PLANNING COMMITTEE REPORT

TO:	Planning Committee
BY:	Head of Development and Building Control
DATE:	16th September 2025
DEVELOPMENT:	Workshop, storage building with associated vehicular parking, yard area and access.
SITE:	Land At 509354 126590, Hilland Road, Billingshurst, West Sussex, RH14 9HN
WARD:	Billingshurst
APPLICATION:	DC/25/0458
APPLICANT:	**Name:** EVM & 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 full planning permission

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.1 The application seeks to develop a site area of some 1.37ha to accommodate the specific needs of a company specialising in sales, after-sales and the fit-out and customisation of mini-buses and other specialist vehicles. The site will therefore include a storage yard, display yard, staff and visitor parking area, and a building that provides a floor area of some 1,413sq.m(GEA), capable of providing flexible workshop, office and sales areas, as well as a mezzanine first floor for future expansion of the associated offices. No operating hours are provided, but the covering letter refers to the potential for 24-hour internal operations taking place.

1.2 The new workshop / office building would locate the 4 x workshop bays to the northern side of the site, with the customer-facing entrance and sales / office section at the southern side. The workshop bays would exhibit a more utilitarian appearance with the drawings specifying a white vertical cladding and a white aluminium roof. The customer-facing entrance section of the building would feature flat black horizontal aluminium panels, a black-clad canopy with white verge flashing details and white rainwater goods. The building scales as being just under 10m in height and some 27.5m x 50m in footprint.

1.3 The wider display and parking yard would wrap around all 4 sides of the building, with a southern storage area fenced separately and surfaced with compacted material. The wider site provides for a cycle shelter alongside the existing phone mast enclosure, motorbike parking spaces, a smoking shelter adjacent to the site entrance gate, a timber fenced bin, skip and oil storage enclosure in the north-west corner, a timber fenced double-bay wash down area in the north-eastern corner, and EV spaces. The wider parking / yard area is sufficiently sized to provide the following:

- 11 visitor parking spaces (including 2 x disabled bays and 4 x EV charge points)
- 6 x staff parking spaces
- 91 mini-bus parking spaces (for display and holding)
- 43 mini-bus parking spaces within the enclosed southern storage yard

1.4 Vehicular access to the site would be taken off the built-out estate roads within Phase 1 of the Billingshurst Trade and Business Park (formerly Hilland Farm), with the roadway extended alongside Unit 12 on plan (occupied by DW Nye – a builder's merchant), and under the pylon line to reach the application site. The submitted plans show the site layout to include units 33 and 34 but for clarity these units do not benefit from any consent.

1.5 The plans, as revised, show peripheral landscape strips around 4 sides of the site, including new Betula pendula (Silver Birch), Acer campestre (Field Maple), Carpinus betulus (Common Hornbeam), Quercus robur (English Oak), and Pinus sylvestris (Scots Pine), Alnus glutinosa (Common Alder), Sorbus aucuparia (Rowan) – a total of 59 new trees. A new native hedge is to be planted on the inner side of the northern fenceline alongside the PRoW, to the western fenceline, and alongside the south-eastern corner. Further low-growing shrubs would be planted within the site, and sections of Fagus sylvatica (European Birch) used for screening.

1.6 The site would be enclosed by a 2.4m high 'paladin' security fencing, to RAL 9005 (jet black), with sliding gates to match, and the bin store and wash-down bays would be enclosed by a 2m high timber-close-board fence. The drawings maintain reference to the existing 2m high timber close-boarded fence alongside the PRoW, and 8m high lighting columns are shown within the site.

1.7 The finished floor level (FFL) of the building is indicated at 54.50, with the northern area of the yard stated at being between 54.3 to the north-west and 55.6 to the north-eastern corner, and 53.0 along the southern boundary of the storage yard, 53.63 at the site entrance point and 54.60 at the eastern side adjacent to the pylon mast enclosure. These levels indicate a site raised around 0.5m above the comparable pre-development site levels along the southern side, and sitting around 0.2m below the pre-existing site levels at the north-eastern corner of the site, where there is an overall change in levels noted.

Purpose / Need:

1.8 The proposal has been designed to meet the needs and work specifications of EVM, who are currently based in Southwater, and who provide a bespoke, customised passenger vehicle coachworks service. The accompanying Design and Access Statement states that the company has outgrown their current location, which is a constrained site and building with no expansion potential, and are therefore seeking a new site for their operations, with the ability to expand the business, but desiring to remain within the Horsham area.

DESCRIPTION OF THE SITE

1.9 The site is around 1.37ha in area and comprises the eastern half of a wider triangular agricultural field, which lies to the north of the A272 Hilland Road and south of the Phase 2 land permitted for employment floorspace as part of the Billingshurst Trade and Business Park development The site is bounded by post and rail fencing to the east and south sides, but to the west, it is currently open to the wider field parcel. A 2m close-boarded fence has

been erected to the northern boundary where the site adjoins the PRoW. Additionally, there is a linear group of trees to the northern boundary and a clump to the south-eastern corner, where the site currently adjoins a mobile telecoms mast compound. The east boundary adjoins further open countryside and a PRoW footpath 1942. The field parcel to the south is also an open field, grazed throughout the year by sheep and cows.

