest form in keeping with the character of the area.

Landscaping

- 2.15 The application site is an established industrial estate wherein there is little landscaping. A condition could be included for some elements of this though this would be limited.

Access and Parking

- 2.16 Use would be made of an existing vehicular access and no amendments to this are proposed. Parking would be designated within the wider site as indicated on the plans. It is noted that in consultation as part of the application that the Highway Authority have not raised any objections to the proposal.

3.0 PLANNING POLICY AND GUIDANCE BACKGROUND

3.1 Section 6 of the originally submitted planning statement outlines the planning policy in detail including relevant constraints, and policies of the development plan. Whilst we do not wish to repeat ourselves unnecessarily it is worth highlighting that since the submission of the application there has been a change in the position of the emerging local plan. Accordingly, for matters of completeness we outline the relevant planning policy below.

3.2 The site is subject to the following planning opportunities/constraints:

- Built-up Area Boundary
- Heat Priority Area

3.3 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 38(3) states that the Development Plan includes and any other Development Plan documents. Accordingly, the development plan consists of those policies within the Horsham District Planning Framework 2015.

Central Government Planning Policy Guidance

3.4 The National Planning Policy Framework (NPPF) was first introduced in March 2012 with the current version being that dated December 2023. A recent consultation on a revised NPPF has been completed, it is our consideration, however, that should such be introduced during the life of this application the relevant parts of the NPPF would not be materially changed.

3.5 Paragraph 7 of the NPPF states:

7. *The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs*

3.6 It goes onto state that there are three dimensions to sustainable development: economic, social and environmental, and these roles should not be undertaken in isolation, because they are mutually dependent.

3.7 The development would contribute to all three of these dimensions. It would create economic activity through the works and the associated labour and materials. It would provide housing and it would also result in an attractive development in keeping with the character of the area.

3.8 Paragraph 10 of the NPPF states

‘So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11)’.

3.9 It goes onto state that plans and decisions should apply a presumption in favour of sustainable development.

‘For decision-taking this means:

c) approving development proposals that accord with an up to date development plan without delay; or

- d) *where there are no relevant development plan policies, or the policies which are the most important for determining the application are out of date, granting permission unless:*
- (i) *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or*
 - (ii) *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this Framework taken as a whole.'*

3.10 The proposal would make an important contribution to the housing needs of the area within a highly sustainable location. We highlight at this juncture that the Council's housing land supply position is significantly below the minimum five-year requirement. As per paragraph 3.2 of the Housing Delivery Test (**Appendix 3**) it is at 1 years.

3.11 Paragraph 12 states the following:

'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan...permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'

3.12 The most relevant sections of the NPPF in relation to this proposal are 2 (Achieving Sustainable Development); 5 (Delivering a sufficient supply of homes); 6 (Building a

strong, competitive economy); 9 (Promoting sustainable transport); 11 (Making effective use of land); 12 (Achieving well-designed and beautiful places); 14 (Meeting the challenge of climate change); and 15 (Conserving and enhancing the natural environment).

- 3.13 Section 5 addresses the Government's objective to significantly deliver the supply of homes to meet the needs of different groups in the community. The NPPF requires Council's to demonstrate an appropriate housing land supply to ensure that the needs of residents are met. The Council's current housing land supply position is significantly below the minimum five-year requirement and therefore the tilted balance as set out in paragraph 11d is applicable. If the tilted balance is engaged, we consider that the significant benefits of the housing provision would not be significantly and demonstrably outweighed by any adverse impacts.
- 3.14 Section 6 deals with economic development. It is acknowledged that the proposal would result in the loss of offices which would decrease the employment provision within the district. Whilst this is the case, we consider its loss to be justified as supported by the evidence provided. In this case the property has been vacant for in excess of five years with no real interest. Further, the change of use of the property to residential would not undermine the operation of the wider estate as has been demonstrated by the technical information submitted and the response of the Council's officers particularly those concerning noise impacts.
- 3.15 Section 9 deals with promoting sustainable transport. The main policy aim is to focus development on locations which are or can be made sustainable, such as through limiting and offering a genuine choice of transport modes. It also advises that developments should provide safe and secure layouts and suitable access, and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. The development would be within a sustainable location being within the built-up area boundary of Horsham wherein the plan seeks to prioritise new housing. It should be noted that the highway authority did not raise objection to the scheme during the life of the application.

- 3.16 Section 11 sets out that development should make the most efficient use of land. Of direct relevance to the application paragraph 125 c) states that decision makers should *give substantial weight to the value of using suitable brownfield land within settlements for homes...which should be approved unless substantial harm would be caused...* This is in effect its own tilted balance which is supplementary to that at paragraph 11d. We do not consider that substantial harm would be caused as a result of the proposal. Further, paragraph 125 d) requires that decision makers *support the development of under-utilised land and buildings if this would help to meet identified needs for housing where land supply is constrained.* Given the Council's housing land supply position, we consider that this weighs heavily in favour of the proposal.
- 3.17 Chapter 12 deals with the requirement for good design, which it notes is a key aspect of sustainable development. Given the limited changes to the build form of the proposal, we consider that the proposal would respect the character of the area.
- 3.18 Chapter 14 deals with the Government's aim of adapting and mitigating the impact of a changing climate. The proposal would re-use a building making use of the already embodied carbons which negates the need for additional development.
- 3.19 Chapter 15 deals with conserving and enhancing the natural environment. It states the planning system should protect and enhance valued landscapes; recognise the intrinsic character and beauty of the countryside; minimise impacts on and provide net gains in biodiversity. The site is not within any protected landscape and does not change the built form of the building therefore not likely to impact on any ecological interests of the site.
- 3.20 Paragraph 224 of the NPPF states that policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication. Plans may also need to be revised to reflect policy changes which this replacement Framework has made. However, paragraph 225 states existing policies should not be considered out of date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them,

according to their degree of consistency with this Framework (the closer the policies in this plan to the policies in the Framework, the greater the weight that may be given). Given the absence of housing land supply many of the policies are considered to be out of date and therefore the implications of the framework are given due consideration.

- 3.21 It is submitted that the proposed development before you duly accords with the relevant criteria set out within the NPPF.

Development Plan

- 3.22 The approved and adopted Development Plan for this site comprises the Horsham District Planning Framework (HDPF) 2015.
- 3.23 A new plan was submitted for examination with initial hearing sessions were held in 2024. At the time of the submission of the application further examination was on hold following concerns raised by the Inspector and the recommendation that it be withdrawn.
- 3.24 Whilst this is the case, during the life of the application and following the retraction of the position statement concerning water neutrality and the removal of the duty to cooperate, the newly appointed Inspector has reopened the examination. The letter from the Inspector, and other relevant documents, dated 11th February is included at **Appendix 4**. The examination sessions are scheduled to be held initially in April and then resumed in September 2026. It is clear from the Council indicative timeline that there is an anticipation for significant modifications to be made.
- 3.25 Owing to the progress of the plan, the fact the policies are currently untested though were previously found to be deficient, the clear need for modifications etc. we consider that only very limited weight could be given to the policies within the document at this time. Further, given the absence of any examination any conflict with such policies would also not be demonstrable. This is consistent with the guidance contained within

Shaping Development in Horsham District Planning Advice Note published last year
(Appendix 5).

3.26 The following Policies of the adopted HDPF 2015 apply to the application site:

- Policy 1: Sustainable Development
- Policy 2: Strategic Development
- Policy 3 & 4: Development Hierarchy and Settlement Expansion
- Policy 9: Employment Development
- Policy 15: Housing Provision
- Policy 16: Meeting Local Housing Needs
- Policy 24: Environmental Protection
- Policy 25: District Character and the Natural Environment
- Policy 32: The Quality of New Development
- Policy 33: Development Principles
- Policy 35: Climate Change
- Policy 36: Appropriate Energy Use
- Policy 37: Sustainable Design and Construction
- Policy 38: Flooding
- Policy 40: Sustainable Transport
- Policy 41: Parking

3.27 Given the comments above regarding the emerging plan only limited weight can be given to the policies at this time. Whilst they may in some instances form material considerations, we do not consider those policies with outstanding objections that are otherwise unexamined to be afforded such weight.

3.28 The site is not subject of any neighbourhood plan designation

Other Policy Documents

3.29 The following policy/guidance documents are also considered relevant and have been into account:

*Appeal against non-determination
Change of use to provide 9 dwellings
Bentley House, North Heath Lane, Horsham
© D&M Planning Ltd
March 2026*

- National Planning Policy Guidance (NPPG)
- Horsham District Transport Study Technical Note (April 2015)
- Climate Change strategy (2009)
- Sussex Air Quality Guidance (2019)

4.0 PLANNING CONSIDERATIONS

4.1 Section 7 of the originally submitted planning statement is considered to be comprehensive in terms of the assessment of the relevant planning merits. In line with the Appeal Procedural Guide, this statement addresses *the areas that the appellant considers most likely to comprise the LPA's objections to the development proposed.*

4.2 We consider that the main consideration given to the determination of the application are as follows:

- Principle and Location of Development
- Housing Land Supply and Housing Mix
- Loss of Employment Space
- Impact on the Character of the Area
- Standard of Accommodation
- Impact on the Amenity of Neighbouring Properties
- Impact on Highways and Parking
- Water Neutrality
- Ecology and Biodiversity
- Sustainable Construction

4.3 Based on the consultation responses received during the life of the application and the main issues it is our consideration that the most likely objections would be in relation to the principle of development and the impact on the employment provision.

Principle and Location of Development

4.4 The application site is located within the built-up area boundary of Horsham. Policies 1 and 2 of the Development Plan set out what the Council to be considered sustainable locations for development.

4.5 Policy 3 of the Local Plan states that *development will be permitted within towns and villages which have defined built up area boundaries*. Horsham is identified within the plan as being a Main Town and therefore considered to be a highly sustainable location in which the principle of new housing should be supported.

4.6 Additionally, we highlight that the site should be considered to constitute previously developed or brownfield land for which Government seeks to prioritise new development. This is notably seen in paragraph 125 c) of the NPPF which states:

give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;

Notwithstanding the comments that will be discussed below which consider the application of paragraph 11d), it is highlighted that paragraph 125 c) forms its own balancing exercise. This is to say that it requires substantial weight to be given to the use of the brownfield land within settlement for homes that *should be approved unless substantial harm would be caused*. Accordingly, this paragraph makes it incumbent upon the decision maker to approve the development unless substantial harm from such is identified.

4.7 Having regard to the proposal it is our consideration that the only likely contentious issue that could be considered to result in some harm would be from the loss of the employment use. The other matters of considerations set out above are relevant factors, however, noting the nature of the application, consultee responses and the absence of any operational development it is highly unlikely that harms from these matters would arise. It is therefore our contention that even before engaging with the tilted balance of paragraph 11d), it is clear that the loss of the employment space would not, in this instance, constitute a *substantial harm* in regard to the balancing act at paragraph 125 c).

