



PLANNING COMMITTEE REPORT

TO: Planning Committee

BY: Head of Development and Building Control

DATE: 7th July 2026

DEVELOPMENT: Outline permission for erection of buildings for Eg(iii)/B2/B8 use with associated yard areas, vehicle parking and access. All matters reserved except access.

SITE: Land South of Billingshurst Business Park (Phase 3), Hilland Road, Billingshurst, West Sussex

WARD: Billingshurst

APPLICATION: DC/26/0033

APPLICANT: **Name:** Dunmoore Group **Address:** Armstrong Rigg Planning, The Exchange, Colworth Science Park, Sharnbrook, Bedfordshire, MK44 1LZ

REASON FOR INCLUSION ON THE AGENDA: The application represents a departure from the development plan

RECOMMENDATION: To approve outline planning permission subject to the completion of a s106 legal agreement and appropriate conditions

1. THE PURPOSE OF THIS REPORT

- 1.1. To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.2. The application is made as an outline application covering a site area of some 1.3ha, for the delivery of some 4,558sq.m (GIA) of employment floorspace within use classes E(g)(iii), B2 and B8. Access and parking to serve the site would be delivered from the extended Billingshurst Trade Park estate road which currently terminates at the northern side of the adjacent DW Nye plot (Unit 12 on plan).
- 1.3. Although the design and layout of the proposed units would be secured under subsequent Reserved Matters (RM) applications, the indicative Proposed Block Plan (D-101-PH 3-TP-PBP-01) indicates a potential layout of two groups of units labelled as blocks 17 and 18. Block 17 is clustered to the west of the site, with parking indicated in the east, south and west sides and its northern elevation facing onto the Trade Park land to the north. Block 18 appears orientated along the eastern boundary with all of its parking and delivery space along the western side.
- 1.4. There are no indicative elevations, sections, levels or landscaping provided.

- 1.5. This application forms the third of three applications on the site and adjacent Trade Park. The first, DC/25/1910, sought outline planning permission for up to 125 homes on the adjacent 'Phase 2' land to the north. The second, DC/25/1697 sought outline planning permission for up to 102 homes on the same 'Phase 2' land alongside outline planning permission for 5,605sqm of E(g)(iii), B2 and B8 units on the current application site, and full planning permission for 1,338sqm of E(g)(iii), B2 and B8 units on land between. Both applications were resolved to be granted subject to the completion of s106 legal agreements at the 28th April 2026 Planning Committee meeting. To date the s106 agreements have not been completed therefore the respective planning permissions have not been formally granted.
- 1.6. As a result of there being three applications submitted in a similar timeframe, there are a number of errors in the current submission which refer to matters contained within the other two applications. These have been corrected as follows:
- *The submitted DAS refers to the 'mixed use' scheme submitted under DC/25/1697, covering larger site area than the current proposal relates to, including residential*
An updated DAS has been received (07.04.2026) to refer to the application site only
 - *The plan indicated in the Arboricultural Assessment presents a different layout to that of the proposed block plan*
An addendum has been received (01.04.2026) to address the layout
 - *The submitted Air Quality Assessment appears to include mitigation measures and damage cost analysis for a scheme which includes residential development and a different quantum of commercial floorspace (as for DC/25/1697)*
An addendum has been received (02.04.2026) to address this with a calculated damage cost of £7,598
 - *The submitted Transport Assessment appears to refer to an alternative proposal which includes residential development and a different quantum of commercial floorspace (as for DC/25/1697)*
An addendum has been received (09.03.2026) to address this, noting that the proposal would not increase vehicular movements over and above those considered under the hybrid application DC/25/1697
 - *The submitted Preliminary Ecological Appraisal covers the application site as well as land to the north (Phase 2)*
 - *The submitted FRA also refers to a scheme which includes residential development and a different quantum of commercial floorspace (as for DC/25/1697) – attenuation areas and cellular tanks appear to be located in areas that are different to the submitted proposed block plan*
An addendum has been received (02.04.2026) to address this, with the revised drainage layout showing a new Swale along the northern boundary with Phase 2
 - *The submitted Noise Assessment refers to a scheme which includes residential development and a different quantum of commercial floorspace (as for DC/25/1697) – the masterplan also differs presenting different noise environments. Furthermore, it references the adjacent site under DC/25/0458 as still being a 'live' application and therefore does not take account of any conditions imposed on that permission to limit noise*
An addendum has been received (18.03.2026) to address this, referring to updated noise surveys carried out
 - *The submitted LVIA covers the whole of the Phase 3 land as presented under the refused and appealed application DC/21/0748. Furthermore, the plans and sections included in*

the LVIA do not refer to the consented development in the eastern part of the site (as per DC/25/0458), nor are they reflective of the indicative block plan submitted in support of the current outline application. The details presented for Phase 2 have also been superseded in the interim by variations and amendments so that the original LVIA (as presented for the original hybrid application DC/18/2122 is now out of date)

- *The submitted BNG Design Stage Report also refers to the land parcel subject to the consented development to the east DC/25/0458.*

DESCRIPTION OF THE SITE

- 1.7. The application site comprises land to the south of the wider Billingshurst Trade and Business Park (Hilland Farm), which has an overall area of around 8.3ha, split into Phase 1 and Phase 2. Historically, the development of the Billingshurst Trade and Business Park (BTBP) was originally permitted under a hybrid permission DC/18/2122 (June 2019), with Phase 1 permitted in full for the delivery of up to 5,000sq.m of employment floorspace, to assist with an immediate delivery of identified needed commercial floorspace. Phase 2 was permitted in outline only, envisaged to deliver larger units totalling up to 14,075sq.m of employment floorspace, along with a drive-through coffee shop and a petrol filling station with forecourt shop within a longer time-frame. The permitted uses across this site included:
 - B1(c) (Light Industrial Processes, that can be carried out in a residential area without harming amenity – As from September 2020, the use class order was amended, with B1(c) use becoming Class E(g)
 - B2 use (General Industrial)
 - B8 use (Storage and Distribution)
- 1.8. For context, Phase 1 has been delivered with the exception of some 1,160sq.m (GEA) of floorspace, and Phase 2 has been implemented by way of the build out of the petrol filling station and drive-through coffee unit, and the delivery of some 944sq.m of employment floorspace currently occupied by DW Nye only. A drop-in permission for a discount food store (occupied by Lidl) was consented under DC/21/0321, and subsequently built out. The entirety of the BTBP now lies within the defined built-up area of Billingshurst.
- 1.9. Both phases of the BTBP have been subject to various amendments and approvals of reserved matters and conditions, with a number of landscape details to be implemented at the site.
- 1.10. The application site lies to the south of the BTBP, and occupies part of a field which lies between the BTBP (to the north) and the A272 / Hilland Road and pylon corridor (to the south), with a site area of around 1.3ha. As referred to above, the application site is subject to an alternative application with has a resolution to grant consent subject to the completion of the associated legal agreement, for a proposal involving both housing and commercial employment floorspace under DC/25/1697. This alternative application was submitted in hybrid form, with Full consent sought for 1,338sq.m of employment, and outline consent sought for up to 102 dwellings on land to the north within Phase 2, and up to 5,605sq.m of employment floorspace on the same parcel of land as the current application being considered (both in Outline only). This alternative proposal was considered by Members at the committee meeting dated 28th April, 2026, and remains pending given delays in completing the associated legal agreement. At the same committee, another outline consent was considered by Members for an overlapping proposal for up to 125 dwellings on land entirely within Phase 2 under DC/25/1910.
- 1.11. The current application site is referred to by the applicants as 'Phase 3', falling south of the defined BTBP and therefore in the countryside. The following site constraints are noted:

- HV line of pylons which run diagonally across from the Phase 1 site, across the southern part of Phase 3 and continuing beyond to the south-east.
- Hilland Road (A272) to the south, which is separated from the site by a retained farm access to Hilland Barns and an earth bund which extends west.
- Permitted consent for the erection of a new custom coachworks and yard area (under DC/25/0458) – located on the eastern part of Phase 3. Beyond this lies PRoW_1942. Outline permission for up to 117 units has been secured (at Hilland House under DC/24/0749) to the east of the PRoW.
- Hilland Barns adjoins the narrow western tip of the site, which benefits from extant permission for the replacement of the disused agricultural barns and the erection of new small-scale commercial / employment units (under DC/23/2103)

2. INTRODUCTION

STATUTORY BACKGROUND

2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

National Planning Policy Framework

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 4 - Strategic Policy: Settlement Expansion
 Policy 7 - Strategic Policy: Economic Growth
 Policy 9 - Employment Development
 Policy 24 - Strategic Policy: Environmental Protection
 Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
 Policy 26 - Strategic Policy: Countryside Protection
 Policy 31 - Green Infrastructure and Biodiversity
 Policy 32 - Strategic Policy: The Quality of New Development
 Policy 33 - Development Principles
 Policy 34 - Cultural and Heritage Assets
 Policy 35 - Strategic Policy: Climate Change
 Policy 36 - Strategic Policy: Appropriate Energy Use
 Policy 37 - Sustainable Construction
 Policy 38 - Strategic Policy: Flooding
 Policy 39 - Strategic Policy: Infrastructure Provision
 Policy 40 - Sustainable Transport
 Policy 41 - Parking

Billingshurst Neighbourhood Plan (2021):

Policy BILL 1 – Billingshurst Built Up Area Boundary
 Policy BILL 3 - Energy efficiency and design
 Policy BILL 15 - Multi-value sustainable drainage systems
 Policy BILL 17 – Views to St Mary's Church

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 13: The Natural Environment and Landscape Character
 Strategic Policy 14: Countryside Protection
 Strategic Policy 17: Green Infrastructure and Biodiversity
 Policy 18: Local Green Space
 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

Parish Design Statement:

Design Statement for the Parish of Billingshurst

Planning Advice Notes:

Shaping Development in Horsham District (Sept 2025)
 Biodiversity and Green Infrastructure (Oct 2022)

PLANNING HISTORY AND RELEVANT APPLICATIONS

The site is subject to an extensive planning history. The following represents the most relevant to the site's development.