1.10 A line of high voltage cables and pylons runs diagonally across the south-western corner of the site and beyond the site boundaries. A housing development at Rhodes Way, as well as public open space, lies to the south of the A272 / Hilland Road. The built up area boundary, which was amended via the Billingshurst Parish Neighbourhood Plan, adjoins the northern edge of the site and runs along the A272 / Hilland Road corridor.

1.11 The 2025 updated Environment Agency (EA) flood maps indicate the site is located wholly within Flood Zone 1, and not subject to any risk from surface water flooding, even accounting for climate change predictions. The underlying geology is brick clay.

1.12 The nearest designated heritage assets are Grade II Listed Buildings at Summers Place, some 650 metres to the north and Grade II Listed Manor House some 350 metres to the south of the site, the curtilage of which marks the north boundary of the Billinghurst Conservation Area. The Roman Stane Street ran close to the course of the modern A29 road west of the site and a wider area, including the majority of the site, is designated as an Archaeological Notification Area.

1.13 The site comprises improved grassland and boundary mature trees and woodland edge. Adjacent to the south boundary is scattered scrub. Along the east boundary is a dry ditch. There is species poor hedge on the adjacent sub-station. The Mens SAC is approximately 5 km from the site. The site falls within the Bat Sustenance Zone (HDPF Policy 31).

1.14 The development known as ‘Phase 2’ of the Billingshurst Trade and Business Park is to the immediate north of the site, and part of the consented ‘Billingshurst Trade and Business Park’ (BTBP) consented in June 2019 as a hybrid application (DC/18/2122), with the associated Phase 1 and access off Stane Street being sited to the north-west of the current application site. At the time of consideration (of DC/18/2122), the development at Hilland Farm was acknowledged to fall outside of the settlement boundary of the Billingshurst, thus representing a windfall opportunity in the District to meet an identified immediate need for local B-use employment (up to 5,000sq.m within Phase 1), as well as a longer-term opportunity to provide larger B-use employment ‘warehouse-style’ units (up to 14,075sq.m in Phase 2).

1.15 The adjoining site has since been subject to a number of s73 amendments, with the construction of commercial units (Nos 3-13) within Phase 1 now largely complete, except for approved units 1, 2a and 2b, which have not yet commenced on site. At the current time, Phase 2 has only been partially implemented insofar as Unit 14, the petrol filling station and a drive-through coffee unit. A separate drop-in consent was granted in May 2021 for a Lidl supermarket, which has since been built and opened.

1.16 To the immediate north east and east of the site, planning permission for up to 125 homes has recently been granted on appeal at Hilland House DC/25/0749 refers).

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 10 - Rural Economic 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
Policy 42 – Inclusive Communities

Billingshurst Neighbourhood Plan (2021):
Policy BILL 1: Billingshurst Built-up Area Boundary
Policy BILL 3: Energy Efficiency and Design
Policy BILL 6: Integrated Infrastructure Policy
Policy BILL 10: Flexible Workspaces
Policy BILL 12: Protection and Enhancement of Key Movement Routes
Policy BILL 16: Multi-Value Sustainable Drainage Systems
Policy BILL 17: Views to St Mary's Church
(and paragraphs 9.11 and 9.12)

Supplementary Planning Guidance:
Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Parish Design Statement:
Billingshurst Parish Design Statement

Planning Advice Notes:
Shaping Development in Horsham (Sept 2025)
Biodiversity and Green Infrastructure (Oct 2022)

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/23/1174	Earthworks and soft landscaping to create raised landscaped bunds at the site boundaries.	Application Permitted on 13.12.2023
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 *Appeal Dismissed*
DC/22/0566	Outline Application for up to 9,825sqm of Class E (Industrial Processes), B2 and B8 use floorspace (Phase 3) with all matters reserved except access.	Application Refused on 15.06.2022

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

3.2 **HDC Arboricultural Officer:** Advice / Modification / Objection
[Summary 3rd September 2025] The application has been revised to have a negative impact on bounding trees of landscape merit that make a recognised positive contribution to the landscape setting. It is recommended that the scheme be modified to relocate the access and all proposed hard-standing outside of the recommended minimum RPAs of the trees worthy of retention in development of the countryside. The conclusions of the AIA are not concurred with as there is a levels change which will require engineering that is foreseeably harmful to the key rooting areas of the trees on either side. If not possible to amend, refusal is recommended.

[Summary 13th August 2025] No Significant arboricultural concerns as no tree removals proposed. Condition advised

3.3 **HDC Economic Development:** No Objection
[Summary 23rd April 2025] The Economic Strategy highlights the importance of supporting local businesses to develop and thrive through inward investment within the District (Economic Prospectus Guiding Principle – Nurturing Business Development). In order to encourage this investment by businesses, it is important to continue to support opportunities for development in the commercial landscape and support proposals that will add to the local economy of the District. With a larger number of Horsham District's businesses located in the rural areas, developments such as this are key in helping businesses to succeed and grow.

The current proposal would see the construction of further commercial premises to support the needs of a local business in the District. By approving this application, Horsham District will be supporting a rural business that will add to the local economy and have the potential to support employment of local residents.