- 4.8 In terms of the loss of employment space it is acknowledged that the current building is within a lawful employment use. North Heath Lane, however, is not specifically designated as a key nor strategic employment site under the auspices of the adopted plan. The loss of the employment space is therefore considered under Policy 9. As will be addressed under subsequent headers this loss we consider is justified as evidenced by the marketing information. Further, it is highlighted that the loss of this unit would not undermine the wider functionality or viability of the industrial estate. We consider this is to be regardless of the application of any balancing exercise required by either paragraph 11 or 125 of the NPPF.
- 4.9 Having regard to such, it is considered that the proposal would be in a sustainable location which should be supported for additional housing. We contend that in principle support to the scheme can be assured subject to a consideration of wider factors.

Housing Land Supply and Housing Mix

- 4.10 Paragraphs 75 to 81 of the NPPF set out the requirement for Local Planning Authorities to identify and maintain a five-year housing land supply. Paragraph 11 sets out that if the Council is unable to provide sufficient housing land supply the relevant plans should be determined out-of-date (subject to the relevant footnotes and paragraph 14).
- 4.11 It is noted that in the April 2025 as part of the Housing Delivery Test Action Plan the Council published its housing land supply as being equivalent to 1 year. This is a chronic shortage of homes significantly below the five-year requirement. It is our contention that the shortfall is of such significance that it adds greater weight to the delivery of housing in the location that accords with the wider spatial strategy.
- 4.12 In light of such an under-delivery engagement with paragraph 11d) and the tilted balance is necessitated in reaching any determination on site.
- 4.13 As will be set out at length we consider that the benefits of the scheme, notably in the delivery of additional housing, reuse of previously developed land, etc are not

significantly and demonstrably outweighed by the harms of the proposal. We consider that any harms are highly limited being the loss of the employment space which is indeed justified by the evidence available.

- 4.14 Further, we do not consider that the change of use would undermine the viability of the wider industrial estate. In support of this we highlight that the General Permitted Development Order (Schedule 2, Part 3, Class MA) permits the change of use of units within Class E to C3 residential dwellings; the GPDO is clear that in such instances regard should only be given to the impact on the wider estate if it is considered to be of importance for *general or heavy industry, waste management, storage and distribution, or a mix of such uses*. In this instance the site is not designated as being of any particular value under the current plan and the uses within the estate are largely office linked.
- 4.15 A full assessment of this balancing exercise is made later in this report.
- 4.16 With regards to housing mix the aforementioned planning advice note, *Shaping Development in Horsham* reaffirms that Policy 16 of the plan sets out that development should meet a range of housing needs taking into account other factor such as the character of the area, viability etc.
- 4.17 The most recent evidence base for the demand for different sized homes in Horsham identifies the following:

Number of Bedrooms	Need as %
1	5
2	30
3	40
4	25

- 4.18 It is acknowledged that the development does not precisely meet these % criteria delivering a greater volume of 2 beds than 3. Whilst this is the case, the unit mix is

somewhat determined by the existing layout of the building for which the change of use is sought.

- 4.19 It is proposed that all nine units be delivered as market housing. It is confirmed within the planning advice note that the scheme would not trigger the requirement to deliver affordable housing.
- 4.20 It is our consideration that the proposed delivery of housing would weigh significantly in favour of the proposal providing notable and measurable benefits to the district as a whole.

Loss of Employment Space

- 4.21 The current lawful use of the building is as office accommodation falling within use Class E of the Use Class Order. Historic conditions prevent the building from being used for any other purpose other than as offices.
- 4.22 The wider industrial estate is not subject to any specific designation set out within the adopted local plan. It is recognised that the emerging plan seeks to designate the site, however, this policy has not been subject to an examination with the hearings scheduled for later this year. We highlight that at the time of submission the plan had not been resumed. As set out only very limited weight is given to these emerging policies and, accordingly, we contend that the draft designation has no bearing on the determination of this application. We emphasise that at this time that there are outstanding objections to these policies and there is a need for main modifications across the plan as a whole.
- 4.23 With such in mind Policy 9 of the adopted development plan is directly relevant to the application. Policy 9 2) states that:

Redevelopment of employment sites and premises outside Key Employment Areas, must demonstrate that the site/premises is no longer needed and/or viable for employment use.

- 4.24 The supporting text does not expand upon the policy to specify any requirement as to how this can be justified or evidenced. In our experience, however, it is typical of local authorities to require details such as marketing reports, viability reports or similar to help support such.
- 4.25 The initial application was submitted with relevant supporting documents (**Appendix 6**) to demonstrate that the loss of the employment site was justified. The supporting report and letter were prepared by Crickmay, an established and professional commercial agent. The author of the report is a chartered surveyor. The original report is dated 7th November 2024 and covers the whole estate and was prepared as part of submission relating to the emerging plan. The comments contained within, however, as they relate to Bentley House remain applicable and are supported by the additional supporting letter.
- 4.26 The report identifies a number of challenges to the viability of the site as a whole including energy performance and restrictive conditions. These challenges clearly demonstrate that the use of the building, and indeed much of the wider estate, are simply not viable to meet the needs of modern employment use.
- 4.27 Further, it is highlighted that in terms of the wider estate these challenges would not be altered as a result of proposed development. There is a clear need for the site to be redeveloped in some form as it is not viable in its current. Whilst the proposed change of use would constitute a consideration in how this evolves it does not undermine the ability to redevelop the site at large in whatever capacity in the future. The building is positioned to the edge of the wider estate, and whilst it would present as a constraint to the wider redevelopment its location is of much less impact than if it were say in the middle or on the main artery route into the estate.
- 4.28 Additionally, we would draw specific attention to those comments found under the header of *Marketing Activities* on page 9 of the report. Within this it is clear that Bentley House has been marketed unsuccessfully for in excess of 5 years without success. The report includes a summary of the marketing that has been undertaken this includes:

- Advertising the site directly to existing applicants on the agent's database
- Sharing the listing with other local agents
- Marketing on national commercial property listings including a premium listing on Zoopla
- Advertising the property on flexibility configurations for either the whole building or floor by floor or other suitable configurations
- The client has also undertaken refurbishment to improve the appearance
- Reduction in rent prices advertised

4.29 We therefore contend that the viability of the employment offering has been critically examined in two forms. Principally it has been shown that owing to the site-specific circumstances, such as the need to improve the EPC rating, limitation on working hours, limitation on uses permitted etc, that the building is not financially viable for such use.

4.30 In addition to this it is highlighted that the use of the building is controlled by an array of conditions and therefore necessitates that planning permission be required should an alternative employment use be sought on site. The site has been marketed and no enquiries for other uses have been received. We also highlight that the layout of the building is limiting in what any alternative provision could be; for example it does not benefit from large open spaces suitable for storage of industrial process and any changes to do so would likely undermine the structural integrity of the building as evidenced by the large internal columns which support parts of the first floor. Further, any change of use to an alternative employment use would still be subject to the restrictive hours of operation.

4.31 Secondly, this has been confirmed by the unsuccessful marketing that has been undertaken on the premises for in excess of five years. Accordingly, not only is it a financial consideration of the viability of the site but one that has been determined by the market. Simply put, in line with the requirement of Policy 9, if the building were needed for such a use, and that use was viable, the marketing should have been successful over such a time frame.

- 4.32 It is also clear that whilst other buildings within the estate remain occupied the viability of their longer-term future remains uncertain. We do not consider that this viability is any further undermined by the introduction of the residential units within the estate. The wider use of the estate is controlled by various conditions including specific uses and limitations to the hours of operation. These conditions have allowed the estate to historically function despite being surrounded by residential properties. Further, the submitted noise assessment clearly demonstrates that future occupiers would be afforded a comfortably living environment. Should the wider site be redeveloped in some way this would need to be assessed in line with the proposal if successful. This may present a future design constraint, but it would not fundamentally prevent any development coming forward. Further, should concerns be raised on this matter by the Council we consider that this would be tantamount to considerations of a ‘what if’ scenario unsupported by the wording of relevant adopted policy and one that goes beyond the proposal as submitted.
- 4.33 In light of the above and the comments within the report it is our position that the evidence meets the requirements of Policy 9 2) to justify that the loss of the employment space. The evidence demonstrates that there is both no longer a need for such space, as evidenced by the marketing report, and that its use for such would not be viable, as evidenced by the wider report.
- 4.34 It is further highlighted that, in any event, the loss of such, we contend, would not significantly nor demonstrably outweigh the benefits in accordance with paragraph 11d nor cause substantial harm in line with paragraph 125 c) of the NPPF. Ultimately the loss of employment space is limited in area, on a unit which has been vacant for in excess of five years and would not cause any adverse impacts to the wider operation of the commercial estate. We contend that the detrimental impacts of the loss are even further diminished by the evidence as submitted to the extent that there should be no objection to such loss.
- 4.35 In the event that the Council disagree with such a position we would expect clear evidence to counter that presented by the expert consultant of the appellant. The failure

to do so would, in our opinion, constitute unreasonable behaviour in that it would inevitably rely on vague or unsupported commentary.

Impact on the Character of the Area

- 4.36 The recent updates to the NPPF have provided additional emphasis on the importance of high-quality design, making reference to beauty.
- 4.37 Section 12 also reiterates the importance of local design guides and codes; it states that developments that are not well design should be refused, but conversely, significant weight should be given to design which reflects local design policies and government guidance.
- 4.38 Policy 25 of the HDPF promotes development that protects, conserves and enhances the landscape character from inappropriate development. Proposals should take into account landscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements local character.
- 4.39 Policies 32 and 33 expand on this and state that development must be of the highest quality with specific focus towards:
- 1. Providing an attractive, functional, accessible, safe and adaptable environment;*
 - 2. Complement locally distinctive characters and heritage of the district;*
 - 3. Contribute a sense of place both in the buildings and spaces themselves and in the way they integrate with their surroundings and the historic landscape in which they sit;*
 - 4. Optimise the potential of the site to accommodate development and contribute to the support for suitable complementary facilities and uses; and*
 - 5. Help secure a framework of high quality open spaces which meets the identified needs of the community.*

4.40 Policy 33 continues to set out 11 design principles. These are summarised as being in relation to the following points:

1. Making effective use of the land
2. Ensuring development does not result in unacceptable harm to the amenity of nearby properties and land
3. Ensuring that the scale, massing and appearance of development is of a high standard of design and layout
4. Ensure that design is locally distinctive and takes into account relevant design statements
5. Uses high standard of building materials
6. Seeks to retain existing important landscape and natural features
7. Ensures buildings are orientated to gain maximum benefits from sunlight
8. Incorporate safe and visually attractive areas for parking, cycles and refuse
9. Reduce any actual or perceived opportunities for crime
10. Contribute to the removal of physical barriers; and
11. Make a clear distinction between public and private spaces

4.41 We reiterate at this juncture that no changes are proposed to the building itself with it retaining its overall form, appearance and detailing. We therefore consider that the only relevant aspects of consideration are to the proposed use in relation to the surrounding environment.