Application site and adjoining 'Phase 2' land

DC/25/1697	<i>Hybrid application comprising: Mixed use development, including detailed permission for means of access and 1,338 sqm business floorspace with the remainder of the development in outline, comprising up to 102no. homes and up to 5,605 sqm of business floorspace (Classes E g (iii)/B2/B8).</i>	<i>Application remains outstanding pending completion of the legal agreement – committee resolution to approve</i>
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Application site 'Phase 3' land only

DC/25/0458	Workshop, storage building with associated vehicular parking, yard area and access.	Application Permitted on 24.04.2025
DC/24/1452	Erection of a single storey building (3,110 sq.m gross floorspace) with ancillary external storage/sales area to accommodate either: 1. employment (E(g(iii)/B2/B8); or 2. retail warehouse use E(a); with associated customer/staff car park, landscaping and two adjoining access roads.	Application Refused on 19.02.2025
DC/21/0748	Outline Application for up to 9,825m2 of Class E (Industrial Processes), B2, and B8 use floorspace with all matters reserved except for access.	Application Refused on 24.09.2021 – <i>Appeal Dismissed 14.02.2023</i>

Adjoining 'Phase 2' land only

DC/25/1910	<i>Outline planning permission for up to 125 homes and associated infrastructure / green space with all matters reserved apart from access</i>	<i>Application remains outstanding pending completion of the</i>
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*legal agreement –
committee resolution
to approve*

DC/24/1452	Erection of a single storey building (3,110 sq.m gross floorspace) with ancillary external storage/sales area to accommodate either: 1. employment (E(g(iii)/B2/B8); or 2. retail warehouse use E(a); with associated customer/staff car park, landscaping and two adjoining access roads.	Application Refused on 19.02.2024
DC/24/0726	Variation of Condition 1 and Condition 65 of previously approved application DC/21/1107 (itself a variation of DC/21/1209, DC/20/0171, and DC/19/1365 of the originally approved Hybrid planning application DC/18/2122 for Detailed planning permission for up to 4,998sqm of B1c,B2 and B8 use floorspace, roundabout access junction from the A29, access, parking, servicing areas and associated landscaping [phase 1]. Outline planning permission for up to 14,075sqm of B1c, B2 B8 use floorspace, petrol filling station with ancillary retail offer and drive through coffee unit, with all matters reserved except for access (phase 2]). Relating to approved plans and planning uses.	Application Refused on 07.08.2024
DC/21/0321	Erection of a foodstore (Use Class E) with customer car park, servicing area and associated landscaping	Application Permitted on 08.07.2021
DC/21/1107	Variation of Conditions 1, 56, 57 and 60 of previously approved application DC/21/1209 which varied applications DC/20/0171 and DC/19/1365 which were themselves variations of the originally approved Hybrid planning application DC/18/2122 (Detailed planning permission for up to 4,998sqm of B1c,B2 and B8 use floorspace, roundabout access junction from the A29, access, parking, servicing areas and associated landscaping [phase 1]. Outline planning permission for up to 14,075sqm of B1c, B2 B8 use floorspace, petrol filling station with ancillary retail offer and drive through coffee unit, with all matters reserved except for access [phase 2]). Amendments to the approved parameter plans, building zones and restriction on mezzanine floors.	Application Permitted on 11.03.2022
<u>Adjacent whole site 'Phase 1 and Phase 2'</u>		
DC/19/1365	Variation of Condition 1 and 36 to previously approved application DC/18/2122 (A Hybrid Planning application comprising: Detailed planning permission for up to 4,998sqm of B1c,B2 and B8 use floorspace, roundabout access junction from the A29, access, parking, servicing areas and associated landscaping (phase 1). Outline planning permission for up to 14,075sqm of B1c, B2 B8 use floorspace, petrol filling station with ancillary retail offer and drive through coffee unit, with all matters reserved except for access (phase 2)) Amendments to Phase 1 units 6-9	Application Permitted on 03.10.2019

to combine units 6 & 7, add a mezzanine level to new unit 6, and alterations to elevations.

DC/18/2122	A Hybrid Planning application comprising: Detailed planning permission for up to 4,998sqm of B1c,B2 and B8 use floorspace, roundabout access junction from the A29, access, parking, servicing areas and associated landscaping (phase 1). Outline planning permission for up to 14,075sqm of B1c, B2 B8 use floorspace, petrol filling station with ancillary retail offer and drive through coffee unit, with all matters reserved except for access (phase 2)	Application Permitted on 10.06.2019
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3. OUTCOME OF CONSULTATIONS

- 3.1 Where consultation responses and representations have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at horsham.gov.uk/planning/planning-applications/view-and-comment-on-planning-applications.

INTERNAL CONSULTATIONS

- 3.2 **HDC Economic Development:** No Objection
[Summary] Comments are the same as provided for DC/25/0458 which would support the needs of local businesses in the District

OUTSIDE AGENCIES

- 3.3 **Archaeology Consultant:** Comment
[Summary] The site is within an Archaeological Notification Area DWS8539 -Multi-Period Site to the East of Billingshurst. A desk based archaeological assessment has been provided that suggests that the archaeological potential is low but that further archaeological investigations are required to clarify the nature, extent and significance of any archaeological deposits.
Condition advised

- 3.4 **Landscape Consultant:** Comment
More information
[Summary]

- Increasingly difficult to understand the relationship between the various development parcels and to identify which elements are being delivered in each phase, as the red-line boundaries are not consistently aligned across the different applications and supporting reports relating to this site and the wider site's applications to the north and east
- The LVIA has been split into two documents to address separate application sites. This approach has resulted in a disjointed mitigation strategy, with the overarching principles established for the northern parcel (Phases 1 and 2) appearing to conflict with those proposed for the southern parcel (Phase 3). The landscape and visual assessment for the area on the edge of Billingshurst would have been strengthened by a single, comprehensive LVIA and a unified application, ensuring coordinated masterplanning and a more coherent design strategy.
- It is acknowledged that the site lies outside the proposed amended Built-up Area Boundary as set out in the Horsham District Local Plan 2023-2040 Regulation 19 and The Billingshurst Parish Neighbourhood Plan (2019-31). However, it is positioned immediately

- adjacent to existing commercial development and proposed development parcels that fall within the aforementioned Built-up Area Boundary. The principle of development on this site could therefore be considered acceptable in broad terms, provided the proposals responds to and aligns with the design principles established for the adjoining northern development site, minimise visual impact from development and open spaces at the settlement edge of Billingshurst, and can be appropriately accommodated in this location without undermining local character and been compliance with Policies 26 and 33 of the Horsham District Planning Framework (HDPF, 2015).

3.6 **WSSC Highways:** More information

[Summary – final comments] Addendum now confirms commercial floor area (4,558sq.m), and connection to Phase 1 and 2 spine road and roundabout. Whilst there has been various planning history surrounding, LHA understand that a commercial unit was approved on the site under DC/25/0458 to which the LHA raised no concern.

- Modelling assessments of Stane Street/New Road/Site Access Roundabout and Hilland Roundabout were undertaken for residential applications DC/25/1910 and DC/25/1697 with modelling scenarios including cumulative assessments of proposed residential and commercial use as well as commercial use approved under DC/18/2122 and adjacent Hilland House residential development (DC/24/0749) thus impact of 4,885sqm of commercial floorspace has already been assessed under previous application. This has been summarised in Table 4.1 with all arms of both roundabouts operating within capacity in 2030 with development scenarios. It is not considered that the proposals would result in a 'severe' impact to operational capacity of the nearby road network.
- LHA are mindful that visibility and highway safety and capacity on to nearby publicly maintained highway network would have been assessed as part of previous applications but it is not clear whether a s278 is required for internal spine road where it adjoins or is this adjoining to privately maintained access road and why a stage 1 Road Safety Audit has not been provided?
- Swept path tracking for all anticipated vehicles showing these can access and turn within all areas of site has also not been provided.
- Technical Note 2532/TN/03 seeks to address connections to PROW 1942 and pedestrian connections from within and around the site. A connection to PROW 1942 will enhance permeability not only for the site but for residents of approved DC/24/0749. It is proposed to surface FP1942 within applicant's boundary to allow access year-round and make accessible for all. Also proposed that permissive rights for cycling should be given and a 3m width provided. Fig 2 shows location where residents from DC/24/0769 could connect to the PROW and it is proposed to condition surfacing and width. WSSC PROW team have been copied into this response to comment on whether the entire PROW route should be upgraded to bridleway to allow cycle use and what mechanism for this is.
- In terms of DC/26/0033 link into PROW 1942 this has not been clearly demonstrated on a site plan.
- Further clarifications requested:
 - Under what application are units 17 and 18 approved and what are the approved roadway/pedestrian footpath links as part of that application?
 - Has the roadway up to this point remained in private ownership?
 - Whether a cycle (and pedestrian) link be provided to Hilland Road
- Travel Plan expected for staff given floor area of 4,558sq.m, noting that
 - 2,000sq.m – 4,000sq.m of B2 use would require a Travel Plan Statement
 - 4,000sq.m + of B2 use would require a travel Plan
 - 3,000 – 5,000sq.m of B8 use would require a Travel Plan Statement
 - 2,500sq.m + of E(g)(iii) use would require a Travel Plan

[Summary, initial comments] Submitted TA refers to a mixed-use development including residential – clarification required on what is being sought. Please confirm if connection is proposed to the PROW_1942, if the proposal is just for commercial, then this may not be

required, confirm how proposal will connect into existing pedestrian / cycle links (Stane Street / Billingshurst). Swept paths to demonstrate all anticipated vehicles can turn on site, why a Stage 1 RSA has not been provided, whether a s278 is required or if internal spine road is to remain private, visibility on to a public highway and forward visibility within the site.