3.4 **HDC Environmental Health:** Comment
[Summary 15th April 2025] Residential properties are sited approximately 150m to the southwest of the proposed workshop and 60m from the attached carpark. It is noted that the working hours of the workshop are proposed to between 09:00am to 17:00pm, although the potential for 24-hours internal operations exist. This is similar to previous proposals and consultations responses made to applications linked to the previous phases of the industrial site, although the current application is significantly closer to domestic dwellings than Billingshurst Business Park's other units.

Conditions advised to limit activity on site to only between the hours of 07:00am to 23:00pm Monday to Saturday inclusive; and 08:00am to 18:00pm on Sundays and Bank Holidays, and to ensure no noise break-outs occur, to protect amenities of closest domestic dwellings, and to require potable standards can be achieved for the rainwater harvesting system as it will be used for WC flushing and hand-washing.

3.5 **HDC BNG Ecologist**: More Information
[Summary 5Th Sep 2025] Baseline amended, still some discrepancies noted. Baseline should be an accurate reflection of the site prior to permission being granted.

[Summary 29th July 2025] Many of the amendments are welcome, resolving some concerns previously raised.. the BNG calculation now demonstrates a net loss of -66.20% (-7.17 units) in area habitat, and a net gain of +155.69% (+0.23 units) in hedgerow habitat. However, outstanding concerns regarding discrepancies between maps and no provision of a statement of intent on achieving the 10% BNG requirement remain – to provide assurances that this will be met.

Some clarity required on the number and size classes of trees to be provided, as new stated figure of 9x trees existing on site does not correspond with the UKHab Baseline Habitat Map in Section 6.0 of the updated PEA (July 2025) or the updated soft landscaping plans.

[Summary – 23rd April 2025] Modifications and amendments are advised below to ensure the baseline and subsequently the BNG calculation is correct. Completed condition assessment sheets, management information, and further information on how the 10% BNG requirement will be met are also requested. Concern is also raised with regards to sewing of other neutral grassland adjacent to retained modified grassland.

- No Gain on site
- partially located within a high potential site area of the Wilder Horsham District Nature Recovery Network - all habitats at baseline and post-development with a biodiversity value greater than zero (as determined by the metric) should be assigned as being locally ecologically desirable, but not in formal strategy (medium strategic significance).
- Red line differs between submitted documents (ranging between 1.37ha to 1.71ha)
- BNG Report (para 3.8-3.9) states that no-on site habitats are to be retained, however Para 3.18 states that 3 small trees, 8 medium trees, and 0.025km of hedgerow alongside (and including) the telecommunications compound are to be retained. The metric marks all trees, the existing developed sealed surface and hedgerow to be retained.
- The landscape masterplan (Davies Landscape Architects, 2025) and the soft landscaping plan do not clearly mark the retained trees as recorded in the BNG Report, specifically the 3 small trees to the north-east of the site, and **6** trees to the south-east of the site, also locations for tree planting and soft landscape proposals don't match
- Further justification is required to explain why no further on-site habitat creation/enhancement is achievable to ensure a net gain on site
- Please can the Applicant state the intent on how they plan to reach the 10% BNG requirement, to assure HDC that this requirement will be met. If choosing to offset on developer-owned landholdings, it is strongly encouraged for the Applicant to liaise with the Case Officer prior to determination, to minimise the risk of the Biodiversity Gain Plan being refused, and the 'general biodiversity gain' condition not being discharged. This is particularly important if the Applicant is seeking to enter a S106 legal agreement with HDC to register any off-site gain site(s).
- The need to purchase statutory credits from the national scheme must be evidenced to HDC, in line with government guidance. This includes evidencing that the Applicant has approached 3 local or national suppliers, habitat banks or trading websites and that insufficient off-site options are available in England.

- Please also note, that the 10% BNG requirement must be met for both area habitats and hedgerow habitats individually – they cannot be interchanged.

3.6 **HDC Landscape Architect:** Advice / Modification

[Summary 3rd September 2025] Regrettably the revised proposals have had very little regard to the existing trees and thus do not conserve, enhance and safeguard the remaining landscape features on the site. It is recommended that the scheme be modified to include a buffer along the north-eastern corner and site access to secure the long-term retention of the existing trees, reinforce the landscape characteristics and improve connectivity with the woodland strip. It is clear the trees will be already affected by the proposals allowed within the northern part of the site (outside this red line boundary) and therefore the constraints imposed upon these trees shouldn't be looked at only by the proposals under this application, as in whether the minimum BS have been met, but in a more holistic way anticipating forthcoming change to the growing medium and ground conditions of the trees once all phases of the development are completed. The site is a green field site, with limited constraints, and therefore it's not clear why these features cannot be suitably preserved and enhanced.