4.42 Firstly, it is highlighted that the proposal, as per paragraph 125 of the NPPF, would clearly make an effective use of the site. The current building is vacant and has been so for in excess of five years and is therefore clearly under-utilised. The introduction of a viable residential use therefore would bring the under-utilised building back into a function. Further, this function we contend would be viable and make a positive contribution to addressing the chronic shortage of homes within the district. We emphasise that this shortage is so severe that even the delivery of 9 units would make a meaningful contribution.

4.43 In terms of the layout and locality it is contended that given it is for a re-use of the building it would be positioned in a suitable location that maximises the efficiencies on site. It is recognised that the building would be set within the wider context of the estate, however, it is highlighted that this would not be an unusual relationship and there are ample examples across the district and further afield of commercial and residential development sitting comfortably next to one another. We do not, fundamentally consider, that the proposed development would undermine the wider use of the estate in its current or any future form. As highlighted before we consider the existence of the prior approval regime to be a material consideration particularly in that it highlights that such arrangements within existing estates are deemed wholly suitable to the extent that they could be converted under the auspices of permitted development.

Standard of Accommodation

4.44 The NPPF makes it clear that part of good design is ensuring that development provides a high standard of amenity for future occupiers. Government guidance on was published in March 2015 on the *Technical Housing Standards – nationally described space standard*. This document sets out a range of measures for assessing whether a dwelling is of an acceptable standard including overall size, size of bedrooms and storage. Whilst the Council does not have a specific policy on the matter, the housing standards still form a material consideration to the determination of the application.

4.45 As per the table below it is demonstrated that the proposed dwellings would all exceed the minimum space standards and relevant bedroom sizes.

Unit Number	Bed/Persons	Overall Size	Bedroom Sizes	Storage
G-01	2b/3p	63.20sqm –	Bed 1 – 12.1sqm Bed 2 – 9.58sqm	2.6sqm
G- 02	2b/4p	72.78sqm	Bed 1 – 12.18sqm Bed 2 – 13.85sqm	2.34sqm
G-03	1b/2p	50.01sqm	Bed 1 – 14.28sqm	1.56sqm

G-04	1b/2p	50.04sqm	Bed 1 – 12.04sqm	1.54sqm
G-05	2b/3p	62.80sqm	Bed 1 – 12.09sqm Bed 2 – 10.12sqm	3.12sqm
1-01	2b/4p	70.01	Bed 1 – 15.21sqm Bed 2 – 12.5sqm	2.12sqm
1-02	2b/3p	61.01sqm	Bed 1 – 12.1sqm Bed 2 – 8.2qm	2sqm
1-03	3b/5p	90.85sqm	Bed 1 – 12.47sqm Bed 2 – 14.41sqm Bed 3 – 11.19sqm	2.6sqm
1-04	2b/4p	72.30	Bed 1 – 13.4sqm Bed 2 – 12.79sqm	2.25sqm

- 4.46 Given that the proposed dwellings would all exceed the minimum standards it is our contention that the units would deliver a high standard of internal accommodation.
- 4.47 It is further highlighted that every habitable room would benefit from windows which in turn would provide outlook, natural light and ventilation. Further, some units would be provided with dual aspect arrangement enhancing the quality of accommodation in this regard. We again highlight that in preparing the application that no changes are proposed to the external appearance of the building including fenestration.
- 4.48 It is additionally highlighted that as part of the application the Council consulted their internal Environmental Health Officer. Whilst matters of clarification were requested it is clear that no objection, subject to condition, was raised.
- 4.49 It is recognised that the properties would not benefit from any significant areas of external amenities. We do not consider to be uncommon for flatted development particularly those achieved by way of a change of use such as this. Indeed, we highlight that external amenity is not a consideration of a prior approval application. Notwithstanding this, however, it is highlighted that occupiers would be in close

proximity to public open space in the form of Pondtail Park which immediately adjoins the site.

- 4.50 We emphasise at this stage, however, that the Council do not have any relevant policies in this regard. The NPPF requirements are for high quality design with the only published position in this regard being in relation to internal amenity which the proposal would exceed.
- 4.51 Having regard to the above it is contended that the proposal would have a good standard of accommodation ensuring future occupiers are furnished with enough space for a high quality of life.

Impact on the Amenity of Neighbouring Properties

- 4.52 Policy 33 of the Horsham District Framework sets out at point 2 that development shall be required to:

Ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land, for example through overlooking or noise, whilst having regard to the sensitivities of surrounding development;

- 4.53 The Council does not have any specific design guidance on how this would be examined in terms of impact on neighbours. However, we have given regard to the impact of the development in terms of overlooking, loss of light, overbearing impact, noise and pollution below.
- 4.54 Bentley House backs directly onto Pondtail Park with no immediate neighbours adjoining the site. On the south eastern corner the site adjoins an area used for garaging by properties in Barnsnap Close, however, it does not share any boundaries with residential properties. The nearest property boundaries are 11m to the south east and 23m to the south.

- 4.55 Having regard to the nature of the application as a re-use of an existing building, the boundary treatment and orientation it is not considered that there would be any harm to these properties by reason of loss of light, overbearing or overshadowing.
- 4.56 With regards to privacy it is highlighted that no changes are proposed to the existing fenestration. The majority of the windows, particularly at first floor, front to the north and south meaning that the closest direct view would be in excess of 23m to the boundary of the neighbour to the south. Such a distance we contend is sufficient to ensure that there would be no harm to the amenity of the property. This distance exceeds the commonly held practise.
- 4.57 There is one side facing window at first floor on the eastern flank which would serve the kitchen of proposed unit. This is set some 7m from the nearest corner to the neighbour to the south east. This, in combination with the angle of outlook and existing vegetation, we contend, is sufficient to ensure there would be no harm to this property by virtue of a loss of privacy. Should, however, there be concern a condition requiring the window to be obscurely glazed and fixed shut noting that this room is dual aspect could be included.
- 4.58 Having regard to the above it is contended that there would be no harm by way of loss of light, overbearing, overshadowing or loss of privacy. In terms of land use, we do not consider that the introduction of 9 units would result in any material increases in noise or disturbance that would adversely impact on neighbour properties particularly compared to the existing lawful use. It is further our position that the use would not compromise the wider industrial estate or vice versa.
- 4.59 Having regard to such it is contended that the proposal would fully accord with Policy 33 of the development plan in this regard.

Impact on Highways and Parking

- 4.60 Policy 40 of the HDPF states:

There is commitment to developing an integrated community connected by a sustainable transport system. In order to manage the anticipated growth in demand for travel, development proposals which promote an improved and integrated transport network, with a re-balancing in favour of non-car modes as a means of access to jobs, homes, services and facilities, will be encouraged and supported. Development will be supported if it:

- 1. Is appropriate and in scale to the existing transport infrastructure, including public transport.*
- 2. Maintains and improves the existing transport system (road, rail, cycle).*
- 3. Is integrated with the wider network of routes, including public rights of way and cycle paths*
- 4. Includes opportunities for sustainable transport which reduce the need for major infrastructure and cut carbon emissions.*
- 5. Is located in areas where there are, or will be a choice in the modes of transport available.*
- 6. Minimises the distance people need to travel and minimises conflicts between traffic, cyclists and pedestrians.*
- 7. Delivers better local bus and rail services in partnership with operators and increasing opportunities for interchange between the public transport network and all other modes of transport.*
- 8. Develops innovative and adaptable approaches to public transport in the rural areas of the district.*
- 9. Provides safe and suitable access for all vehicles, pedestrians, cyclists, horses riders, public transport and the delivery of goods.*
- 10. Is accompanied by an agreed Green Travel Plan where it is necessary to minimise a potentially significant impact of the development on the wider area or as a result of needing to address an existing local traffic problem*

- 4.61 The NPPF advises that development should only be refused on highways grounds if there would be *an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*
- 4.62 The proposed development would make use of the existing access which currently serves the wider estate. This is an established use which provides sufficient visibility splays and can accommodate the traffic levels likely to be generated.
- 4.63 In terms of parking, guidance is provided by West Sussex County Council which is based on the designation of an area on parking behaviour zones. The site is positioned on the edge of PBZ2 and PBZ4. The guidance is for the delivery of 0.9-1.4 spaces for a 1 bed unit, 1.1-1.7 for a 2 bed and 1.7-2.1 for a 3 bed unit. Taking this into account the total demand for the 9 units would be equivalent to a demand of between 10.1 and 15.1 spaces.
- 4.64 The proposed development would provide sufficient room for such parking demand. As demonstrated on the plans there is sufficient provision for 15 spaces which we consider to be appropriate to the proposal.
- 4.65 The plans also clearly demonstrate that there would be sufficient room for cycle storage within the site the details of which could be conditioned.
- 4.66 At this juncture it is highlighted that as part of the application process the Highway Authority did not raise any objection or any suggested conditions. These comments are attached at **Appendix 7.**
- 4.67 Having regard to the above it is contended that the proposal would fully accord with policy 40 of the development plan.

Water Neutrality

- 4.68 It is understood that on 31st October 2025 Natural England withdrew the previously published position statement concerning water neutrality. To this extent it is no longer an issue which need be overcome.
- 4.69 Whilst this is the case, it is highlighted that, by way of condition, the dwellings could be delivered in a manner which promotes the most efficient use of water reducing the overall demand.
- 4.70 The Council's published HRA (**Appendix 7**) clearly demonstrates that this is considered a suitable solution to proceed with addressing such matters.

Ecology and Biodiversity

- 4.71 Policy 31 of the Horsham District Framework states:
- 1. Development will be supported where it can demonstrate that it maintains or enhances the existing network of green infrastructure. Proposals that would result in the loss of existing green infrastructure will be resisted unless it can be demonstrated that new opportunities will be provided that mitigates or compensates for this loss, and ensures that the ecosystem services of the area are retained.*
 - 2. Development proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate. The Council will support new development which retains and /or enhances significant features of nature conservation on development sites. The Council will also support development which makes a positive contribution to biodiversity through the creation of green spaces, and linkages between habitats to create local and regional ecological networks.*
 - 3. Where felling of protected trees is necessary, replacement planting with a suitable species will be required.*

4. a) Particular consideration will be given to the hierarchy of sites and habitats in the district as follows:

- i. Special Protection Area (SPA) and Special Areas of Conservation (SAC)*
- ii. Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs)*
- iii. Sites of Nature Conservation Importance (SNCIs), Local Nature Reserves (LNRs) and any areas of Ancient woodland, local geodiversity or other irreplaceable habitats not already identified in i & ii above.*

b) Where development is anticipated to have a direct or indirect adverse impact on sites or features for biodiversity, development will be refused unless it can be demonstrated that:

- i. The reason for the development clearly outweighs the need to protect the value of the site; and,*
- ii. That appropriate mitigation and compensation measures are provided.*

5. Any development with the potential to impact Arun Valley SPA or the Mens SAC will be subject to a HRA to determine the need for an Appropriate Assessment. In addition, development will be required to be in accordance with the necessary mitigation measures for development set out in the HRA of this plan.