- Parking and layout would be for subsequent RM, but clarity required on the actual nature of the proposal (i.e. commercial and / or residential)
- Trip rates used residential element and original commercial trip rates for DC/18/2122, but not clear what the floorspace is

3.7 WSCC Lead Local Flood Authority: No Objection

[Summary] Conditions required, and evidence that the wider network is able to accept and manage the surface water discharge from this site at RM stage

3.8 WSCC Rights of Way: No Objection

[Summary] This proposed development offers the opportunity to connect to and improve Footpath (FP)1942. Whilst outside the red line boundary, the footpath is within the applicant's land ownership and they have expressed a willingness to both connect to and improve it.

In the event planning consent is granted and this site occupied, it can be reasonably predicted user demand of FP1942 will increase. This will increase the rate of damage to the path surface, so inconveniencing users and despoiling their enjoyment. So existing and future users' enjoyment is not reduced, this path should be improved.

The proposed connection would improve permeability within this location for all the surrounding residents and Public Right of Way (PRoW) users and the proposed surfacing to West Sussex County Council's (WSCC) bridleway specification would increase its year-round usability to those with pushchairs, wheelchairs and mobility scooters.

I note a willingness to improve visibility where needed, width where necessary, remove any obstacles and offer permissive cycle use, all of which would be welcomed along with a connection from this site onto the PRoW.

3.9 WSCC Minerals and Waste Planning: Advice

[Summary] The site does not meet the WSCC threshold for consultations

3.10 WSCC Fire & Rescue Service: Advice

[Summary] Fire Hydrant condition

3.11 Southern Water: Comment

[Summary] Insufficient information submitted. Conditions advised

PUBLIC CONSULTATIONS

3.19 Representations:

Comments have been received from the adjacent landowners / developers of the site at Hilland House (where outline planning permission exists for up to 127 dwellings under DC/24/0749):

- Connectivity between sites presents benefits of cohesive masterplanning, and to residents, customers and occupiers
- Policy requirement to connect into and upgrade the existing PRoW_1942: new 3m wide surfaced path for pedestrians, cyclists, wheelchair users and buggies, established and incorporated into proposals at Hilland House. It would be illogical for these to be terminated immediately prior to reaching a key amenity hub
- Public realm improvements

- Pedestrian and cycle connection previously presented by applicants as part of the appeal at the adjacent Hilland House site, from PRoW_1942 through the land at the BTBP have been considered as achievable and deliverable
- Failure to upgrade and connect the northern section of the PRoW_1942 would likely result in a residual, unmade and unattractive area between the developments, which could over time attract antisocial behaviour and would not support the promotion of sustainable travel to / from Billingshurst village centre, particularly during the darker months

3.21 Parish Comments:

Billingshurst Parish Council: Comment

Neutral response, no reason to object to the plans as submitted

3.22 Member Comments:

None received

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

- 4.1 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.
- 4.2 The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

Rationale for assessment:

- 6.1 Officers are aware that a number of supporting documents were submitted at the start of the application which purport to show an alternative development on this application site, involving the details submitted under the separate hybrid / mixed-use (residential and commercial) scheme DC/25/1697. In addition to the alternative mixed-use / hybrid proposal, there is also the proposal for up to 125 residential dwellings in outline submitted under DC/25/1910 involving the land entirely within Phase 2 of the BTBP (to the north). The status of both of these applications (DC/25/1697 and DC/25/1910) is that they have been considered by Members at planning committee (on 28th April 2026) and both have a resolution to permit subject to the completion of the associated legal agreements (s106). At this stage, both these s106 agreements remain under negotiation and so no formal decision has been issued on either of these alternative proposals.
- 6.2 Addendums to the submitted documents have been received to address the discrepancies in the proposal being sought under this application, and align to the proposal at hand, being commercial development for up to 4,558sq.m of employment floorspace. Officers therefore acknowledge that this presents a lower development quantum than that which has been

considered and accepted under DC/25/1697 (for up to 5,605sq.m), and occupies the same site area with the same highways / estate road connections.

- 6.3 Therefore, as the application is made in outline, with only matters of access being submitted for detailed assessment, officers consider there to be a unique situation applicable in this instance, whereby DC/25/1697, being an alternative scheme with a higher quantum of commercial development, and which carries a committee resolution to grant permission, now forms the basis for assessment.
- 6.4 Detailed matters relating to scale, appearance, layout and landscaping are reserved for subsequent reserved matters applications. All details in relation to the site's layout are shown for indicative purposes only to establish the ability of the site to accommodate the proposed development.

Background:

- 6.5 Key to the original hybrid application for the wider Billingshurst Trade and Business Park (BTBP) (under DC/18/2122, April 2019), was the planning balance which acknowledged the then rural (unallocated) location of the site, and the ensuing landscape harm to the rural village edge, thereby creating an identified policy conflict, balanced against the swift delivery of some 5,000sq.m of employment floorspace (Phase 1), followed by up to 14,075sqm of additional employment floorspace in Phase 2, to be delivered across a longer envisioned time-frame, thus contributing to the district's employment needs and identified employment floorspace shortfall. As Phase 2, was only submitted in outline, it would allow some flexibility in delivering the larger warehouse-style units, alongside a petrol filling station and coffee drive-through unit.
- 6.6 In the intervening period since the hybrid consent was granted, Phase 1 has been delivered with the exception of some 1,160sq.m (GEA) of floorspace within units 1, 2a and 2b. A number of amendments and revisions to the layout of the site and building configurations within Phase 1 have been permitted, but overall, the development as implemented and remains true to the intentions of the original 'full' element of the DCC/18/2122 consent.
- 6.7 Within Phase 2, the consented employment floorspace has been slower to come forward, comprising currently only of some 994sq.m (currently occupied by DW Nye / local builders' merchant)) along with the coffee drive-through unit and the petrol filling station.
- 6.8 The Lidl supermarket permitted under DC/21/0321 (in July 2021) was approved on the understanding that the consented employment floorspace could still be delivered within the remaining Phase 2 land.
- 6.9 Whilst reserved matters have been approved for all units within the remaining Phase 2 site (during 2022 and 2023), followed by the discharge of pre-commencement conditions, none of the remaining units within Phase 2 have been implemented, with the internal estate roads stopping at the developed part of the site's eastern edge (north of Lidl and north of DW Nye).
- 6.10 Following the formal adoption of the Billingshurst Neighbourhood Plan, the wider site comprising both Phase 1 and Phase 2 of the BTBP now falls within the extended built-up area boundary of Billingshurst.
- 6.11 By contrast, the application site (Phase 3) remains outside of the defined BUAB, and therefore is considered to amount to a rural location, which would mean this application is defined as a 'departure' application. However, material to the current planning consideration is that Members have resolved to grant permission in respect of application DC/25/1697 for up to 5,605sq.m of employment floorspace across the same application site.

Principle of Development:

Current Development Plan Policy and 5 year Housing Supply Position

6.12 The development plan relevant to the proposed application comprises the Horsham District Planning Framework (HDPF, 2015) and the Billingshurst Neighbourhood Plan (BNP, 2021). The West Sussex Joint Minerals Local Plan (2018) is also relevant to this proposal, on account of the underlying Brick Clay strata (entire site area). In accordance with planning law, these documents are the starting point for the assessment of the development proposals.

6.13 As explained above, the use of the application site for employment development has been accepted under DC/25/1697, which offered a relocation of a significant portion of employment land from the Phase 2 site onto this 'Phase 3' owing to the shallower land levels which would require less invasive earthworks and retaining walls to implement.

Horsham District Local Plan

6.14 The Horsham District Local Plan 2023-2040 (eLP) is currently at Regulation 19 stage, with examination hearings anticipated to resume in October 2026 following publication of main modifications.

6.15 In respect of employment needs, the eLP identifies the adjacent Phase 2 site as an 'Existing Commitment', seeking to safeguard such 'existing employment sites' under emerging policy 30. The Employment Topic Paper submitted to the examining inspector in March 2026 re-affirms the need to safeguard employment land, support industrial growth and find additional industrial development opportunities, demonstrating a *'strong enterprise performance, rising productivity, a high-skilled workforce, and a relatively strong base of knowledge-intensive employment'*. Key Employment Areas are found to perform well and remain central to meeting business needs within the district. The Topic Paper recognises the importance for safeguarding employment land, but that any potential future shortfall could be addressed through intensification of existing sites or new site allocations. It also sets out that the employment land allocations and strategy set out in the eLP *'demonstrates sufficient employment supply is available over the plan period, accepting some flexibility, and that even taking account of the requirement for additional housing needs, the employment requirement is likely to be more than met.'* (para 34).