[Summary 13th August 2025] Following the recent appeal decision (ref DC/24/0749), which has now been allowed, the future context of the site will be vastly different. As result, the overall sensitivity of the site to change and visual receptors is reduced.
Nevertheless, the new layout although improved in some respects, remains unable to enhance and protect the landscape characteristics of the area. A key concern being the likely adverse effects on retained trees, which must be addressed prior to determination to ensure the development does not compromise the long retention of these remaining landscape features.
The relationship between PRoW and parking has improved with a wider landscape buffer proposed, which is welcomed. The level information submitted alongside the landscape sections, suggests that the retaining wall is no longer required although there are only a few proposed spot levels provided and the site levels are not fully worked out. It is recommended that further level information is submitted, although this can be secured by condition.
A wider landscape buffer is proposed along the southern boundary, which is welcomed and goes some way to mitigate the concern. Nevertheless, it will be prudent to restrict maximum height for stored materials to reduce adverse effects.
Regrettably, the current proposals removed this area of grass and tree planting, along with the opportunity to enhance and safeguard the remaining landscape features on site. We strongly recommend that the scheme be reviewed to include a similar landscape buffer to secure the long-term retention of the existing trees, reinforce the landscape characteristics of the area and improve connectivity with the nearby woodland strip.
Additionally, the arboricultural report has not been updated to reflect the revised layout and does not clearly identify the existing trees RPA's. The accompanying tree removal and protection plan doesn't seem to reflect the area originally safeguarded.
Due the adjacent proposals to the north, these trees are likely to be subject to significant changes to their rooting environment. Given that the site comprises open agricultural land, there does not appear to be a clear justification for why the proposals cannot, at a minimum, respect the RPA's. Ensuring the protection of these RPAs is essential to safeguard the health and longevity of the retained trees and should be addressed as part of the layout design.
A similar issue will be experienced with the existing trees along to the southern boundary, where there is encroachment into the RPA's of the compacted surface and also the erection of the 2.4m high paladin security fence, as shown in the extract below. Please removed storage area and fencing to avoid RPAs.

[Summary 16th June 2025] Proposed scheme is of a smaller scale that previously considered under DC/21/0748, but concern remains with the site's proposed location with regards to it relationship with the settlement setting and amenity of nearby residents and user of the PRoW. However, should the appeal on the adjacent land parcel (Hilland House DC/24/0749) for residential development be determined positively, then it is recognised that the baseline

condition of the area would change significantly, along with the context in which the site will be seen, and thus its relationship with the wider landscape will be vastly different.

3.7 **HDC Strategic Planning:** Objection
[Summary 28th July 2025] Addendum to the Planning Policy comments dated 30/04/2025 to cover these matters and other updates/clarifications as considered appropriate. In summary the additional information, amended plans and Appeal decision that relates to land adjacent [125 homes at Hilland House] do not remove the objection.

The Economic Strategy 2017-2027 – was referenced in the original Planning Policy comments. It should be noted that the strategy was replaced by the Enterprising Horsham Framework.

Addendum therefore addresses the regard to be given to the recent Appeal decision to allow the development of 125 new dwellings on land adjacent at Hilland House, which lies to the east/north east within the countryside. The Applicant suggests this will result in the application site being enclosed by built form on all sides. This is not however correct as the site will continue, in conjunction with the land to the west, to adjoin a large tract of countryside to the south/south-east. It is not considered this is sufficiently compelling to conclude this site should be developed, which would cause further erosion of the tract of countryside.

The Appeal decision is based on the individual circumstances and merits of that development. Indeed, the tilted balance set out in paragraph 11 of the NPPF is weighted towards granting housing development by virtue of footnote 8 of the NPPF. Of greater relevance is the dismissed Appeal which actually relates to the application site and has already been considered within the original Planning Policy comments (Planning Ref: DC/21/0748. Appeal Ref: APP/Z3825/W/21/3288070).

Amended Plans – two issues are raised in respect of the latest plans.

1) The latest site location plan is misleading because it shows a couple of units (numbered 33 and 34) on land to the west of the application site which do not exist or have planning permission. To avoid confusion the applicant should be requested to submit a revised plan that excludes these units and any other illustrative inclusion of development that does not have planning permission. This is particularly misleading given the proposed new routing of the access
2) The new access route from the west, which runs through an open field defined as countryside, rather than from the north directly from Billingshurst Business Park gives rise to increased urbanisation of the countryside which is **contrary to Policies 4 and 26** of the adopted HDPF **and Policy Bill 1** of the Billingshurst Neighbourhood Plan (made June 2021). It also fails to accord with **Policy** 3 of the HDPF or Policy **Bill 10** the Billingshurst Neighbourhood Plan, which aims to direct employment development to within the settlement boundary and therefore by default is considered to include associated works such as access.

It is also noted there is an extant planning permission for earthworks and soft landscaping to create raised landscaped bunds at the site boundaries (made of 11,000 cubic meters of waste soil from the site/Business Park to the north) (Planning Ref: DC/23/1174). This potentially conflicts with the land levels and landscaping of the proposal currently under consideration. There would be a conflict if both proposals were implemented in part. It is recommended a condition be imposed to address this should the planning policy objection be overruled by other material considerations. The condition must ensure the proposal supersedes and cannot take place in conjunction with (in full or in part) the earthworks and soft landscaping granted by planning application DC/23/1174, and that further detailed plans in this respect should be submitted for agreement and consequent approval where relevant.

[Summary 30th April 2025] The retention and expansion of existing businesses is in principle supported. However, the proposal does not accord with **Policy 3** and conflicts with **Policy**

26 of the Horsham District Planning Framework (HDPF) because it is not essential to its countryside location. It also conflicts with **Policy Bill 1** and **Policy Bill 10** of the Billingshurst Neighbourhood Plan (BNP) because it is not located within the built up area boundary which was expanded by the Neighbourhood Plan to include the adjacent Billingshurst Business Park (the applicant calls this Phase 1 and 2 and is still under construction). It therefore forms a departure from the adopted Development Plan.