4.72 Given that the application solely proposed internal alterations as part of the change of use it is not considered that the application would trigger the need for any preliminary or detailed ecology surveys. Simply put, there would be no changes to the built form the building that would warrant such.

4.73 With respect to Biodiversity Net Gain as no physical changes are proposed to the building and given that parking would be located on existing areas of such, we consider that the proposal would benefit from the *de minimis* exemption in that it would impact less than 25sqm of habitat of which none is priority habitat. To this extent the application is not accompanied by any detailed analysis of such.

Sustainable Construction

- 4.74 Policies 35 and 36 of the Horsham District Planning Framework set out the expectation of development to help meet the demands of and help mitigate from climate change. At the core the policies seek to ensure that new development incorporates energy saving technology and means to influence the behaviour of occupants. Policy 36 provides details of the energy hierarchy and specifies that development must demonstrate accordance with such.
- 4.75 We highlight that the proposal is for the change of use of a building which would in turn enshrine the existing embodied carbons into the fabric of the built form as opposed to necessitating new built form. Further, there are opportunities within the fit out to retrofit the property and ensure that the most efficient fixtures and fitting are delivered.

Other Matters

- 4.76 The application is also accompanied by a Flood Risk Assessment which does not identify any concerns to the proposal coming forward.

5.0 CONCLUSIONS

- 5.1 This appeal is made against the failure of the Council to determine the application within the agreed time. The proposal is for the change of use of the existing building to provide 9 self-contained residential units.
- 5.2 It is our contention that the proposal would accord with the relevant policies of the local plan and deliver significant planning benefits. This is particularly the case given the Council significant under provision of housing which at one year worth of supply is a chronic under supply. Additionally, the proposal would result in the re-development of previously developed land to meet such a need which is given clear support by virtue of paragraph 125 of the NPPF.
- 5.3 In light of the absence of an adequate housing land supply the NPPF requires the Council to engage with paragraph 11d) and the exercise of the tilted balance. Further, it is highlighted that paragraph 125 c) also provides an exercise similar to that of the tilted balance.
- 5.4 In this regard we consider that the proposal delivers significant benefits in the form of the additional housing in a highly sustainable location, re-use of a brownfield site and the re-use of a vacant building. Against this the proposal would result in the loss of employment floor space. This harm, however, we contend should be tempered in light of the supporting evidence. This indicates that the retention of the employment space is not viable by both reason of the works required to improve its standard and from the evidence dictated by the market resulting in the premises being vacant for in excess of five years. It has also been set out as part of this statement that the proposed development would not result in conditions prejudicial to the wider estate in its current or any future form. In light of such we consider that this should only be afforded modest weight and would certainly not be significant and demonstrable.
- 5.5 We emphasise our position at this juncture that if any harm is identified in terms of the emerging plan that this should only be afforded limited weight in accordance with the

wording of the NPPF and the Council's own guidance. Further, as those policies are yet untested and indeed previously considered so deficient that the Inspector recommended withdrawal of the plan, we do not consider that any harm would meet the demonstrable threshold either.

- 5.6 No other harms are identified with the proposal considered to deliver a high standard of accommodation, respect the character and amenity of the area and neighbouring properties, not result in adverse impacts to the highway or any other interest in the land.
- 5.7 Having regard to such we do not consider that the clear and significant benefits of the scheme are significantly nor demonstrably outweighed by the very limited harms. Further, for the purposes of paragraph 125 c) of the NPPF we do not consider those harms even meet the category of substantial. We would go further to say that in any event the proposal is in accordance with the development plan when read as a whole to the extent that it should be supported.
- 5.8 We consider there to be considerable merit in granting permission for the proposed development as outlined on the proposed plans.
- 5.9 Whilst we consider the information provided within this statement and the supporting works to be comprehensive in nature we reserve the right to provide a response to any further comments made by the Council as is set out within the appeal's procedure guide.

D&M PLANNING LIMITED
Chartered Town Planners

[silence]

[(4:19)] [REDACTED]: Good afternoon everyone. [clears throat] Is there anyone here now who wasn't here this morning? [laughs]. All right. Um, I will go through some of my, an abbreviated version of my opening [inaudible] just for your benefit. [REDACTED]. I'm the inspector appointed by the Secretary of State to, uh, examine the local plan. Um, and, uh, I will have to do the housekeeping points. [REDACTED].

[(4:52)] [REDACTED]: Thank you. I'll try and keep this brief. Um, yes. So there's no, um, no fire alarms scheduled for the afternoon. If they do sound, please follow the offices out. Um, and, uh, the meeting place is just outside Weatherspoons. Um, and- and we can obviously wait there until we are told to return to the office. If you haven't, uh, located them already we have toilets, uh, on the landing by the stairs. Uh, in terms of microphones, um, just be mindful. They are, they do need to be put in front of you when you're speaking. Um, I know you've said phones off anyway, but really do keep them away from your, um, the microphone. It doesn't seem... We think it's interfering with the Wi-Fi. Um, and finally, at the end of the afternoon, please return your visitor passes to reception when you leave.

[(5:37)] [REDACTED]: Thank you. I think... Thank you very much. Um, so just very quickly, uh, have-have you... Uh... Do you know the council officers here? Otherwise I'll get them to introduce themselves. I'll get... I'll tell you what, it's easier to, for them to introduce themselves. Alright.

[(5:54)] [REDACTED] I think [REDACTED] knows me. [REDACTED] [inaudible] of the MKC [laughter].

[(5:56)] [REDACTED], Head of Strategic Planning.

[(6:03)] [REDACTED], Senior Planning Officer in Strategic Planning.

[(6:09)] [REDACTED], Planning and Policy team leader.

[(6:13)] [REDACTED]: Thank you. And then we'll just go along the second row. So, uh, [REDACTED], introduce yourself. Do the same things as we did this morning.

[(6:22)] [REDACTED]: Thank you. Good afternoon. [REDACTED], Chair of, Vice Chair of Safe West Biofield.

[(6:30)] [REDACTED] representing Rusper Parish Council.

[(6:36)] [REDACTED]: Councillor [REDACTED] but you're not gonna speak.

[(6:39)] [REDACTED]: That's correct. [REDACTED] cabinet member for Planning and Infrastructure.

[(6:45)] [REDACTED]: Right. And there's some council officers sitting behind who are probably not gonna speak this time. No. Alright. Um, then yourself on the third row.

[(6:55)] [REDACTED]: Good afternoon. [REDACTED] of Powerhouse Consultancy representing Verve Investments who own and manage the Garylands Estate.

[(7:09)] [REDACTED] for Thakeham Homes.

[(7:14)] [REDACTED]: And that's it, is it in terms of participants this afternoon. Alright. Um, so, uh, just, just very quickly, um, for you, [REDACTED], you're familiar with local plan examinations. I don't need to explain the, all of the procedures, but in this particular case, um, because of the history of, um, the-the plan of the Wall Street neutrality issue, it does mean that, uh, there are likely to be main modifications, uh, further down the line, which will involve the identification of additional, uh, site allocations. And, uh, obviously there'll be consultation into those main modifications. And then I will consider the results that hold further hearings as necessary.

Um, so, uh, we've covered the housing requirement. We've covered, um, a range of things to do with housing. Um, there's quite a bit of work that council have got to do. Um, so this afternoon we're going to look at, um, the issue of whether the plan makes sufficient provision for business, industrial and logistics needs. Um, and, uh, I've got some issues that, um, I want to raise with council, but I think what I'll do is I'll go straight to, um, the participants in this particular case. I-I-I-I take it you've read the council's submissions, the-the-the topic paper and, um, the-the background material as well. So I don't, I think need the council to update the examination on that, the hearing on that. So what I'm going to do, sorry to put you straight in the into bat, but, um, [REDACTED] I'll go straight to you and, uh, give the opportunity of speaking.

[(9:16)] [REDACTED]: May I just ask a quick question, having not been in the examination today, um, are you advising representatives to either read or just talk to their paper? Or how do you want me to, um, present myself, so to speak? As I said, I haven't been here [crosstalk].

[(9:34)] [REDACTED]: Alright. Yes. I-I, my opening was too brief, wasn't it? So I should have explained all that. Um, I don't expect people to, um, read out their submissions in full. Uh, all I'm interested in is information that I require. Um, I've read a lot of the-the background material. I'm familiar with the issues brought by and large, I would've read your, um, hearing statement. So it is a question of, um, really, uh, contributing to the specific points that, um, I'm interested in. So on that basis, I won't put you into bat first. All right, I'll, I'll come back to you. What I'm gonna do instead. Alright. Uh, which might help set, perhaps I should have done this. I-I set the context. All right. So, um, I've-I've read the council's, uh, topic paper and I've read the background material and the analysis. So, um, and you get different outcomes depending on whether you look like, look at past development rates, whether you look at fu-future labour supply and, uh, and so on. Um, you've identified against a high growth, uh, sorry, if a high labour supply, uh, requirement, a shortfall, which was 11, about 11.5 hectares, I think. Um, and the plan is allocating, as I understand it's 17 hectares. Now, if I'm wrong, you could tell me, am I right? That's in the highest level terms.

[(11:15)] [REDACTED]: I-I think with regards to the employment need, I think we just gave the range. And I think over time, um, it-it-it's, it depends on the commitments coming forward. So we haven't actually clearly said we are setting it against the high labour supply, um, rate. We are just giving the range and-and leaving flexibility really to sort of say we are meeting or satisfying the employment needs that are being shown within these different scenarios.

[(11:52)] [REDACTED] Yes, I-I-I know you presented it as a range, um, just a minute. Nonetheless, you did, uh, suggest that you would, uh, you'd be seeking to, um, allocate something in excess of the highest level of that range.

[(12:19)] [REDACTED]: That's correct, because...

[(12:20)] [REDACTED]: Yeah.

[(12:20)] [REDACTED] ... just be compliant with the MPPF, yes we have to be positively more positive approach. And also we don't want to lose our footing within the functional economic market area and potential late demand. Sorry.

[(12:35)] [REDACTED]: Are you back on?

[(12:36)] [REDACTED] Oh, I'm back on now. Um, so it-it-it is, yeah, more to do with, um, we recognise there's out commuting at the moment, 40%. So there's an element of making sure that doesn't increase, um, unnecessarily. We want to try and be sustainable. Um, there is some sort of evidence that there has been some latent demand and also just to keep attractive, um, and open to business given that other authorities are providing, um, additional employment land. But I think it just shows, I think our topic paper seems to, or-or tries to show that we are being flexible, we are aware of our needs, and that yes, even if housing is to increase in the district, it doesn't translate into requiring additional employment land outside of any additional strategic, um, sites that might come forward where we would expect them to be more sustainable in their delivery.