6.16 It is noted that the adjoining Phase 2 land is included in a table of sites deliverable for some 6,698sqm of employment floorspace for the period 2032-2036 within Appendix 1 of the Topic Paper.

6.17 Whilst at this stage only limited weight can be applied to the eLP and its emerging policies, the above Topic Papers are nevertheless relevant in identifying both that housing delivery will need to increase, and that the employment strategy set out in the eLP is sufficient to meet and exceed the associated uplift in employment demand.

6.18 These principles were material to the considerations of the alternative proposals under DC/25/1697 and DC/25/1910. Whilst the mixed-use / hybrid application under DC/25/1697 includes the relocation of a significant portion of employment floorspace from Phase 2 onto the Phase 3 land, the alternative proposal under DC/25/1910 acknowledges the loss of employment floorspace from the application site in its entirety, but acknowledges that replacement employment floorspace could come forward separately under the current application DC/26/0033. The current proposal is therefore capable of off-setting a large portion of the 'lost' employment floorspace within the wider BTBP site, thus retaining the potential delivery of employment floorspace within the district, and within a sustainably located site.

6.19 The proposed location of some 4,558sq.m of 'flexible business uses' within 'Phase 3' would require less ground works to facilitate the start of development, than would be required for

the previously consented employment development within Phase 2 of the BTBP, equating to an economically more viable form of development, whilst still contributing towards the delivery of modern employment floorspace within the district.

- 6.20 In addition, the application site now adjoins the defined BUAB on three sides, with an extant planning permission for a new commercial unit and yard area to the remaining eastern side ('EVM' - DC/25/0458). As such the 'Phase 3' land is an island of undeveloped land in a sustainable location surrounded on all sides by development. On this basis it is considered a 'suitable new location' to accord with Policy 9(3).

Conclusion on principle

- 6.21 The outline proposal would help offset the loss of employment floorspace on the Phase 2 land by way of application DC/25/1910, delivering some 4,558sq.m of employment floorspace on what is referred to as the 'Phase 3' land, which currently lies outside of, but adjoining the defined BUAB of Billingshurst, and abuts land with planning consent for a new commercial unit and yard area on its other side ('EVM' - DC/25/0458 – 1,413sq.m). This in effect would reduce the quantum of 'lost' unbuilt floorspace to some 7,110sq.m across the wider site.
- 6.22 Acknowledging the development proposals across the application site and adjacent parcels, it is clear that the proposal would make an efficient use of the land, noting the constraints to all sides of the application site. Officers therefore consider that, whilst the proposal is in technical conflict with the HDPF and BNP by virtue of being an unallocated site outside of the defined BUAB, the proposal is otherwise considered sustainably located for the reasons set out above and therefore can be supported in principle.

Landscape / Trees Impact:

- 6.23 Officers acknowledge the full planning consent that exists for part of the adjacent field (to the east within Phase 3 under DC/25/0458) for a commercial bespoke vehicle customisation workshop and storage yard, requiring vehicular access into the site from the adjacent development site to the north. This extended vehicular access necessitated the removal of one tree within the tree group (T2), which has been accepted.
- 6.24 The policies in the NPPF which consider the impacts of development on landscapes, begin at para 135(c), which requires that decisions should be *'sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)'*.
- 6.25 Chapter 15 (Conserving and enhancing the natural environment) of the NPPF at para 187(a) sets out that planning decisions should contribute to and enhance the natural and local environment by *'protecting and enhancing valued landscapes, site of biodiversity or geological soils (in a manner commensurate with their statutory status or identified quality in the development plan)'*. At para 189, the NPPF goes on to consider that the National Parks, the Broads, and National Landscapes (formerly AONBs) have the highest status of protection in relation to landscape protection. Officers confirm that this site does not comprise a 'valued' landscape and does not fall within or otherwise impact a National Landscape or the South Downs National Park, thus not raising any subsequent conflict with paras 187 or 189 of the NPPF.
- 6.26 Locally, Policy 25 of the HDPF seeks to preserve, conserve and enhance the landscape and townscape character of the district, taking into account individual settlement characteristics, and maintaining settlement separation. Policy 31 of the HDPF sets out support for development proposals that demonstrate that it maintains and enhances the existing network of green infrastructure, as well as requiring proposals to enhance existing biodiversity, and create and manage new habitats where appropriate. Policy 33 of the HDPF states that in

order to conserve and enhance the natural and built environment, developments shall be required to ensure that the scale and massing of development relates sympathetically within the built surroundings, landscape, open spaces and routes within the adjoining site.

- 6.27 The Council's Landscape Consultant has reviewed the proposal, finding that the *'rurality of the site and immediate surrounding landscape has been compromised by the presence of commercial development to the west'* and also that the run of pylons to the south of the site detract from the site's landscape value. The assessment also considers that the proposed units 17, 18 (and 19) would obscure remaining views of the church spire to St Marys and the long-distance views of the South Downs, which conflict with the original intentions and principles established under DC/18/2122 for Phases 1 and 2). There is concern therefore over how the proposal might address or mitigate the potential impact on these views.
- 6.28 Under DC/25/1697, a parameter height strategy proposed a limit of 10m max to the commercial element, which accords with the provisions of the wider consented BTBP, whilst recognising the sensitive edge of the southern side of the site, where the development would be seen against rising ground levels from the A272 road corridor and from the residential development to the southern side of the road corridor. This height strategy was also considered to reflect the consented development to the east (under DC/25/0458) and was deemed to be suitable to manage landscape impacts. Officers therefore see no reason why replicating this height strategy would not be acceptable for this alternative proposal, and therefore recommend conditions accordingly (Condition 4).
- 6.29 The inclusion of additional planting is therefore considered to be essential in seeking to mitigate against the potential visibility of the proposed units, both along the pylon corridor to the south-west of the site, the A272, and along the northern side, by way of the delivery of a green link / GI buffer.
- 6.30 Whilst Officers acknowledge the request for clarification and wireframe views of the proposed development, and the disjointed mitigation strategy presented between the overarching principles for Phases 1 and 2, and those now set out for Phase 3, the principle of employment development on this site has been set by DC/25/1697, and is further set against the consented development of the parcel to the east under DC/25/0458.
- 6.31 Final details on soft landscape, ground levels and layout would be secured under future reserved matters or by way of conditions, to secure the above mitigation.

Trees

- 6.32 Aligned with wider policies which seek to ensure the landscape qualities of the district can be secured, maintained and enhanced, Policy 31 of the HDPF sets out support for development proposals that demonstrate that it maintains and enhances the existing network of green infrastructure, as well as requiring proposals to enhance existing biodiversity, and create and manage new habitats where appropriate.
- 6.33 As part of the alternative proposals under DC/25/1697 and DC/25/1910, the Council's Arboricultural Officer expressed some concern over the development to the north of G2 group (Phase 2), but was satisfied with the development in relation to the G1 tree group (north of the application site), recommending planning conditions to ensure the Root Protection Areas of G1 are properly respected. These conditions (11 and 15) are included below.

Conclusion on Landscape

- 6.34 The resulting development would lead to an appreciable change in landscape character, noting the existing undeveloped nature of the site, particularly given the rural location of the application parcel as it currently exists, and on account of it being set outside of the defined BUAB.

- 6.35 However, in terms of the resulting change of the landscape character, it must be noted that the eastern part of Phase 3 benefits from extant permission for employment development comprising a large open yard area and a sizable warehouse style unit (under DC/25/0458).
- 6.36 When assessed against the alternative development proposal under (under DC/25/1697) the proposed employment development would not result in adverse landscape harm given the consents and existing built development that surround this part of the site.
- 6.37 The assessment made by the Council's Landscape Officer is fully acknowledged for DC/26/033. However, it is also acknowledged that the alternative scheme for the application site has been subject to consideration under DC/25/1697 and now benefits from a resolution to grant permission.
- 6.38 This alternative development would be larger in floor area than the proposal sought under the current application. Given the outline nature of the current application, officers consider that appropriate conditions can be secured to ensure the sensitive edges of the site are fully recognised for their importance to the setting and character, and to ensure that appropriate planting and buffers can be retained and implemented effectively to screen the development in a manner that reflects the expectations of the originally consented scheme adopting 'landscape-led' principles.
- 6.39 Accordingly, subject to these conditions (conditions 11, 15 and 16) Officers consider that the application site can accommodate the level of development without leading to a further level of erosion than acknowledged under the consented scheme, providing the protection of the sensitive edges and implementation of appropriate parameters.

Site Masterplan and Parameters:

- 6.40 Policy 25 of the HDPF seeks to protect the townscape and landscape character of the District, including the landform and development pattern, together with protected landscapes and habitats. Development will be required to protect, conserve and enhance landscape and townscape character, taking account of areas or features identified as being of landscape importance, individual settlement characteristics and settlement separation.
- 6.41 Policies 32 and 33 of the HDPF require development to be of a high standard of design and layout. Development proposals must be locally distinctive in character and respect the character of their surroundings. Where relevant, the scale, massing and appearance of development will be required to relate sympathetically with its built-surroundings, landscape, open spaces and to consider any impact on the skyline and important views.
- 6.42 Although the details of the site layout are reserved for approval at a later date, the submitted Design and Access Statement and Indicative Site Layout provide an indication of how the development is anticipated to be laid out.
- 6.43 As set out above at para 6.28, the height strategy for the alternative scheme under DC/25/1697 accepted a limitation of 10m overall height within this part of the site, and an eaves height of 8m above ground level, combined with the requirement to provide levels details of the existing and proposed ground (under condition 8). Officers therefore consider that the same height restrictions are appropriate, as secured under condition 4.
- 6.44 The external materials are envisaged within the DAS to be '*consistent with the approach taken across the wider business site.... to provide it with a coherent identity*'. Officers consider this to be a logical approach in principle, and would set the expectations of the subsequent Reserved Matters.