OUTSIDE AGENCIES

3.8 **Archaeology Consultant:** No Objection
[22nd July 2025] amendments do not alter previous advice

[Summary 18th April 2025] - The site is within an Archaeological Notification Area DWS8539 - Multi-Period Site to the East of Billingshurst, and so the application is supported by a desk based archaeological assessment produced by ACD Environmental that has used appropriate sources, including the West Sussex HER, to determine that, whilst significant archaeological remains have been recorded from the vicinity, the potential of the site itself is uncertain and so further archaeological investigations are required to clarify the nature, extent and significance of any archaeological deposits that may be present. In the first instance a geophysical survey, followed by an archaeological field evaluation of the site, would be appropriate and which enable suitable mitigation measures to be developed for the site should significant archaeology be discovered. It would be reasonable and proportionate to secure the required archaeological investigations, and any subsequent mitigation that may be required, by way of conditions.

3.9 **Ecology Consultant:** No Objection
[Summary 12th August 2025] The Preliminary Ecological Appraisal (All Ecology, July 2025), relating to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation, has been reviewed. There is now sufficient ecological information available to support determination of the application. As the proposals include the loss of only one tree along the boundary, we are satisfied that there will be no severance to the flight lines of foraging or commuting bats from the SAC and habitat connectivity within the site will be maintained. As there is a potential for habitat fragmentation from light spill of potentially functionally linked land for Barbastelle bats, this has been screened in and will need to be considered at Stage 2 Appropriate Assessment of the LPA's project level Habitats Regulations Assessment (HRA).

As Barbastelle bats may use the onsite habitat, we support the recommendation that the use of external light will be avoided or minimised (Preliminary Ecological Appraisal (All Ecology, July 2025)) to avoid impacts from light disturbance. This should be secured by a condition of any consent and implemented in full. Therefore, technical specification should be submitted prior to occupation, which demonstrates measures to avoid lighting impacts to foraging / commuting bats, which are likely to be present within the local area.

Iti s considered that, with mitigation, there will be no Adverse Effect on Integrity of the SAC, and the LPA is advised to prepare a project level HRA Appropriate Assessment to record its decision and consult Natural England on the conclusion.
Conditions advised

[Summary 13th June 2025] Currently insufficient ecological information available for determination of this application and additional information on bats should be provided prior to determination.

- Although there are no Potential Roost Features for bats in trees, it is not clear how many trees are to be removed as Section 3.8 of the Biodiversity Net Gain Design Stage Report (All Ecology, January 2025) states that no onsite habitats are to be retained, but Section 3.18 states that three small trees, eight medium trees and 0.025km of hedgerow alongside the telecommunications compound are to be retained. Section 4.8 of the Preliminary Ecological Appraisal (All Ecology, October

2024) refers to the 'potential loss of a small number of trees'. As the site lies within the 6km Key Conservation Area for the Special Area of Conservation (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol), this information is required prior to determination in order to prepare a Habitats Regulations Appropriate Assessment for the site and we therefore request this point is clarified.

- From the Preliminary Ecological Appraisal (All Ecology, October 2024), there are no buildings onsite and no Potential Roost Features for bats in trees. Therefore, it is agreed that no further surveys for bats are required.
- As Barbastelle bats may use the onsite habitat, the recommendation that the use of external light will be avoided or minimised (Preliminary Ecological Appraisal (All Ecology, October 2024)) to avoid impacts from light disturbance is supported, and should be secured by condition.
- The proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024), would also be supported. The reasonable biodiversity enhancement measures should be outlined within a separate Biodiversity Enhancement Layout and secured by condition.

3.10 **Natural England – Bats:** Advice
[1st September 2025] Please refer to Standing Advice

3.11 **Natural England – Water Neutrality:** No Objection
[23rd July 2025] Conditions to secure delivery, management and maintenance of measures identified in the WNS.

3.12 **WSCC Fire and Rescue:** Comment
[4th April 2025] Fire Hydrant condition.

3.13 **Southern Water:** Comment
[21st July 2025] Previous comments remain valid

[Summary 17th April 2025] - The development site is not located within Southern Water's statutory area for Wastewater drainage services. Please contact Icosa Water Ltd who are the relevant statutory undertaker. SuDS advice to be noted

3.14 **WSCC Highways:** Comment
[Summary 16th July 2025] - From inspection of the plans, the amended access layout and site layout appear acceptable from a highway safety point of view. A Transport Addendum has demonstrated on-site turning for an HGV to the satisfaction of the LHA. Car parking provision for staff and visitors has been reduced, but remain within WSCC Parking Standards requirements. Previous conclusion applies

[Summary 22nd April 2025] - For context, WSCC in its role as Local Highway Authority (LHA) was a consultee for application DC/18/2122, which permitted Phase 1 (up to 4,998sqm of B1c, B2 and B8 floorspace) and Phase 2 (Outline for up to 14,075sqm of B1c, B2 and B8 floorspace and petrol filling station) of the new Billingshurst Trade and Business Park. No objections were raised by the LHA for application DC/18/2122, or the subsequent variations/amendments.