[(13:41)] [REDACTED]: Um, s-... Alright, so-so what I understand from that is that there's, um, there's a supply, putative supply in the plan, which is in excess of your-your high level prediction, 17 hectares or thereabouts. Um, and, uh, there would be the opportunity were you to identify future additional strategic sites as part of process we're going through that there would be the potential to, um, allocate some further employment land within those. So that's-that's the background. Um, I have one or two points and I'll just go through this first and then I'll open it up. Alright. So-so, um, I-I suppose first of all, of course, the, uh, the-the employment needs study is e-extremely high level. So what it does is there-there's, um, over time and, uh, a forecast reduction

in, um, the manufacturing end of the-the-the industrial end should we say, of business need, but a forecast increase in-in office, uh, and they kind of balance out.

Um, but when you look at, uh, in, when you look at population growth and labour supply, therefore you-you provide a bit, a bit extra. But my-my first issue was the, this very high level approach. I know it's commonly done of course, but of-of-of simply saying, well, there's gonna be a reduction in, um, uh, industrial employment and an increase in, um, class, uh, well, what use to, it would be class E now, of course, uh, and therefore they balance out. But i-in reality, of course, something coming out of industrial use isn't necessarily suitable for, um, another, uh, B or E class use. So there, in-in reality, there could be a mismatch that you would need in those circumstances, more employment planned to be allocated to provide for the growth in one of the sectors. Notwithstanding there might be a decline in another sector.

So that was the first point. Do... Are you with me on that? Um, and I think we've seen that a little bit in some of the representations where, um, uh, uh, uh, some representors have, hah-have um, flagged up that some sites may not be suitable for continued use in their current form and therefore protecting them might not be an appropriate approach. Now, I'm not, I'm not, um, agreeing with them or disagreeing with them at this stage. I'm just pointing it up. Um, so it's what you, what you've taken is a very high level approach to, towards aggregating, uh, potential land need. Um, that's the first thing. The second thing, um, is that, um, the market, the market has changed, uh, and I think everybody recognises that. And the, um, studies that were carried out are relatively old now. Even the update studies kind of rooted in the days of COVID. Um, but, uh, there is a recognition, I think the market has changed. There is, there are different requirements, um, particularly in the office market.

Um, and the question there would be to what extent the plan can accommodate or have regard to that. And the third point is, um, that the national policy focus on growth, um, in, uh, in the MPPF in the emerging MPPF in particular, but it was there before, um, it does not appear entirely to be reflected in the words of the plan when it comes to its approach to, um, the existing employment sites and-and, um, promotion of new employment land. So, um, we've got, we've got policies which say, well, it's new employment, um, and then we've got enhancing existing employment, and then we've got, um, protection of various sites. Um, so that's-that's the second point, is natural policy sufficiently imbedded in those. Um, there's a very strong current within the MPPF towards, um, promoting, um, business towards making the conditions right for business. Does the, do these policies do that?

Um, and you know, are your policies too caveated? Are they to... Uh, do-do you put too many impediments in the way of those things? Uh, do you have enough regard to the sectors that are likely to be growth sectors? Um, you are protecting other existing employment sites when they might provide, I don't know, I'm-I'm just putting this out there. Are you protecting other existing employment sites, not the key sites, but the other ones, uh, when in fact they might be unsuitable for continued use and might be capable of providing good, um, Brownfield residential sites? So those-those are key questions that I want to pursue. Right. So I will stop there and now I will take your points. Ms. Power.

[(19:49)] [REDACTED] Thank you inspector. Um, that's really helpful context for me. Thank you. Um, I-I said I won't read the paper. Um, from Verve Investments point of view, they-they obviously run, uh, an SME, um, employment site. Uh, it does need to reflect and adapt quite quickly to changing occupy demands. The allocation, I know we're not talking about allocations today, but it, the potential of the allocation is a very helpful step on the way to, for them to make future commitments to expanding the Graylands Estate, particularly, uh, in response to those occupied demands. But without that certainty of an, at a local plan allocation, it is difficult for an occupier or an owner to make that in capital investment. Um, the type of uses on the Graylands Estate fall between, I-I'll call it light industrial, 'cause the Class C classification is too much of a mouthful [laughs], so light industrial B2, B8 type uses. Um, they-they are not at the high end of value, uh, and therefore that certainty in terms of allocations is critical and important.

They see the potential allocation as potentially, um, meeting the needs for the logistics and distribution sector on the Westland and, um, that the rest of the estate can continue and meet that flexible innovative type uses. So being able to provide bigger units plus smaller units and being able to adapt between the two with mergers separations and that flexibility is critical for them to keep making those investment decisions and to keep renewing the estate as it goes forward. Um, I-I-I acknowledge that the council does recognise that it-it, um, regards the Graylands Estate as a-a pretty important employer and contributor in Horsham, but it does need to have that certainty in terms of future allocations. Um, the use classes order doesn't particularly help because there are some uses on there that would fall in Class E. I won't go into the subsections of it.

Um, but when it comes to looking at change of use between that, and we have explored that with the councils a number of occasions, it we are, we are taking to the ropes on that. So that flexibility between mixing between the B2, B8 uses plus the light industrial has been quite a challenge for, for Verve Investments over the years. So-so I think that the-the critical point that we are trying to make on behalf of Verves is that we do need the certainty, and whilst we do question whether the evidence base is up to date and robust and sound, having some certainty on the Westland allocation is very important to them to continue to make that investment decision. Um, so it's trying to sort of balance between is it robust enough and allocating enough to meet the needs of some of those employment sites that will inevitably deter-, disappear over the next few years, and for it to continue to invest in Graylands Estate and meet the new, the new needs and the innovative and changing needs of that employment sector.

The fact that it is on the outskirts of Horsham does help it in many regards because it can accommodate similar generic uses that don't fit neatly into categories, uh, and provide car parking, distribution, et cetera, of-of what, for-for those type of occupiers that can't occupy a town centre or other key employment site location, which might be more constrained with the residential. It... There is a bit of residential on Graylands, but it's managed and controlled so that the two can work together. So I-I think that the sort of the nub of what we're seeking is, um, the certainty on the allocations and then the flexibility within the uses that are identified in these key employment areas. And there will always be inevitably a need for some, um, office space for administrative purposes. And I know there is flexibility to now, um, some form of office use within B1 B2 light industrial uses.

But it-it is, it is those sort of, um, that flexibility and being able to sort of react quite quickly to-to the demands that are coming through, particularly where Horsham isn't one of the sort of key nett importers of employment. Uh, I think it would probably like to aim to be a nett importer rather than just an exporter, but unless it's got the sites and the-the units that can meet that demand, it's probably not gonna compete that well with-with other places such as Crawley. So I think I'm gonna stop there unless you had any questions for me.

[(24:48)] [REDACTED]: Well, I have. Um, so, um, from all that, um, what cha-, in-in a nutshell, what sort of changes then would you suggest ought to be made to the plan to make it if-if you're saying it's unsound because of those things i.e. uh, first of all, your site's not allocated, and secondly, um, there's not enough flexibility in the policy. What sort of changes would there need to be to the, to the plan in the interest of soundness?

[(25:19)] [REDACTED]: I think it's just, it-it's making sure that the-the, 'cause I think the key employment areas are allocated as B2, B8 uses. Inevitably there will be some light industrial uses within the key employment areas and needs to be, um, and [inaudible] generic uses, which are not always well located in other more residential type locations. So it's ensuring that the wording reflects enough of those flexibilities, even if it's in supporting text, because obviously the-the council's trying to protect the B2 type and B2, B8 type uses in the appropriate locations. So it's-it's-it's a careful balancing act, but we are seeking that sort of flexibility to be able to sort of respond to market signals as each occupier comes forward. And-and particularly in for the Graylands Estate which the Westland is identified for expansion, it's the Eastland which could potentially accommodate incubator type units, smaller type units, um, which is again, integrated within the estate.

[(26:28)] [REDACTED]: So you are looking at, um, first of all, the allocation of the estate.

[(26:33)] [REDACTED]: Mm-hm.

[(26:34)] [REDACTED] Secondly a policy which would allow not just B2, B8, but um, Class E

[(26:41)] [REDACTED] Yeah, Cla-Cla-Class E, but it could be, it could be narrowed down to the Class E, G3 if necessary because...

[(26:47)] [REDACTED]: Well-well you could do that, but you can't in a way, because...

[(26:51)] [REDACTED]: Yes, I understand, yes. [laughs]

[(26:53)] [REDACTED] You know, um, it's-it's not developed to go from one bit of Class C to another bit of Class C.

[(27:00)] [REDACTED] No, I understand.

[(27:02)] [REDACTED] Um, alright, we'll-we'll just park that for a moment. [REDACTED]

[(27:09)] [REDACTED] Thank you, sir. I've got two points to make, both of which reflect the comments that you made a moment ago. The-the first point is, sir, that the evidence in relation to, uh, employment land needs is out of date. And I'll explain why in a minute. And the second is that the draughting in the plan, uh, at present doesn't appropriately and satisfactorily reflect national, uh, policy. The-the-the context for both of these points says is obviously is as-as you know, that some of the additional strategic sites have capacity for the co-location of employment land, especially last mile and sub-regional logistics hubs. Uh, and-and clearly there's a need for joined up, uh, thinking and planning between, uh, residential need, need for housing and also, um, ne-need for commercial, industrial and business stand. So if-if the housing need figure is going to be updated, which we know it will be, um, we-we also suggest that the employment need, uh, figure and analysis also needs to be updated so that proper joined up decisions can be made, uh, about how best to plan and co-locate housing and employment.

So that's the context. The-the first point is about the evidence base, sir. And the, uh, evidence base for economic development is found in documents EC 01 and EC 02, um, both of which date from 2020, that there are two fundamental problems with that evidence base. Uh, the first is that the base date for both of those documents is Q3 2020, uh, that was a periods, uh, um, of, uh, sustained and unprecedented supply and then demand shock. Uh, and if you look at paragraph 4.12 of document 0, EC 02, um, it-it tells us, and that's to be to be clear in the context of COVID and the lockdowns, the effect of that supply shock, uh, is said in the report to have had the, that-that the report to have had the effect of reducing forecast job growth for the district, um, by the order of 15% in overall terms, and 42% in B class terms compared to the earlier forecasts.

Um, and so in that context, just so far as the base date for that evidential material is concerned, it would be quite wrong and unsound to use that, uh, as a basis to plan for the whole of the plan period i.e. up to 2040. And-and that brings me to the second problem, which is that the evidence base for employment needs has an end date of 2036. So it doesn't actually reflect the proposed plan period for the plan. So-so-so effectively that the employment needs, uh, and uh, assessment simply hasn't been carried out for the last four years of the proposed plan period. And-and-and in that, in that sense, it is, it-it frankly is the case that there is no evidence not-not-not just no robust evidence or no sound evidence there-there's no evidence in relation to employment leads for that-that-that last four year period.