- 6.45 In summary, subject to an appropriately designed detailed layout and landscaping plan at Reserved Matters stage, and as incorporated into the suggested conditions, it is considered that the development on this site is capable of incorporating landscaped buffers that appropriately locate the site within its context, and to ensure sufficient space is maintained to the retained trees, incorporating the principles established locally under HDPF policies 32 and 33, and nationally under NPPF para 135.

Highways Impact, Access, Parking and Active Travel:

- 6.46 HDPF Policy 40 states that development will be supported if it is appropriate and in scale to the existing transport infrastructure, including public transport; is integrated with the wider network of routes, including public rights of way and cycle paths, and includes opportunities for sustainable transport. HDPF Policies 40 and 41 promote development that provides safe and adequate access, suitable for all users.
- 6.47 Nationally, paragraph 115 of the NPPF seeks to ensure that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location, and that safe and suitable access to the site can be achieved for all users.
- 6.48 Furthermore, paragraph 117 of the NPPF requires applications to:
- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*
 - b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
 - c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*
 - d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and*
 - e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.'*
- 6.49 Paragraph 118 requires that all developments generating a significant amount of vehicular movements not only provide a travel plan, but also that applications 'be supported by a vision-led transport statement or transport assessment so that the likely impacts of the proposal can be assessed and monitored'.
- 6.50 Policy BILL12 of the Billingshurst Neighbourhood Plan requires the improvement of cycling and walking, and the provision of physically separate walking and cycling routes away from traffic, whilst ensuring that disabled users and users of mobility scooters can access these routes, or that new development provide safe pedestrian and cycle access.

Vehicular Access

- 6.51 Detailed approval is sought under this application for the means of access to the site, which would be by way the existing estate roads within Phase 1, which had been planned to accommodate the traffic associated with the consented commercial / employment traffic generated by the full Phase 2 build out.
- 6.52 The proposed access arrangements to the site from the new 4-arm roundabout at Stane Street / New Road has been accepted by the LHA previously as part of the consented development, noting that there have been no recorded road traffic collisions at this junction within the last 3 years that have been as a result of the design or operation of the existing roundabout.

Trip Rate Generation

- 6.53 The quantum of development is anticipated to generate some 21 two-way vehicle trips (plus 2 HGV trips) in the morning peak and 19 (plus 1 HGV trip) in the evening peak (weekdays), using the standard TRICS methodology. However, this has been derived from a proportionate ratio from that assessed under the original hybrid application for the development anticipated for the entirety of the BTBP under DC/18/2122, which has been extrapolated on the basis of 0.57 / 0.50 movements per 100sq.m of floorspace in the AM/PM peaks.
- 6.54 The same methodology and proportional split was accepted by the LHA under DC/25/1697, whereby the increased commercial floorspace quantum was calculated to generate some 30 two-way vehicle trips (plus 2 HGV trips) in the morning peak and 26 (plus 2 HGV trip) in the evening peak (weekdays),
- 6.55 The submitted Travel Assessment includes junction analysis which has demonstrated that the proposals would not have a material impact on the operation of key location junctions and considers future year scenarios following the inclusion of development traffic. Accordingly, the Local Highways Authority does not consider this to lead to a 'severe' impact on the existing nearby highway capacity, having previously accepted the increased floorspace quantum on the application site under DC/25/1697.

Active Travel / Inclusive Mobility (pedestrian and cycle links)

- 6.56 The principles set out under Active Travel are embedded within local and national planning policies, including LTN 1/20 'Cycle Infrastructure Design', which sets out the expectations for development to incorporate inclusive and accessible design for cycle infrastructure with a view that this is no longer seen as merely a leisure activity, but a viable means of transport in itself. Furthermore, the provision of safe access for all users is embedded in NPPF paragraphs 115 and 117.
- 6.57 The proposal would access the existing pedestrian / cycle link at the southern side of Phase 1 which leads to existing cycling and pedestrian infrastructure serving the village at the north side of the Hilland Road roundabout, which would provide a sustainable access route for prospective employees at the site, by way of the extended estate roads.
- 6.58 In line with para 111(d) of the NPPF, officers note that the site lies in a location that is well-related to the existing settlement of Billingshurst and its available facilities, services and public transport links. The location of the site would therefore offer viable alternatives to car-based travel.
- 6.59 Officers note the representations submitted by the adjacent land-owners at Hilland House, relating to the feasibility of upgrading the northern section of the PRoW_1942 to provide cycle connectivity, a desire which has been echoed by the WSCC PRoW team.
- 6.60 Comments are also noted from the LHA, which present a marginally different conclusion of pedestrian accessibility than the alternative scheme under DC/25/1697. For clarification therefore, there are no plans as part of this application for the site to present new and direct access over adjacent land ownership to Hilland Road to the south, nor does the application seek to establish access across adjacent land outside of the red line boundary (but within the applicant's wider land ownership / blue line) to PRoW_1942, as the application site does not have direct access to this PRoW. Pedestrian / cycle access would be by way of the already established link south from Phase 1, or by way of the existing estate roads onto Stane Street to the west.
- 6.61 Officers acknowledge that PRoW_1942 is to be upgraded in part where it lies within the land parcel of the consented residential development to the east (Hilland House, DC/24/0749), which would then connect to a new pavement alongside New Road to provide pedestrian

connectivity to the west, and pedestrian/ cycle connectivity to the footpath network to the south. Officers also note that under the alternative proposals DC/25/1910 and DC/25/1697, the PRoW within the red line boundary is to be similarly upgraded. The location of the residential element of these alternative proposals therefore renders a clear functional, proportional and reasonable policy-compliant justification for upgrading the PRoW within the site boundary.

- 6.62 The current application does not require any such upgrades by reason of direct lack of connection to PRoW_1942, but instead would provide pedestrian and cycle connections by way of the extended estate roads and the existing footpath link to the south of Phase 1. Officers consider this to be a proportionate response to providing sustainable access for prospective staff and visitors to the hereby proposed commercial units in accordance with the guidance set out in 'Inclusive mobility', Active Travel, para 111(d), and 115 - 118 of the NPPF.

Parking

- 6.63 Policy 41 of the HDPF states that adequate parking and facilities must be provided within developments to meet the needs of anticipated users, with HDPF policy requiring safe, convenient and visually attractive areas for parking vehicles and cycles without dominating a development.
- 6.64 As the proposal is for outline permission, details regarding the layout and exact numbers of proposed parking spaces, cycle parking spaces, and EV provision, is not indicated in this application, and would be fixed once the exact dwelling quantum and layout is resolved at subsequent Reserved Matters stage. Indicative plans show that parking could be delivered to all properties by way of a mix of tandem spaces and parking courts, and that therefore, there is no reason to believe that sufficient onsite parking for vehicles and cycles could not be provided, to levels set out in the WSCC Parking Guidance.

Conclusion of Access, Parking and Active Travel

- 6.65 Paragraph 116 of the National Planning Policy Framework states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. Based on the information submitted and subject to conditions, and a suitable legal agreement (to secure Travel Plan Monitoring), WSCC Highways are satisfied that the development would not result in any unacceptable safety or otherwise severe impacts, and would provide for appropriate sustainable transport choices in compliance with Paragraphs 111(d), 115, 116, 117 and 118 of the NPPF. Officers have considered the representations received and have no reason to disagree with this conclusion and, as explained above, do not consider that upgrades to footpath PRoW_1942 to the northeast of the site are necessary in planning terms to make the development acceptable.

Residential Amenity:

- 6.66 Policy 33 of the HDPF requires that development is designed to avoid unacceptable harm to the amenity of occupiers / users of nearby property and land. Paragraph 135(f) of the NPPF seeks to ensure that development '*create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience*'. Policy 32 of the HDPF, further, seeks to ensure that development provides an attractive, functional, accessible and adaptable environment.
- 6.67 A landscape buffer has been shown on the indicative layout plan to all sides of the proposed development, which would provide some screening from the impact and proximity of Hilland Road to the south, and from either commercial or residential development to the north (on

Phase 2 land) whichever might come forward. Further planting, levels, layout and boundary details would be provided within subsequent reserved matters applications.

- 6.68 Officers express some concern over the potential proximity between residential properties within the alternative scheme under DC/25/1910 and the proposed commercial development. Whilst officers recognises that the layout would not be fixed as part of this application, reference is still to be had to para 200 of the NPPF which states:

“Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.”