For the current application, the applicant seeks the erect a vehicle workshop building and associated vehicle storage space. Access will be achieved via the existing A29 roundabout and will join up with permitted roads within the wider business park site. Access and egress have been demonstrated via swept path tracking to the satisfaction of the LHA.

The Transport Statement includes estimated trip generation data for the proposed use. Approximations have been provided, given the unique nature of the proposed use. The Transport Statement suggests that the proposed use would generate 25 two-way movements in the AM and PM peaks, or about one additional trip every two minutes. The LHA does not consider this a significant increase when compared with the wider site as a whole, and this is not anticipated to adversely impact the operation of the local highway network.

Regarding parking, 25 staff car parking spaces and 13 visitor car parking spaces are proposed, totalling 38 car parking spaces in total. This exceeds what would be expected under WSCC Parking Standards, instead being provided in line with the end occupiers needs. The proposed car parking provision would therefore be considered acceptable. Provision for the parking of 10 bicycles is also proposed, and is also considered acceptable for the proposed use.

In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.

3.15 **WSCC Lead Local Flood Authority:** No Objections
[Summary 23rd September 2025] Updated details address previously raised concerns. Conditions advised

[Summary 23rd July 2025] Updated layout does not address previously raised comments. Additional point to note:

- Proposals should evidence that they adhere to the new national SuDS standards (June 2025). The requirements for parking/vehicular areas are outlined in this document also.

[Summary 24th April 2025] insufficient information to demonstrate that the application is in accordance with NPPF, PPG Flood Risk and Coastal Change and Policy 38 in Horsham District Planning Framework

PUBLIC CONSULTATIONS

3.16 Representations:
To date, no letters of representation have been received in response to public consultation.

3.17 Parish Comments:
Billingshurst Parish Council: Neutral
The committee resolved to a neutral response to this application, in that there was no objection. Should the application be permitted, and a S106 agreement be required, the Parish Council would request the inclusion of one or more of the following:

Improvements/refurbishment/repair of facilities and replacement of equipment at Jubilee Fields Pavilion & Sports areas

- Improvements/refurbishment/repair of facilities and replacement of equipment at Lower Station Road Play Area & Open Space
- Improvements/refurbishment/repair of facilities and replacement of equipment at Station Road Gardens

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

Background:

6.1 The revised Location Plan shows the vehicular access to the application site being provided through the existing estate roads of Phase 1 of the Billingshurst Trade and Business Park (BTBP), set behind the built-out unit occupied by DW Nye, along the southern boundary of the wider field parcel and then into the application site in the south-western corner, close to the overhead pylon. For confirmation, no other development in this wider field parcel is being proposed under this application.

6.2 Phase 1 of the Hilland Farm BTBP was permitted in full under DC/18/2122 to provide up to 5,000sq.m of B'class employment floorspace with a view of delivering much-needed employment floorspace within a short time-frame to address an identified need, whilst Phase 2 was to deliver a B'class employment floorspace quantum of up to 14,075sq.m across an extended time-frame, envisaged to deliver larger warehouse-style units, based on evidenced need in the locality. Phases 1 and 2 now fall within the defined built up area boundary (BUAB) of Billingshurst following the adoption of the Billingshurst Neighbourhood Plan in 2021.

6.3 Phase 2 of the BTBP, which lies immediately to the north of the application site, has thus far remained un-built, with the exception of Unit 14 (now referred to on plan as Unit 12, and occupied by DW Nye), along with the coffee drive-through and adjacent petrol filling station. Separate consent was granted in 2021 for the erection of a discount foodstore, now built out and occupied by Lidl. The internal estate road serving Phase 2 exists only as far as the petrol filling station and the Lidl car park, and up to DW Nye. The Billingshurst BUAB extends around the BTBP, with Phases 1 and 2 considered under planning policy to comprise an 'existing employment area'.

6.4 By contrast, the application site and the wider field remain outside of the defined BUAB, and therefore is considered to amount to a rural location. The site has been previously subject to two planning applications and one planning appeal, which sought permission for the development of up to 9,825sq.m of Class E (Industrial Processes), B2 and B8 floorspace. The site was referred to as 'Phase 3', and access was shown derived from the estate roads within Phase 1. The first application DC/21/0748 was refused by the Council in September 2021 for the following two reasons:

1 The proposed development would be located in the countryside, outside of a defined built-up area boundary, and on a site that is not allocated for development within the Horsham District Planning Framework, or the adopted Billingshurst Neighbourhood Plan. Furthermore, the proposed development is not essential to its countryside location. The proposed development of the site

for employment uses, for which there is no compelling immediate need given existing unbuilt provision in the locality, therefore conflicts with the Council's overarching strategy for development set out within Policies 2, 4, 10 and 26 of the Horsham District Planning Framework (2015), and Policy Bill 1 of the Billingshurst Neighbourhood Plan.

2 The proposed development, by reason of its scale and location on elevated ground level relative to surrounding development and the countryside, would result in significant landscape harm by way of loss of the sense of rural openness of the site, including views from the public right of way through to the South Downs National Park and towards St Marys Church, and from the loss of existing green infrastructure, contrary to policies 25, 26, 31, 32, and 33 of the Horsham District Planning Framework and Policy Bill 17 of the Billingshurst Neighbourhood Plan.