So tha-that's the first point, the evidence base is out of update. [clears throat] That is a soundness point clearly. Uh, second point, sir, is in relation to, uh, national policy, and again, i-in the context of the September, 2023 framework, um, paragraph, uh, 83, uh, indicates that plans should make provision for clusters or network of knowledge and data driven creative or high technology industries, uh, and for storage and distribution operations at a variety of scales and in suitably accessible locations. And the plan simply doesn't do that. The closest that, uh, it-it-it gets is paragraph 8 of policy 29. Uh, and it-it-it says this, it's very short. It says that, uh, proposals will be supported for business manufacturing, storage and distribution uses in accordance with the spatial strategy and the settlement hierarchy, um, which falls a long way short of actively identifying, uh, a variety of suitably accessible locations for a variety of scales of the type of development contemplated by and referenced in paragraph 83.

Uh, uh, and it-it's a little bit unclear if-if I may say, uh, uh, how-how that policy paragraph 8 would be applied. It just says th-this sort of development is supported when it's in accordance with the spatial strategy and settlement hierarchy. So it's unclear difficult to apply, but in any event, doesn't reflect the aspirations, and they are aspirations to drive economic growth in the framework. And the second policy point reflects, uh, a, uh, point, uh, made by Ms. Power, which is in relation to flexibility. And it's, uh, paragraph subparagraph D of 82 of the September framework, uh, which includes a, uh, uh, uh, an expectation really that policy should be flexible enough to accommodate needs not anticipated in the plan. Uh, and to allow for new and flexible working practises and to enable a rapid response to changes in economic circumstances. And that flexibility currently isn't baked into the draughting. I'm sure that can change it, but it does need to change. Uh, those are our point, sir. Uh, thank you.

[(32:56)] [REDACTED]: Uh, thank you [REDACTED]. Is there anyone else who wants to speak on this topic? Yes, [REDACTED].

[(33:04)] [REDACTED] Very briefly in-in terms of Grayland it-it is mentioned as a site within the-the plan, and it does talk about the B2, B8 and E Class usage, and equally in-in, uh, policy 29, um, it-it seems to be supporting a degree of flexibility. It doesn't word its flexibility, but it supports proposals for those types of uses. So I-I'm unclear where-where that can be improved. I-I guess supporting flexibility is an important point, but I'm still unclear as to-to where it's missing from the current plan.

[(33:46)] [REDACTED]: Um, so what I'm going to do is go back to the council, you can answer these points, but I-I don't think I've quite finished this discussion yet. So if you, if you want just give me some feedback first on what's been said.

[(34:01)] [REDACTED] Um, forgive me. I mean, you may want to direct if you feel I'm not answering the points you particularly wanted to hear, I heard that you were questioning about, um, some existing employment. If it, if it's no longer needed, it may need to...

[(34:20)] [REDACTED]: I-I-I-I'll tell you what, uh, what-what I'll do is I'll-I'll go through the points that...

[(34:25)] [REDACTED]: Okay. Thank you.

[(34:25)] [REDACTED] ... um, hah-have that-that have come up in my head, but also the points that have been made on-on the floor, and then if you want to take them in order, that would, would that help?

[(34:36)] [REDACTED]: That would help, yeah.

[(34:36)] [REDACTED]: Yeah. Al-alright, so, um, so the, I think the first point that's been made, um, which I'd like you like you to address is the, um, the point about the-the age of the evidence base that underpins this part of the plan. Um, o-on that, uh, just-just to comment, um, yes, the forecasts in terms of, um, trends and so on, uh, were definitely rooted in 2020. Uh, and therefore, and I think the study itself recognises it was a [inaudible] but limited weight on that anyway. But, uh, on the other hand, um, it also applies a different, um, growth factor which relates to, um, labour force growth, which is, which is sort of only semi-related. There are other factors involved there. Um, so that-that's the first thing. Would you like to talk about that? Secondly, um, the, uh, the point that I made earlier about, it's not a question of just putting in, uh, let's say growth, the growth needs of the office sector and then subtracting what might be a reduction in the needs of the industrial sector and coming up with a figure, because they would, they could well occupy very different sites and therefore you may find that if you're catering for the needs of one sector, you're not just providing for the balance, you're providing more than that. So that was the second point. Alright?

Um, the third point was the degree to which the policy does or doesn't reflect current, not, it's not just current national policy. Um, as [REDACTED] pointed out, the, there are very similar words in the September, 2023 MPPF as well regarding things like clusters. And we know now that there's a strong in-, impetus towards, um, encouraging growth. We know that things like the office sector has changed and so on. So that-that it's how you deal with that. Secondly, how you deal with the flexibility point. And, um, we've gone two and a half days of hearings before talking about a site, but we've now, we are now, we've now had a site prayed in aid of a particular, you know, given us an example, uh, of a particular issue, which is if-if you are managing, if you're an estate and you're managing an employment site, um, uh, how should the plan allow for a degree of flexibility to encourage vitality, to encourage economic growth, um, rather than throw a number of impediments in the way. So there's that. Um, and I think that's probably enough to be going on for the moment.

[(38:12)] [REDACTED] Okay. Thank you sir. Um, with regards to the age of evidence, I take your point. Yes, it is 20- and others, um, 2020. Um, and it is something which we will update when we have to do the next local plan, but I think it is sufficiently robust for the purposes of this plan. Um, it's not just done in isolation, it's a guide, it's not done in isolation. We have got an economic development team, um, we work closely with West Sussex County Council. Um, there's been liaisons with regards to other authorities in the [inaudible] area. So we have got an understanding of what is happening in Horsham. It has maintained, it has, it has continued to be quite vibrant. It hasn't been significantly affected by COVID like some other, um, locations, I mean colleagues in Crawley, um, with Gatwick Airport that, you know, we are shut down of that. That did have quite an impact.

It... The reverberations didn't affect Horsham the same way. So I think with regards to the evidence that we've got in the economic growth assessments, it is sufficient, um, to direct sort of what we should be looking at over the next few sort of 17 years for or-or at least 10 years. Um, as I say, the evidence, as you pointed out, there's one which is to do, um, with labour supply. There's also, um, economic, uh, sort of the actual past development. Um, and there's the one which Oxford Economics, um, did the forecasting for, and it's the Oxford economics scenario, which is the one which Mr. Mackenzie has picked up on, which did try to reflect the impacts of COVID. And that is the one which is potentially less robust, but the economic growth assessment identifies that as least robust. So then it is looking to the past development rates.

So that's sort of ongoing as sort of what Horsham has seen, um, in the past and projecting that forward. And then the labour supply, which is where we have looked at the standard methodology and then, um, 1200 dwellings per annum and then 1400 dwellings per annum to give a, to give us a good guide over what the employment needs would be in the future for this plan. So I think it-it-it does give us a good guide. We've been in the context of, um, other authorities and guidance from economic development. We've been doing business visits, et cetera, so we are not out of touch with what's happening in the market. Um, and I think, so hopefully that covers the first issue with regards to, um, the evidence base. Um, as I say, I think it is... I mean, we feel it is quite robust and proportionate for this plan period, especially given the new regulations and, uh, expectations of another local plan to be started this year.

Um, with regards to the growth needs of office, um, and attracting needs for industrial, I think it-it-it's not, it's not quite been like that. Um, I think we've-we've picked up that the main need has been for space, for industrial and warehousing and distribution storage and distribution, and that is where we've directed allocations. Office, it has been much more subject to, um, PD rights. Um, and then it's been affected by this Class E introduction of Class E, but I think we are directing office towards the tower centres, um, anecdotally and also in the economic growth assessments, um, that there's still a need for sort of high class grade A office and that is directed towards Horsham town centre. So we are trying to be flexible. We are trying to sort of encourage, um, and promote, um, growth in that sector and we recognise where that should be located.

Um, so it's not just a matter of subtracting and-and fundamentally with those allocations, I think yeah, if it, if it just came down to being allocations for B2 and B8, there would be flexibility for ancillary uses. There always is flexibility for ancillary uses. Um, each application would be judged in its merits. So hopefully with regards to that second point, um, hopefully that-that assess, or-or gives a, pro-provides an answer. Um, with regards to three, the policy isn't felt to reflect the national policy with regards to clusters and judgement of growth. Um, Horsham, it-it-it is not unidentified industrial strategy zone. Um, there is no clear, um, cluster or-or one of the sort eight high growth sectors. It-it is not an area identified in the industrial strategy which has recently been produced or-or produced in November, 2025 by the government. So it-it's not like Crawley where, um, it's allocation at Gatwick Green is, is very much identifying that there was a need, a cluster for, um, logistics and distribution and large scale.

So that is, that allocation is sort of fundamentally very much geared towards that and the larger industrial sort of scale things. Um, with regards to Horsham, we're in the

same functional economic market area. So Crawley would be satisfying that as the dominant commercial centre within the functional economic market area. Whereas Horsham is much smaller scale. We've got micro, um, businesses. 90% of our businesses in Horsham are micro and then I think about 8% are small. So it-it's that smaller scale. It's not big clusters of the eight identified high growth sectors in the national, um, industrial strategy. We have booked sort of some creative industries focus in Horsham, but they're existing. I-It's not necessarily something which we've had evidence and we haven't had, um, promotion from, uh, em-employers seeking a-additional land for any specific cluster. So I don't think our plan is in a position to sort of identify the lo-, land for particular cluster because it's not, it's not a district, um, that-that is of that nature.

Um, and with regards to the last mile, then I think our approach is flexible enough to take that into account. It's not something that should be allocated specifically per sae, um, because I think that doesn't give enough flexibility and there is not enough evidence to say this is exactly where you need last mile logistics or distribution, or we haven't had such evidence. Um, but as I say, I think if additional strategic sites come forward, then yes, you know, we are in agreement with Mr. Mackenzie in that, um, you know, it shouldn't just be housing. I think employment should be coming forward in those locations because it creates sustainable development. Um, but I think, you know, we have endeavoured to be supportive. Um, we do say sustainable economic growth will be supported. Um, we-we try and identify how that would be supported.

Our policies are very similar, um, to our current plan. Um, and that has shown delivery, I think in the topic paper, we show, um, the-the completions that have taken place since the economic growth, um, analysis, which was dated 2019. And despite water neutrality, economic growth has been happening partly because they-they've got larger roof spaces and they can, uh, find onsite solutions. But it does show that our plans are, um, supportive and enabling, um, employment outside of allocations. So I think we-we are meeting, um, the national policy with regards to sort of being positive and proactive and, um, promoting growth. Um, and then the final point is how I took it as flexibility point, um, growth, economic growth rather than impediments. I-I'm not, I-I-I-I'm assuming, um, that could be coming back through to sort of like some our approach to key employment areas.