- 6.69 Officers note that the Lidl supermarket on the adjacent Phase 2 land to the north may operate machinery and carry out deliveries and dispatch operations between the hours of 07:00 – 23:00 Mondays to Saturdays, and between 09:00 – 20:00 on Sundays and Bank Holidays. More widely, Phase 2 consents restrict hours of external operations (including deliveries) to 07:00 – 23:00 Mondays to Saturdays, and 09:00 – 16:00 on Sundays and Bank Holidays. The more recently consented employment unit to the east of the site (under DC/25/0458) can operate external functions and deliveries on site between the hours of 07:00 – 23:00 Mondays to Saturdays and 07:00 – 20:00 hours on Sundays.
- 6.70 The submitted Environmental Noise Assessment (6th October 2025) and Technical Note (9th March 2026) considers the noise from existing commercial premises on the proposed residential properties, noting a number of noise-related conditions on the original planning consent for the wider site, which as a result leads to *‘very little activity at the existing business units during the night-time period (23:00-07:00 hours)’*. The noise surveys undertaken in 2018 (pre-development) noted the background noise levels being low during the night-time period, when traffic along the A29 would be at a reduced level. Repeated noise surveys undertaken in 2025 revealed that night-time background noise levels remained similar to the pre-development levels, leading to the conclusion that the as-built development has had *‘very little impact on the measured noise levels’*.
- 6.71 The Assessment also recognises the development of unit 35 (as per DC/25/0458), is to be controlled via planning conditions which are commensurate with those imposed on the wider commercial development of Phases 1 and 2, with potential screening secured under subsequent detailed matters if required.
- 6.72 The Council’s Environmental Health officer reviewed the details associated with DC/25/1697 and DC/25/1910, recognising that the submitted report did not identify any significant adverse noise issues arising from the existing operations of the Lidl delivery bay and the petrol filling station, against the ‘agent of change principles’ in relation to the residential units proposed under those applications, but also noting the proximity of those residential receptors to the commercial units proposed to the south on Phase 3 land (as per the current proposal).
- 6.73 Overall, officers consider that concerns regarding the proximity of the proposed business and commercial uses to existing and proposed residential receptors can be suitably controlled by way of conditions and under the subsequent reserved matters and detail stages. This includes replicating the hours of operation and limits on external activities granted on the adjacent commercial sites (conditions 25-28).

Drainage and Flood Risk:

- 6.74 The Environment Agency Flood Maps show that the application site is located within Flood Zone 1, indicating that it is at a very low risk from river flooding. In terms of surface water

flood risk, the EA mapping data shows very low risk of surface water flooding (0.1% annual risk). As a result, Officers confirm that a flood risk sequential test is not required.

- 6.75 The Lead Local Flood Authority (LLFA) seek to ensure that the development will be safe for its lifetime and will not increase flood risk elsewhere, in accordance with NPPF Paragraphs 181 and 182.
- 6.76 The LLFA has reviewed the submitted information submitted which sought to address the comments raised previously by the LLFA, and are now in agreement that suitable technical details for this the proposal can be secured by condition. Appropriate conditions are therefore recommended to ensure that the measures to ensure the surface water drainage details are secured at the appropriate stage. Subject to these conditions the proposal accords with policy 31 of the HDPF and Chapter 14 of the NPPF.
- 6.77 In terms of foul disposal, the submitted drainage strategy sets out that all foul water will be disposed via connection into the existing Phase 1 foul system. Southern Water have not identified any foul capacity issues in the area, either in response to the current application or the alternative applications under DC/25/1697 and DC/25/1910) and therefore this approach is considered acceptable.

Ecology and Biodiversity:

- 6.78 HDPF policy 31 sets out the principles of maintaining and enhancing existing networks of green infrastructure, biodiversity, and woodland, along with introducing compensatory ecological mitigation measures where appropriate. The mandatory national requirement in relation to delivering a 10% BNG applies to this application, and it is noted that the current proposal is seeking to incorporate biodiversity net gains over and above the pre-existing baseline well in excess of the 10% national requirement. This is discussed in more detail later on in this report.
- 6.79 Paragraph 193a of the NPPF indicates that when determining planning applications local planning authorities should ensure that if significant harm to biodiversity resulting from a development cannot be avoided adequately mitigated or, as a last resort, compensated for, then planning permission should be refused.
- 6.80 The application is supported by a Preliminary Ecological Appraisal (All Ecology, September 2025), which has been reviewed and assessed by the Council's Ecologist, alongside the concurrent details reviewed as part of DC/25/1697 and DC/25/1910. Subject to adequate avoidance, mitigation and enhancement measures (including use of native species of trees and species-rich hedgerows, wildlife sensitive lighting, new bat tubes, panels and bird boxes, secured via suggested conditions, there would be no objections to the proposed development. Subject to these conditions the proposal would also result in no adverse impacts on the Mens SAC as concluded within the completed HRA appropriate assessment.
- 6.81 The Impact Risk Zones for Great Crested Newts identifies that the site falls within a green zone, presenting a low risk areas for GCN. As such no mitigation for GCN is required.
- 6.82 Accordingly, the proposal meets the criteria set out under HDPF policy 31, and would contribute towards the enhancement of existing biodiversity, and would retain and / or enhance significant features of nature conservation.

Biodiversity Net Gain (BNG):

- 6.83 Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This requires that development must achieve at least 10% BNG on all habitats within the development site.

- 6.84 The Applicant has submitted a Biodiversity Metric as part of this application, which notes that the proposed development would result in a net loss of on-site habitats and a net loss of hedgerow habitat, with no opportunities available on site to provide for the required Biodiversity Net Gain. The Council's BNG Ecologist has raised concern that the submitted baseline position is incorrect, given that most of the site comprises grassland, which therefore makes it difficult to establish a future baseline in order to calculate the current BNG units. The current disparity arises on account of the applicant's assertion that the survey time for grassland is Summer (typically June / July), whilst the Council's BNG Ecologist is of the opinion that whilst Summer is the optimal survey time for grassland. The Council's BNG Ecologist it is of the view that grassland can be surveyed at any time during the year, and that in this instance, there is nothing to suggest that this parcel of grassland is of such exceptional value to warrant a deferral of survey until the optimal time. The Council's BNG Ecologist has raised an objection accordingly.
- 6.85 It would normally be expected that the baseline is agreed prior to development commencing, as good practice so all parties are agreed as to precisely how much BNG mitigation is required on and/or offsite. It is therefore unfortunate that agreement on the baseline cannot be reached at this stage.
- 6.86 The Applicant has confirmed that, irrespective of the site's baseline condition, the proposed development would achieve mandatory BNG by way of the purchasing of off-site units/credits, which would be evidenced through the discharge of the statutory Biodiversity Net Gain Plan condition. Given the illustrative masterplan includes development across much of the site, it does not appear to officers that the proposal would be capable of delivering significant on-site BNG, although there is some ambiguity here given the baseline position and the submitted technical note which states that the proposal will '*maximise opportunities for on-site retention and enhancement*'. It is suggested that, given this lack of clarity in relation to the baseline and on-site habitats, a HMMP condition be applied.
- 6.87 Whilst it is regrettable that a baseline has not been agreed, in this case given it is highly unlikely that significant onsite gains will be achievable, and given the applicant is committing to achieve BNG through the purchase of offsite units/credits, planning officers are satisfied that the statutory BNG condition is capable of being met. For the avoidance of doubt, an informative is recommended, as set out below, to clarify that the submitted baseline is not accepted, and that failure to agree the baseline will result in Council being unable to discharge the statutory BNG condition.

Water Neutrality:

- 6.88 A 2021 Position Statement from Natural England identified that it could not be concluded with the required degree of certainty that new development in the Sussex North Water Supply Zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites. As a consequence, and to comply with the legal duties set out in the Conservation of Habitats and Species Regulations 2017 (known as the Habitat Regulations), all new development since has been required to demonstrate water neutrality.
- 6.89 On 31st October 2025 Natural England formally withdrew the 2021 Position Statement, citing a package of measures that they were satisfied would safeguard the Arun Valley sites. Principal amongst these measures is a reduction in the Southern Water abstraction licence 'by March 2026'. However, given the licence change has not yet taken place Horsham District Council, as competent authority under the Habitats Regulations, cannot yet be certain that new development will not result in adverse impacts on the Arun Valley sites.
- 6.90 To ensure development can come forward as water neutral in the meantime, the Council has agreed with Natural England to use the significant water savings made by Southern Water in 2024/25 through their programme of leakage reduction (amongst other measures). This has generated some 3,240,000 litres per day of water savings that can now be attributed to

new development without increasing water abstraction in the Arun Valley beyond baseline. These savings were previously to be used to launch the Sussex North Water Certification Scheme (SNWCS), however following the withdrawal statement SNWCS will no longer be launching. Natural England standing advice dated 10 November 2025 raises no objection to using these savings to enable development to come forward. The standing advice clarifies that it functions as Natural England's formal response pursuant to Regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 to all relevant planning applications which seek to achieve water neutrality using the above Southern Water savings.

- 6.91 Officers have undertaken an Appropriate Assessment which demonstrates that the anticipated increase in mains water consumption from this development, alongside all other development granted since the 31st October 2025, will not exceed 3,240,000 litres per day.
- 6.92 Accordingly, Officers consider that the proposed development will not have an Adverse Effect on the Integrity of the Arun Valley Site, either alone or in combination with other plan and projects, thereby complying with Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

Other Matters:

Heritage Impacts:

- 6.93 Section 66 of the Town and Country (Listed Buildings and Conservation Areas) Act 1990 provides a statutory requirement for decision makers to have special regard to the desirability of preserving a listed building or its setting. Chapter 16 of the National Planning Policy Framework (NPPF) follows this statutory provision and seeks to positively manage changes to the historic environment to ensure sufficient flexibility whilst conserving the important and irreplaceable nature of the designated asset. Chapter 16 requires decision-makers to consider whether a development proposal would lead to 'substantial' or 'less than substantial' harm to a designated heritage asset, and if so, describes how decisions should be steered in order to preserve the asset whilst allowing some flexibility for change, where appropriate.
- 6.94 The site does not adjoin or contain any designated heritage assets, nor are there any conservation areas adjoining the site. The closest Listed Building is a 'Garden Building' at Summers Place, some 180m to the north, which is separated from the site by intervening land uses, landscape features and a woodland.
- 6.95 The proposal would therefore not lead to any adverse impact on the setting of this, or the 'Manor House' of Summers Place which lies further north still.
- 6.96 The site lies within an Archaeological Notification Area (DWS8539 - Multi-Period Site). The Council's Archaeological Consultant has reviewed the submitted desk-based archaeological assessment which suggests that the archaeological potential of the site is low but that further archaeological investigations are required to clarify the nature, extent and significance of any archaeological deposits. Officers consider that this can adequately be secured by condition.