6.5 A subsequent application for the same development was later submitted and refused by the Council under delegated authority in June 2022 (DC/22/0566). As part of the assessment, it was noted that the applicant had failed to provide any compelling evidence to suggest that the current employment needs could not be met by existing consented development and unbuilt commitments within the district, and that the district's future needs had been properly assessed by way of updated Local Plan Review supporting evidence. At the time of the application, the Council contested that it could demonstrate that there was sufficient available land within the district to meet the planned-for and identified employment needs. Two of the reasons for refusal for this second application were the same as the earlier application (DC/21/0748), but included a 3rd reason, which reflected a change in the WSCC means of securing highways monitoring fee, which is now sought by way of a legal agreement:

3 HDPF Policy 39 requires new development to meet additional infrastructure requirements arising from the new development. In the event that the recommendation on the application were favourable, it would require a Unilateral Undertaking to secure the monitoring fee for the travel plan, as deemed necessary following advice from the Local Highway Authority. The Council regards such a Unilateral Undertaking as compliant with Regulation 122 of the CIL Regulations and the Framework. No completed Agreement is in place and therefore there is no means by which to secure these Policy requirements. As such, the proposal is contrary to Policy 39 of the Horsham District Planning Framework (2015)

6.6 Running concurrent to the second planning application for the site, was an appeal against the Council's refusal of the first application (DC/21/0748), determined by way of a hearing. The Planning Inspector dismissed the appeal in February 2023, finding that the 'tilted balance' of para 11(d)(ii) was engaged at the time of consideration, on account of the HDPF being over 5 years old, and with the emerging Local Plan having been delayed with no clear timetable being in place for next consultation or eventual adoption. Policies 2, 4, 7, 10 and 26 of the HDPF were therefore considered by the Inspector to be out of date in relation to the location of employment development and the spatial strategy. Furthermore, the Inspector considered the Council's and the Appellant's evidence in relation to the qualitative and quantitative assessment of employment floorspace provision and need within the district, acknowledging differing methodologies for calculating the required floorspace, alongside an evolving pattern of employment need. Whilst the delivery of the larger sites elsewhere in the district (Nowhurst, Brinsbury, Hilland Farm and Platts) was deemed to be '*unclear*', these identified larger sites benefitted from active planning consents at the time, rendering future construction '*plausible*'. Consequently, the Inspector was not satisfied that there was a demonstrated need for the proposed appeal floorspace:

(para 32) "Importantly, the Development Plan policies, in combination, are clear on directing new employment development to sites within the built-up area. The appeal proposal is on

an unallocated site outside of the built-up area. In this context, I would expect to see compelling evidence that there is a need for the proposed employment floorspace, and this is not before me, because of the uncertainties and conclusions I have set out above."

6.7 Therefore, in weighing up the planning balance, the Inspector's decision found that:

(para 37) "…the proposal conflicts with the Development Plan, specifically Policies 2, 4, 10 and 26 of the HDPF and BILL 1 of the NP, because it is for a type of development that is inappropriate on an unallocated, greenfield site, outside of the defined built-up area of Billingshurst. It has also not been demonstrated that there is a need for the type of employment floorspace proposed. The proposal therefore also fails to comply with Policies 4 and 7 of the HDPF. I acknowledge that these policies are out-of-date. However, that it has not been demonstrated that there is a need for the proposed floorspace is an important factor. Without this justification, I still place significant negative weight on the location of the appeal site on a greenfield site outside of the defined built-up area."

(para 38) "There would be limited harm to the character and appearance of the area, particularly with regard to landscape character and the proposal fails to comply with Policies 25, 26, 31, 32 and 33 of the HDPF and BILL 17 of the NP. The policies in relation to character and appearance are not directly affected by the expectation of a review of the Local Plan and they are consistent with the Framework in promoting high quality design. They are not out-of-date and I place moderate negative weight on this factor."

6.8 The appeal proposal was acknowledged to provide a range of employment opportunities (calculated at around 190FTE), along with the provision of on-site biodiversity enhancements in the way of new native planting, hedgerows and trees, which could be secured at reserved matters stage. These two elements provided significant weight (employment) and moderate weight (biodiversity) in support of the proposals in the planning balance of the appeal decision.

(para 41)"…however, the significant harm from the lack of demonstration of economic need and conflict with the spatial strategy, and moderate harm from the harm to the character and appearance of the area, in combination, would significantly and demonstrably outweigh the benefits of the proposal, even allowing for the significant economic benefits and the moderate environmental benefits. I am particularly conscious of paragraph 15 of the Framework and that the planning system should be genuinely plan-led. A wider review of the approach of the Council to development outside the built-up area should come through the emerging Local Plan process."