As I'm aware that there is, um, particularly one in Horsham, uh, one of the key point areas, which is a new key point area. This approach is similar to what we've currently got. Um, I don't know if I can [inaudible] name it, but it's North Heath. Um, industrialist

estate is, would be a new keen employment area, which is one which we're promoting. And I think, um, the landowners there, uh, would rather it not be a key employment error. So it'd be directed by you if you think that's a soundness issue. I think from the council's point of view, it-it's not vacant at this moment in time. Some units are. Um, and I think that it's something maybe for the next plan period to, or-or the next plan to take into account because, um, as, a-as [REDACTED] has said, um, without an element of certainty, it's hard to invest. And I think, and also as what's been said, B2, B8 is another land value. And if we don't-don't seek to safeguard some existing employment in our key commercial area in the district, um, then there's an element of, well, where does that go? Um, and does that mean that our key sort of town within the district becomes less sustainable in that, you know, it can't just be housing and-and potentially I think there's an issue there.

[(48:33)] [REDACTED]: Taking that last point first, um, i-i-if you, if you've got a site, uh, in a particular location, it's got a mix of uses, but there are constraints on the operation of that site, um, the policy doesn't quite fit it. There could be a soundness issue there, couldn't it, because the policy would be ineffective or you'd be preventing development from occurring. That would be in accordance with the NPPF. So there-there's a potential soundness there, but, um, I-I'm gonna ask you to look at that one, because although I've read those representations, um, I need to know more before I can say for sure what I think there. Um, I'm going to open it up again to, we've had only two contributors to-to this discussion. So, um, if either of you want to, uh, say something supplementary to what you've said before, I'm happy for you to do so. [REDACTED]

[(49:47)] [REDACTED] Thank you, inspector. I-I think it's the sort of response, um, goes to the nub of the issue really, which is that because the evidence base isn't up-to-date, uh, we are, we are, we are in a situation, we want our cake and our eat it, eat it in some respect because we want the allocation, we're questioning whether the evidence base is robust enough because of the date of it and the periods of uncertainty it had to deal with at that time with COVID, et cetera. But it still comes down to any employer or owner with land that is at the lower end of value. If it doesn't have that certainty of those allocations, it can't make that commitment to invest in planning applications. Planning applications. Even the fee for a 9,000 square metre, um, allocation, which is what's been identified on the Westland, that's just short of £50,000, and that's just the LPA application fee.

With all the consultants, all the reports, technical, I won't go digress, but that it-it's probably not short of quarter of a million pounds by the time you put your application in

gone through the process, discussed it, agreed it, et cetera. That-that sort of level of commitment can only be invested once the landowner has the certainty of the allocations. And bearing in mind that Horsham is under threat with some of the other sites, and I've seen the representations, uh, for the, I think it's Northeast, um, um, Business Park. Yeah, North Heath Lane Industrial Estate, sorry. Um, where they're seeking removal of that key employment area allocation Graylands could take up some of that slack. It could, if it identified all of the land that's technically Brownfield, and I won't, again, won't digress into site specifics, but it could take up that Slack.

And it would be better for the plan to over allocate than under allocate in order to allow for that flexibility between those uses and sites that might be disappearing over the next five years, 10 years to those sites, which are ideally suited to meet the employment type uses, particularly Graylands and its location, so that there is some certainty. And it, that-that's-that's really the Verve position is it needs the certainty to make the investment. And it has been out to the marketplace, has been talked to agents is wanting to make those c-, those investments to the next stage, but still is reluctant because the local plan hasn't been adopted or found sound to date, and therefore the capital commitment can't be invested just at this point in time.

And the challenge on the-the light industrial Class E issue an estate like Graylands, I mean, it did used to have, and I know PDs coming and my client has probably taken advantage of the PD rights and converted some of what were offices on there to residential, but it does work as a mixed use estate. There's even a cafe, uh, the gym area, et cetera, on the estate. So it's become a-a sort of self-sustaining employment location. in order to grow it needs to continue that flexibility and meet those needs for both the logistics, and the light industrial, the B2, B8, the [inaudible] nearest types of uses because it's ideal being not too lo-, close to residential areas. So I think, I think it's-it's a difficult one in some respects.

I can understand this, the council's position that it's trying to drive through this plan now to give some certainty to give, uh, people like my clients some certainty in terms of allocations, knowing it's gonna have to review the local plan and it's evidence based very quickly and in any event, but at least it provides that certainty for people or clients or my-my client in terms of its investment. But at the end of the day, it, there-there should be no holds barred on just how much our land is allocated for the employment sector, uh, in order to take up what will inevitably change over the next five, five to 10 years on some other sites that, uh, you know, less ideal for the employment market.

Um, so-so I-I'll stop there again so I don't repeat myself, but that's-that's where our position is. Thank you.

[(54:19)] [REDACTED]: Thank you, [REDACTED]. Um, just-just following that up then, um, just, I mean, you are, you would normally allocate a site and a plan if you're proposing, um, new development on the site. Um, this-this isn't quite that, is this sort of an area of change you're talking about really? Is it? Rather than a...

[(54:40)] [REDACTED]: Um, no-no. I mean the-the-the-the... Verve Investments has been promoting this site for quite a number of years, but obviously there's been delays to the plan. The council has identified the Westland for, um, further employment development, which is very welcomed, but it's still not an allocation until it's been found sound. And that's the problem is that the delay that continues with adoption of the plan means that clients like my s-, my-my clients are not able to make that investment because of the significant cost associated with it. And because it's a more of a rural location, it's not in the-the Horsham Town Centre boundary per se, it's considered to be a countryside location on anything outside the existing employment sector on the site that exists. So in terms of expansion, without an allocation and certainty, uh, it cannot-cannot make that investment because it's a-a planning risk.

[(55:39)] [REDACTED]: I-I understand. Um it's interesting we've come down to specific site here, uh, which I've tried, have tried to avoid up to now, but anyway, um, it does, it does raise the... I mean, what is the council's view about, um, allocating a site like that?

[(55:56)] [REDACTED]: I think with regards to Graylands, yes, the Westside has been allocated. It is one of the four allocations. Um, I think Ms. Powers is sort of on [inaudible] that, um, her clients are sort of looking to also have the east of the existing Graylands Estate allocated as well. Um, but when we did a analysis, we felt that the west should come forward first. If there is still a demand for the East, then yes, that could co-come forward in the next local plan. Um, but it's-it's in the rural location at the moment, but once north of Horsham is built out, um, it will be on the edge of the settlement boundary. So I think it's just a timescale. It is quite a large allocation or relatively large expansion of the existing Graylands Estate is-is what has been allocated at the moment in this emerging log plan.

Um, so it is just a-a matter of facts and degree. But I-I think that we are over allocating if- if in-in-in some terms, when you look at the evidence, there is evidence to so-sort of suggest that actually with our existing commitments, there isn't a need for this plan to actually allocate any employment. But I think as a council, and I think in-in recognition of the national guidance, that's not a positive approach. And then looking at, um, as you pointed out at the start, when we look at the labour supply at the highest growth, which is 1400 dwellings per annum, that was tested in the economic growth assessment, then there would be a need for 11.5 hectares. We are looking at allocating 17 hectares, um, because that 11.5 isn't considered to be a flaw if-if that was the need that was sort of identified for the district. Um, but it is to get that flexibility and recognition that there has been latent demand. Um, we don't want to increase out commuting unnecessarily. Um, and also recognition that yes, there are going to be, um, some outdated, uh, employment sites that might get lost. Um, so it is just to give that flexibility. But as to whether we need to then allocate additionally at Graylands is-isn't.

[(58:19)] [REDACTED] You haven't provided me with particularly convincing reasons why you wouldn't do it.

[(58:27)] [REDACTED]: There-there's [crosstalk]

[(58:28)] [REDACTED]: It... You know, because you are considering doing it... Sorry, sorry. Considering doing it to the next round, next round of plan making anyway. So why would you do it, why would you not do it now?

[(58:38)] [REDACTED] There are landscape reasons. It is, there's ancient woodland, um, and also given the-the permitted development rights that have already taken place on that eastern boundary, there is residential. So it, the-the-the, yeah, there's a number of, um, concerns coming forward with regards to the east of the, of yeah, that site.

[(59:03)] [REDACTED] So-so there are some site specific concerns. Presumably, if you are thinking about allocating in the future, you would be thinking they might be mitigated. Um, what I'm going to do, I'm gonna park that one 'cause it's a very site specific point. Um, um, what I'd like you to do, please, is to, uh, liaise on that, um, and see whether you can find a form of words that would allow that site to be brought forward flexibly for employment, but at the same time, um, protecting the issues that you've just alluded to and potentially mitigating impact. Um, so I-I... [REDACTED].

[(59:51)] [REDACTED] Is it appropriate if I just comment, which is that with our evidence base that we submitted with the representations, we did provide an ecology survey, a transport survey, now out to date, both of them in many regards. But we believe there's no actual, um, reasons why the Eastland couldn't be brought forward subject to some mitigation on the landscape edges point of view. I'll stop there 'cause I know it's [inaudible] site specifics.

[(60:19)] [REDACTED] You-you can have that conversation with the council. Um, I'm gonna leave that one there. Um, so that was that particular point. Um, I, Mr. Mackenzie, did you want to come back on the points you made?

[(60:34)] [REDACTED] If-if I may very briefly, sir. Firstly, obviously we-we very much welcome the indication that, um, strategic sites that can accommodate both employment and housing land will be, um, looked at favourably on that metric. Um, that there hasn't, I don't think, been a response to the point I made earlier about the end period of the economic needs assessment being 2036, albeit that the plan goes up to 2040, um, in relation to paragraph 83 of the September, 2023 framework. That-that just-just to be really clear that-that the point that I was making is that the emphasis in that policy is on, um, it-it-it-it is on allocating sites in suitably accessible location. So the-the focus is on accessibility. Um, whereas at the moment, policy 29 places the focus on the settlement hierarchy, and those are not entirely the same thing. Um, then the-the-the point was made that the employment strategy in the proposed plan is largely the same as in the existing development plan.

And so that perhaps is an indication that the plan hasn't been ambitious enough and doesn't reflect the growth aspirations of the September '23 framework, let alone December '24 and the draught framework. And in-in relation to flexibility, so I don't, I don't think it would be helpful to go into the weeds and show you all the bits in, um, policy 29 and 30. Um, so I'll leave that to you. But I mean, o-one example is the-the policy in 82D requires, um, rapid... a-a-a-a, an ability to rapidly respond to changes in economic circumstances. And ju-just by way of one flag, there's a requirement in subparagraph 7 of policy 30 for marketing to take place for a year, uh, where alternative uses are proposed. Um, and that that clearly is just a one example of where a rapid response to changing circumstances to just, just would be precluded outright by the policy.

[(62:45)] [REDACTED] Thank you, Mr. Mackenzie. Um, yes. Can you respond to the point about the end date? 'Cause yes, the evidence base went up to 2036, uh, '36 or '37, didn't it?