Air Quality:

- 6.97 The application site is not located within or close to any of the district's defined Air Quality Management Areas (AQMAs), however, on account of the quantum of development, comprising a 'major' development, an Air Quality Assessment (AQA) has been submitted.
- 6.98 The submitted Air Quality Assessment (AQA) has been prepared based on the mixed use scheme under DC/25/1697, which includes a greater quantum of commercial floorspace and residential development. A re-calculated damage cost would therefore be expected for the standalone commercial development at hand, along with appropriate and proportional mitigation measures. Officers consider that an appropriate planning condition can be secured to specify the total damage cost and to secure appropriate mitigation measures, as has been applied to DC/25/1697. A suggested condition is therefore considered appropriate as an

acceptable mechanism to mitigate air quality impacts arising from the proposed development, as required under HDPF policy 24.

Climate Change:

- 6.99 Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. The Energy Statement (the same as per DC/25/1697) sets out that the commercial units would utilise PV panels on the roof-slopes, with details to be confirmed at RM stage. Air-to-Air heat pumps are to be used for appropriate areas within the commercial development, and ventilation would be achieved by way of the larger roller shutter doors, with all lighting on absence / presence detection strategy.

Minerals Safeguarding:

- 6.100 Under the West Sussex Joint Minerals Local Plan (JMLP July 2018) there is a Minerals Safeguarding Area for Brick Clay (Weald Clay) across the site. A Minerals Resource Assessment has now been submitted to identify whether economically viable mineral resources are present on site, and whether prior extraction is practicable.
- 6.101 Policy M9 (iii) of the West Sussex Joint Minerals Local Plan requires that for non-mineral development (such as residential development), the decision maker must determine whether the overriding need for the development outweighs the safeguarding of the mineral. In addition, the applicant must demonstrate that prior extraction is not practicable or environmentally feasible. It is acknowledged that there is a relative abundance of Brick Clay in the south east, therefore its safeguarding is a lower priority than other more scarce minerals such as Horsham Stone. In this instance, the application site in its entirety presents a potential site for extraction. However, given the location of the resource it may present planning-related constraints such as noise or transport movements.
- 6.102 Officers recognise that this site lies within the Minerals Safeguarding Area for Brick Clay (Weald Clay), but that the site area, at 1.3ha, is below the 3ha threshold when consultations are necessary to WSCC.
- 6.103 The proposal therefore satisfies the requirements of Policy M9 (iii) of the West Sussex Joint Minerals Local Plan.

s106 Agreement:

- 6.104 A s106 legal agreement to secure the obligations necessary to make this application acceptable in planning terms is underway to secure:
- Travel Plan Monitoring fee £1,695

Conclusion and Planning Balance:

- 6.105 In accordance with planning law, the starting point for the assessment of this proposal is to consider whether or not it accords with the provisions of the adopted development plan (comprising the HDPF and Billingshurst Neighbourhood Plan (BNP)).
- 6.106 Officers recognise that the application site is not allocated in the development plan for employment use, and lies on undeveloped land outside of the defined BUAB, thus presenting a policy conflict with Policies 2, 4, and 26 of the HDPF and Policy BILL1 of the BNP. However, this undeveloped land is 'landlocked' by existing and consented development, and is subject to alternative proposals for mixed-use / hybrid development involving some 5,605sq.m of employment floorspace, thus establishing the principle of development on this site, where a committee resolution to permit still stands.

- 6.107 The proposed development would enable the standalone delivery of some 4,558sq.m of employment floorspace that would help to offset the loss of employment floorspace by way of the standalone outline proposal for residential development for the residual portion of the Phase 2 site under DC/25/1910, and could continue to help fulfil the district's commitment to providing new, modern, flexible and fit-for-purpose employment floorspace, in line with policy expectations.
- 6.108 Matters relating to drainage and flood risk, ecology, air quality and BNG can be suitably dealt with by condition to ensure the required details are submitted and comply with local and national policy requirements. Suitable conditions can also be applied to protect the amenities of adjacent residents from noise disturbance from the proposed commercial uses, and to ensure the 'agent of change' principle is complied with. All other highways, landscape, design or other material matters are considered appropriate.
- 6.1. The application is therefore recommended for approval subject to the completion of a s106 agreement and the conditions shown below.

7. RECOMMENDATIONS

- 7.1 To approve outline planning permission subject to the completion of a s106 legal agreement to secure the travel plan monitoring fee, and the following conditions

Conditions:

1 List of the Approved Plans

2 Regulatory (Time) Condition:

- (a) Approval of the details of the layout of the development, the scale of each building, the appearance of each building, and the landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
- (b) Plans and particulars of the reserved matters referred to in condition (a) above, relating to the layout of the development, the scale of each building, the appearance of each building, and the landscaping of the development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
- (c) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.
- (d) The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.

3 Regulatory Condition: The Reserved Matters submissions for landscape shall include full details (including, but not limited to, surfacing, planting, fencing and SuDS).

Reason: To ensure that satisfactory provision for outdoor play and recreation is made within the development, in the interests of the amenity of future occupiers of the development, in accordance with Policies 32, 33, 39 and 43 of the Horsham District Planning Framework (2015) and policies BILL 2 and BILL 4 of the Billingshurst Neighbourhood Plan (2021).

4 Regulatory Condition: No building hereby permitted shall exceed 10m in overall height and 8m in eaves height.

Reason: In order to control the development in detail in the interests of amenity and to ensure the development is designed to a high-quality standard, in accordance with Policy 33 of the Horsham District Planning Framework (2015) and policy BILL 2 of the Billingshurst Neighbourhood Plan (2021).

- 5 Regulatory Condition:** If the outline application hereby approved does not commence within two years from the date of the planning consent, the approved ecological mitigation measures secured through condition shall be reviewed and, where necessary, amended and updated.

The review shall be informed by further ecological surveys commissioned to:

- i establish if there have been any changes in the presence and/or abundance of protected species and
- ii identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of the mixed use development, including detailed permission for means of access and 1,338 sqm business floorspace with the remainder of the development in outline, comprising up to 102no. homes and up to 5,605 sqm of business floorspace (Classes E g (iii)/B2/B8). Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended) , and Policy 31 of the Horsham and District Planning Framework (2015).

- 6 Pre-Commencement Condition:** The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the Biodiversity Gain Plan and including:

- a non-technical summary;
- the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the Biodiversity Gain Plan; and
- the management measures to maintain habitat in accordance with the Biodiversity Gain Plan from the completion of development.

has been submitted to, and approved in writing by, the local planning authority.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Any proposed or retained planting, which within a period of 5 years after the completion of development, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy 31 of the Horsham District Planning Framework (2015).

7 Pre-Commencement Condition:

- i) No development shall take place until a programme of archaeological work has been secured in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.
- ii) The development hereby permitted shall not be commenced until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [i] and that provision for analysis, publication and dissemination of results and archive deposition has been secured and approved by the Local Planning Authority in writing.

Reason: As this matter is fundamental as the site is of archaeological significance and it is important that it is recorded by excavation before it is destroyed by development in accordance with Policy 34 of the Horsham District Planning Framework (2015).

8 Pre-Commencement Condition: No site levelling works shall take place until full details of the existing and final land levels and finished floor levels (in relation to nearby datum points) have been submitted to and approved by the Local Planning Authority in writing. The details shall include the proposed grading of land areas including the levels and contours to be formed, showing the relationship of proposed land levels to existing vegetation and surrounding landform. The site levelling works shall be completed in accordance with the approved details prior to the commencement of development of any building within the site.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 33 of the Horsham District Planning Framework (2015) and policy BILL 2 of the Billingshurst Neighbourhood Plan (2021).

9 Pre-Commencement Condition: No development (including any ground clearance or site levelling) shall commence until the following demolition and construction details have been submitted to and approved in writing by the Local Planning Authority. The details shall be limited to the following measures:

- a. Details of site management contact details and responsibilities;
- b. A plan detailing the site logistics arrangements on a phase-by-phase basis (as applicable), including:
 - i. location of site compound,
 - ii. location for the loading, unloading and storage of plant and materials (including any stripped topsoil),
 - iii. site offices (including location, height, size and appearance),
 - iv. location of site access points for construction vehicles,
 - v. location of on-site parking,
 - vi. locations and details for the provision of wheel washing facilities and dust suppression facilities
- c. The arrangements for public consultation and liaison prior to and during the demolition and construction works – newsletters, fliers etc, to include site management contact details for residents;
- d. Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination

All demolition and construction activities shall thereafter be carried out in accordance with the details and measures approved.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers and highway safety during construction and in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

10 Pre-Commencement Condition: Prior to commencement of the development, detailed designs of a surface water drainage scheme shall be submitted to and agreed with the Local

Planning Authority. This shall be in accordance with the Flood Risk Assessment and Drainage Strategy - Technical Note 39: Phase 3 Units 17 & 18 Drainage 02/04/2026.