[(63:06)] [REDACTED] Um, well, the evidence base was 2019 to 2036 to begin with. Then with the focus update, it extended it to 2037, so 2019 to 2037. So, um, so there is an element of, yes, it doesn't cover the-the, uh, in essence or, you know, if you're taking a very, um, clear cut sort of line and it doesn't cover the-the final three years, but I think it gives us the sufficient guide, um, for a period of time. So 17 years, if not 18 years, how much employment should be coming forward. Um, and we are more than covering that, uh, when we take into account the commitments that have come forward. And I think with regards to accessibility, um, our location, the-the allocations, the fuller allocations that we've put forward are in highly accessible, um, locations that are off the-the main roads, the A roads. Um, so we-we have taken that on board with regards to the MPPF and I think with regards to hierarchy, um, that, you know, that's understood, but I think if it's close to settlements as well, um, that equally makes it accessible to-to the workforce.

[(64:31)] [REDACTED] Yes. Uh, on-on that particular point, I'd ask you to look at the wording of policy 29 in relation to, um, whether it ought to be talking about highly successful, uh, sorry, suitably accessible locations, um, rather than linking to specifically to the segment hierarchy. But that's something you can look at. Um, the... What-what I do think is, first of all, the-the-the end date, and I appreciate that it, you know, the work goes up to 2036, '37. I think in an ideal world, yes, I'd ask you to, I... but we are not in an ideal world. And, um, I think there is enough evidence to go on to give an indication of what is actually required, which will be updated anyway, because you'll be looking at, um, or you'll be revisiting the labour supply in relation to the uplift, although you, the figures that you've used, of course, the high growth level tend to reflect that anyway, but you-you'll be revisiting that in any case, won't you? And there'll be an opportunity potentially to provide additional employment sites within any new strategic allocation.

So again, just exactly what I said right at the start, we're in, it's the art of the possible here. Alright? Um, what I do think you need to do is just to have a look at the wording of policies, um, 29 and 30, um, and try to align them more with the exhortations in, um, not only the MPPF by which this, um, plan is-is assessed against, but also potentially development management policies coming down the line as well. So, um, that would be ex-, an extremely helpful exercise if you could do that, um, because I do think that there's a need to, um, show a greater degree of encouragement within the policy with

fewer impediments and a, and a, and a more positive approach to flexibility in response to changes in the market. Um, and I think, uh, if you were to do that, and I-I-I appreciate what you're concerned about that you-you-you potentially lose employment through a greater flexibility, but actually equally, there's an opportunity if you provide the right conditions to enhance your employment base.

Um, the, there wa-... another point that was made earlier was the range of sites that site sizes and so on. That was a, that was a point that was made. Now I appreciate your response on that, which is that you're actually close to Crawley, uh, and you can't take individual authorities in isolation, particularly here. Um, Crawley does provide a-a-a range of sites, including some large sites, different, um, different needs, different demands there. Um, so I can understand that the, um, the employment market in Horsham is-is rather different from that. Um, nonetheless, there needs to be some recognition of that. The, um, need to provide a range of sites appropriate for different, um, economic activities, which would be, um, the kind of economic activities that we would be attracted to at Horsham District.

Um, I-I would like you also to look at, um, the representations in relation to a particular site where, um, it has been flagged out that up that with existing re-restrictions, policy restrictions, uh, there's a significant chance of vacancy over the next few years. They do need to look at that. I'd like to have a response to that. That's-that's actually one of the, um, submitted hearing statements, but I don't think the particular promoter is here. Um, but I'd like a response to that, please. Um, now what-what's it gonna be about? Go on then.

[(69:23)] [REDACTED]: In relation to what we've been talking about, uh, there are, there are three points I wanted to make. Uh, first of all, in relation to, uh, the location of these commercial units and, uh, Horsham, uh, implied that, uh, access to major road network was important in the last statement. Um, but the, we've got, um, sites in the existing, uh, framework such as North Horsham clearly identify a large, uh, commercial area that has direct in and out access to the main A24 network. But in-in the new one, the strategic site west of [inaudible] is allocating commercial units where the only exit is onto narrow country lanes or through, uh, residential areas, which is, you know, and this implies that they're looking at the-the strategic sites without any view to how those commercial vehicles are gonna get in and out of the major road network, which is, I thought, a-a major flaw in-in what's being proposed.

The-the other points are in relation to, we've been looking at commercial aspects of things we've ignored the, uh, importance of, uh, farming in-in terms of the-the-the overall commercial aspect of-of Horsham, which is a-a large percentage. And-and you're talking about, um, bringing individual sites forward. Uh, I'd argue that in the case of Graylands, what's been proposed so far in the plan makes sense, uh, expo-, expanding that beyond that, at this stage, you are going to be using up, uh, a-at the moment valuable farmland that's being used for food production. So, uh, when-when the North Horsham development comes across and that land becomes less and less useful, then-then it makes sense to look at those things. I think Horsham's approach in terms of pushing off that further development, until we understand what all the changes are that are gonna come down the road makes a great deal of sense, so I'd argue in favour of-of their decisions on that.

And then my last point is that you-you seem to suggest that the conversion from, um, industrial to the office and like commercial was-was not an easy task. But I think the important thing, and I-I have direct experience of this in the past, that, uh, certainly conversion from large scale commercial, uh, industrial to smaller light industrial and-and office space is fairly straightforward. The worst part of it is clear up at the site. Uh, but-but otherwise your location and all the facilities are there because usually power and all of those sorts of things are much more, uh, intensive in the-the-the higher commercial, uh, industrial sites. Uh, so I think that-that-that that level of flexibility that Horsham has-has allowed for, it seems to me a-a valid point. And I think it, things can change very quickly just in terms of the-the-the clear up and the replacement. And those sites are generally located in places where people are already expected to commute and the-the access to them for the-the workforce is already there. So I think that you need to be a little bit more, uh, accepting of-of the-the-the capability of-of flexibility for existing sites. Tho-tho-those are my only points.

[(72:44)] [REDACTED]: Tha-Thank you very much, [REDACTED]. Um, let's, le-let's take that particular point about, um, uh, access to strategic sites. Now, um, at some point down the line, I'm gonna be holding hearings on strategic sites anyway, so I'll be wanting to look at that kind of thing in connection with, um, the, uh, master planning of those sites and how-how they would work in terms of transport and so on. So that is, I think by and large one for down the line, but it's worth backing up now. So I'll put that one back to the council. Um, suit-, you know, you're, you, you're allocating employment land within, uh, strategic sites. Um, what about the access arrangements?

[(73:42)] [REDACTED] Um, I can, so I think what I can say is that yes, that is something that, um, has been looked at as we consider the allocations. Um, obviously we're not talking about, uh, sites and-and site allocations today, but, um, I think, uh, reference to the, uh, policies we propose on those sites would demonstrate that they are fully considered. Um, and yet we can discuss the merits or otherwise, uh, of-of that, uh, survey to date as you suggest.

[(74:12)] [REDACTED]: Thank you very much. Um, I-I-I think we'll leave that one at the moment 'cause we will be coming back to that. Um, are there any other points on, uh, this particular matter? I'm looking around the floor. So what I've got coming out of this is, um, we-we have to work with what we've got in terms of evidence based. I'm-I'm-I'm content to do with that, recognising that it's not ideal. Um, I think that, uh, the fact that the council have, um, based their approach on different, um, labour market scenarios helps, it helps a lot because, um, it provides an alternative basis for looking at, um, growth other than trends which might have been affected by-by COVID. So I think we can, um, reasonably rely on that. Uh, but also recognise that the council are not doing this in isolation, but are, um, you have an economic development officer and, uh, you, uh, generally in, uh, uh, have a general understanding of the current market. Um, the, um, the figure that you end up with in terms of your allocations is likely to go higher than what you've got at the moment.

It's likely to be higher than your 17 point, correct? It's your 17 hectares, simply because you'll be allocating additional sites simply because, um, the labour market figure will change. But we'll s-, we'll see where that goes. And that's a piece of work that you'll be, you're gonna be doing. Um, I want you to talk to the site promoter in relation to Graylands. I'm not gonna go any further on that just now. That's something that, um, uh, in-in view of what I've heard around the room, I want to see whether that's a feasible proposition at this stage, at, in this plan. Um, and whether that would actually allow for additional flexibility and it allow the development, future development to that site in a positive way. We, you know, we need to approach this in a very positive way.

Um, the policies in the plan itself, um, do need, I think to go further in reflecting, um, current government, um, the government, current government's very positive approach towards fostering, uh, business and economic development. Um, it's not just in the current, so in the emerging MPPF, but this has been in the MPPF now in the last, um, three iterations at least. So, uh, it-it, there needs to be more in there about that and there needs to be more about, um, the ability to, um, take account of innovations, uh, and-and to be flexible to market changes.

[(77:27)] [REDACTED] So we can certainly do that. Um, and, um, we will provide, uh, you in due course with some, um, proposed modifications to that effect. There's any one thing I would, um, suggest, however, um, it's been suggested by [REDACTED]. Um, I think by implication, um, that in order to have that flexibility and um, um, and also to-to do what government guidance says must be done, um, we need to deal with accessibility in spite of the spatial strategy. And I don't read government guidance to say that you-you [inaudible] the spatial strategy. Um, we need to be able to make sure development is in line with the spatial strategy and the settlement hierarchy in order to maintain that kind of discipline, but to make sure that within those parameters there is sufficient flexibility to give rise to innovation and provide that flexibility. That's the only point I would caution them.

[(78:45)] [REDACTED] Uh, uh, and it's a fair point. So the-the-the spatial strategy itself ought to imbed those principles.

[(78:51)] [REDACTED]: Exactly sir.

[(78:52)] [REDACTED] Uh, and if it does, then that's-that's fine.

[(78:55)] [REDACTED]: That's-that's exactly, sir.

[(78:57)] [REDACTED] Yeah. Um, that comes to the end of, uh, the topic this afternoon. Um, tomorrow we've got a-a meeting about, uh, programing. I won't talk about that, we can, we can deal with that when it comes. Um, do I need to go through all the points that I made yesterday? I don't.

[(79:25)] [REDACTED]: No sir.

[(79:25)] [REDACTED] So, and you've made a note of the points I've made today.

[(79:28)] [REDACTED] Yes, sir.

[(79:29)] [REDACTED] So I don't need to reiterate those now.

[(79:31)] [REDACTED] No.

[(79:32)] [REDACTED] Uh, [REDACTED]

[(79:35)] [REDACTED] I was just going to add in sir, obviously we've been taking a note of those, um, points. Obviously we'll share them with yourself and then I think the expectation is they would go on the website. I just thought it'd be helpful for that to be clarified for everyone in the room.

[(79:48)] [REDACTED] So what I think you should do is to make a note of your understanding of what the points are and share them with me first through the programme officer. Uh, I will then agree them and then they could go on the website. Um, although there is a way of doing this, which is once we've agreed them, for me to incorporate them in a letter to you, alright? Which I think is my preferred way of doing it. Yeah. It... You won't have to wait long for the letter. It's all right. Okay. Are we all done? You've had this, all the say you want to say. Alright. Very good then. Then thank you again everybody for your help and, uh, I look forward to seeing at least some of you, um, tomorrow at 10:00, I think it is, isn't it? Okay.

[(80:52)] [REDACTED] Thank you, very much.

[(80:53)] [REDACTED] Thank you too.

[END]