The design shall follow the NPPF, PPG Flood risk and coastal change and National Standards for SuDS. The submitted details shall include:

1. Surface water runoff rates will be attenuated to greenfield runoff rates
2. Evidence that the surface water drainage system complies with the National Standards for SuDS for the management of everyday rainfall (interception).
3. Details of all existing and proposed watercourses and sewers, including any proposed discharge points.
4. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 3.33% and 1% annual probability rainfall events (both including allowances for climate change). Hydraulic calculations and detailed construction drawings shall be submitted to demonstrate this.
5. Detailed drainage layout plan, which corresponds with the hydraulic calculations.
6. An exceedance flow routing plan demonstrating no increase in surface water flood risk off site. The plan must include proposed levels and flow directions.
7. Evidence that the surface water drainage system meets Standard 4-6 of the National Standards for SuDS.
8. Construction method statement for the surface water drainage system and any ordinary watercourses within or adjacent to the site.
9. Site-specific maintenance and management plan for all elements of the surface water drainage system and any ordinary watercourses/culverts within the development.
10. Finished ground floor levels of residential properties are a minimum of 300mm above expected flood levels of all sources of flooding (including the ordinary watercourses, SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.

Reason: To prevent flooding in accordance with National Planning Policy Framework paragraphs 181, 182 and 187 plus National SuDS Standards 1 to 7, by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development, and in accordance with Policies 35 and 38 of the Horsham District Planning Framework (2015) and policy BILL16 of the Billingshurst Neighbourhood Plan (2021).

- 11 Pre-Commencement Condition:** Not later than the submission of the first Reserved Matters submission, a landscape strategy shall be submitted to and approved by the Local Planning Authority to include:

- (a) An updated and accurate Arboricultural Survey and Arboricultural and Impact Assessment to include all vegetation within and surrounding the site boundary.
- (b) Reference to an updated LVIA addendum to secure the retention of and protection of important landscape views and corridors within the site

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policies 25, 31 and 33 of the Horsham District Planning Framework (2015) and Policy BILL 2 of the Billingshurst Neighbourhood Plan (2021).

- 12 Pre-Commencement Condition:** No development shall commence until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).

- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Containment, control and removal of any Invasive non-native species present on site

The approved CEMP (Biodiversity) shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To conserve protected and Priority species in accordance with Policy 31 of the Horsham District Planning Framework (2015), and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

- 13 Pre-Commencement Condition:** Prior to the commencement of the development, a detailed mitigation strategy establishing the on-site measures to improve air quality at both the operational and construction phases shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be written in accordance with the Council's Planning Advice Document: Air Quality & Emissions Reduction Guidance (2021), and shall detail the calculated damage costs that will be spent on practical mitigation measures. The approved detail within the strategy shall thereafter be strictly adhered to unless otherwise agreed to and approved in writing by the Local Planning Authority.

Reason: To mitigate against the impact of the development in accordance with Policy 24 of the Horsham District Planning Framework (2015) and Air Quality and Emissions Mitigation Guidance for Sussex (2021).

- 14 Pre-Commencement Condition:** Not later than the submission of the first Reserved Matters submission, a Biodiversity Enhancement Layout for the biodiversity enhancements listed in the Preliminary Ecological Appraisal (All Ecology, September 2025) has been submitted to and approved in writing by the local planning authority.
- The content of the Biodiversity Enhancement Layout shall include the following:
- detailed designs or product descriptions for biodiversity enhancements, including the retention of the northern hedgerow boundary and a compensatory planting along the eastern boundary; and
 - locations, orientations and heights for biodiversity enhancements on appropriate drawings.

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

Reason: To conserve protected and Priority species in accordance with Policy 31 of the Horsham District Planning Framework (2015), and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

- 15 Pre-Commencement Condition:** No development (including ground clearance, or bringing equipment, machinery or materials onto the site), shall commence until the following preliminaries have been completed in the sequence set out below:
- All hedgerows, trees and vegetation on the site shown for retention within the Arboricultural Impact Assessment and the Tree Protection Plan [TP 3269/2603/TPP] as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the

ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).

- Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.
- Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone. Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 16 Pre-Occupation Condition:** Prior to the first occupation or use of the development hereby permitted, site-wide Landscape Management and Maintenance Plan (including long term design objectives, management responsibilities, a description of all hard and soft landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility) for all parts of the site (existing and proposed) shall have been submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policies 25, 31 and 33 of the Horsham District Planning Framework (2015).

- 17 Pre-Occupation Condition:** Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use of the development within the outline phases; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition 10. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a SuDS drainage system has been provided to an acceptable standard to the reduce risk of flooding, to ensure users remain safe for the lifetime of the development, and ensure future maintenance in accordance, Policies 35 and 38 of the Horsham District Planning Framework (2015) and the NPPF (2024).

- 18 Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied, or brought into first use, until a 'lighting design strategy for biodiversity' in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) has been submitted to and approved in writing by the local planning authority (for that parcel). The strategy shall:
- identify those areas/features on site that are particularly sensitive for bats and Hazel Dormouse and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

- 19 Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied, or brought into first use, until a fire hydrant(s) to BS 750 standards or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) has been installed, connected to a water supply with appropriate pressure and volume for firefighting, and made ready for use in consultation with the WSCC Fire and Rescue Service. The hydrant(s) or stored water supply shall thereafter be retained as such.

Reason: In accordance with fire and safety regulations in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 20 Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied, or brought into first use, until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabits per second through full fibre broadband connection shall be provided to the premises..

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

- 21 Pre-Occupation Condition:** No part of the development hereby permitted shall be first occupied, or brought into first use, until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing numbered D-101-Ph3-TP-PBP-01. The access shall be thereafter retained as such.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 22 Pre-Occupation Condition:** No internally and/or externally located plant, machinery equipment or building services plant (to the commercial phases) shall be operated, until an assessment of the acoustic impact arising from the operation of all such equipment has been undertaken and has been submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken in accordance with BS 4142:2014 (or subsequent superseding equivalent) and current best practice, and shall include a scheme of attenuation measures to mitigate any adverse impacts identified in the acoustic assessment and ensure the rating level of noise emitted from the proposed building services plant is 5dB less than background levels. The scheme as approved by the Local Planning Authority shall be fully installed prior to first operation of the plant and shall be retained as such thereafter.

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

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

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

- 24 Regulatory Condition:** All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (All Ecology, September 2025), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the Precautionary Method Statement for mobile protected species in Section 4.13 of the Preliminary Ecological Appraisal (All Ecology, September 2025), which avoids impacts on protected species.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

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

- 25 Regulatory Condition:** No external operations or activities including the operation of plant and machinery, workshop processes, deliveries and dispatches, shall take place in connection with the commercial units and uses except between the hours of 07:00 to 23:00 hours Mondays to Saturdays and 09:00 - 16:00 hours on Sundays and public holidays.

Reason: To safeguard the tranquillity of the countryside and amenities of neighbouring properties in accordance with Policies 24, 25, 26 & 33 of the Horsham District Planning Framework (2015).

- 26 Regulatory Condition:** No external lighting, other than low level lighting to emergency exits, shall be operated within as part of the commercial units between the hours of 23:30 to 06:30 hours the following day on Mondays to Fridays, between 23:30 and 07:30 hours the following day on Saturdays, and between 16:30 and 06:30 hours the following day on Sundays and public holidays.

Reason: To safeguard the ecology and tranquillity of the countryside and amenities of adjacent occupiers in accordance with Policies 24, 25, 26 & 33 of the Horsham District Planning Framework (2015).

- 27 Regulatory Condition:** No activities other than loading or unloading shall be undertaken in the open air associated with the commercial units without the prior written approval of the Local Planning Authority by way of formal application.

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

- 28 Regulatory Condition:** No external storage of any materials or waste shall take place at any time associated with the commercial units hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: To safeguard the amenities of the locality in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

- 29 Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or reenacting that Order), no development falling within Classes F, G, H and J of Part 7 of

Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity to protect the rural character of the area in accordance with Policies 25, 26, 27 & 33 of the Horsham District Planning Framework (2015).

- 30 Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 and the Town and Country Planning (Use Classes) Order 1987 (as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020) (or any order amending or revoking and/or re-enacting these Orders), the commercial premises hereby permitted shall be used for Use Class E(g)(iii), B2 and B8 use only and for no other purposes whatsoever, without express planning consent from the Local Planning Authority first being obtained.

Reason: To ensure the development remains in employment use in accordance with Policies 7 & 9 of the Horsham District Planning Framework (2015).

Biodiversity Net Gain Condition

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission is Horsham District Council.

This permission will require the submission and approval of Biodiversity Gain Plans before development is begun.

Phased development

The permission which has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

The development cannot begin before an overall biodiversity gain plan (<https://www.gov.uk/guidance/biodiversity-net-gain#para58>), and a phase biodiversity gain plan (<https://www.gov.uk/guidance/biodiversity-net-gain#para60>) have been submitted to and approved by the planning authority. Before every phase of development has begun a Phase Biodiversity Gain Plan must have been submitted to and approved by the planning authority.

For guidance on the contents of the Biodiversity Gain Plans that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>

Statutory exemptions and transitional arrangements

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at <https://www.gov.uk/guidance/biodiversity-net-gain>

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

INFORMATIVE

The applicant is advised that the submitted BNG baseline is not accepted and the failure to agree a corrected baseline would result in the Council being unable to discharge the statutory BNG condition.

INFORMATIVE

The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Highway Agreements Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

8. USE OF AI

8.1 This report has not been prepared with the support of artificial intelligence tools.