6.9 In considering the current application, Officers acknowledge that in terms of local policies (local plan and neighbourhood plan), they remain as per those which underpinned the previous planning assessments to DC/21/0748 and DC/22/0566, and the appeal decision. However, the Council progressed its Local Plan Review to examination in December 2024, although this process was halted by the Examining Inspector, who issued his findings in a letter to the Council in April 2025, citing reasons of 'soundness and legal compliance'. The Council has not formally withdrawn the Local Plan at the current time, so it continues to carry some limited weight insofar as being at 'post-submission' stage. The NPPF has also been most updated in December 2024, where the following text in bold was added to para 11(d)(ii):

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

***making effective use of land, securing well-designed places and providing affordable homes, individually or in combination**."*

Principle of Development:

6.10 The Horsham District Planning Framework (HDPF) and Billingshurst Neighbourhood Plan form the development plan for the purposes of considering this application. In accordance with the plan-led approach, the HDPF seeks to ensure development takes place in a manner that ensures the settlement pattern and rural landscape character of the District is retained and enhanced, but still enables settlements to develop in order for them to continue to grow and thrive. The mechanism by which this is achieved is through the designation of built-up area boundaries (BUAB) and the planned expansion of existing settlements through the Local Plan or Neighbourhood Planning.

6.11 The HDPF therefore seeks first and foremost to focus growth within defined BUAB (Policy 3 in association with Policies 1 and 2). HDPF policy 2 (parts 6 and 8) seeks to manage development around settlement edges to protect the rural character and landscape, and which prioritises the effective re-use of previously managed land (brownfield). Furthermore, the countryside is protected against inappropriate development by way of Policy 26, setting out that only the following developments are 'essential' to a countryside location:

- Agricultural / forestry-related
- Mineral extraction or waste disposal
- Quiet informal recreational uses, or
- Sustainable development or rural areas

6.12 Planned expansions of settlements, in order to meet not only local housing needs, but also employment and community needs, are to be achieved by way of Policy 4 of the HDPF (Strategic Policy: Settlement Expansion), which outlines the five criteria where development outside of the built up area boundary (BUAB) would be supported;

- Adjoining the settlement edge **and** allocated in a Local Plan, or Neighbourhood Plan
- Appropriate to the scale and function of the settlement type
- Demonstrated to meet an identified local housing need, or / or employment needs, or assisting with the retention of and / or enhancement of community facilities and services
- Would not individually or cumulatively prejudice a comprehensive long-term strategy or conflict with local development strategy; **and**
- Contained within a defensible boundary, maintaining and enhancing landscape and townscape features

6.13 The principle of the proposal would therefore conflict with strategic planning policies as the site is not allocated within a Local Plan or made Neighbourhood Plan. Whilst the intensification or expansion of the adjacent BTBP for employment purposes would be supported under HDPF policy 9, this support in principle does not extend to unallocated sites outside of the defined BUAB, or land adjacent to such sites, as per the application site.

6.14 Therefore, as the site lies outside of the defined BUAB, HDPF Policy 10 has been applied, which covers sustainable rural economic development and enterprise. Support in principle is expressed for development which is appropriate to the countryside location and contributes to the diverse and sustainable farming enterprises within the district or, in the case of other countryside-based enterprises and activities, contribute to the wider rural economy and/or promote recreation in, and the enjoyment of, the countryside, **and**:

A) Is contained within suitably located buildings which are appropriate for conversion, or are within industrial the established boundaries of a rural estate; **or**

B) Where there is an exceptional case for new / replacement buildings, there would be a substantial environmental improvement as a result, or a reduced impact to the countryside.

6.15 The proposed development does not accord with either of the criteria set out under HDPF policy 10, nor does the proposal comprise a diversification of a sustainable farming enterprise.

6.16 In terms of local employment needs, the most recent employment evidence is set out in the Northern West Sussex Economic Growth Assessments (EGAs) and related documents (Jan 2020 and Nov 2020), which, alongside existing allocations and commitments in the HDPF, results in the additional employment allocations being justified to support the district's economic and housing growth and needs moving forward to 2040:

- Land west of Ifield, around 2ha
- Land north-west of Southwater, around 4ha
- Land east of Billingshurst, around 0.5ha
- Land south of Star Road Industrial Estate, Partridge Green, 3.8ha (around 9,000sq.m)
- Land west of Greylands Estate, Horsham, 3ha (around 9,000sq.m)
- Land at Broomers hill, Pulborough, 2.7ha (around 7,000sq.m)
- Land south-west of Hop Oast, between Horsham and Southwater, 1ha (around 3,000sq.m)

As a consequence, Officers do not consider there to be an identifiable need for further employment land beyond these draft site allocations and existing commitments.

6.17 To conclude on matters of principle, officers consider that the location of the site and the maintained policy presumption on developments located outside of the settlement boundaries, would render the proposal to be in conflict with local planning policies.

Justification and Need:

6.18 The appeal inspector for the previous proposals on this site was aware of the Northern West Sussex Economic Growth Assessments (EGAs) and related documents (Jan 2020 and Nov 2020), and concluded that the applicants had not demonstrated the need for an additional 9,825sq.m of speculative employment floorspace, despite the applicant's argument of there being an unmet need for additional commercial floorspace at the time. This attracted significant negative weight against the grant of planning permission on this greenfield site.

6.19 The current application, by contrast, is being advanced not on speculative grounds, but on the specific needs of an identified end user, (EVM UK), and is seeking a much smaller development quantum with the main building itself being of some 1,368 sq.m (GEA) occupying only a smaller area (approx. 2/3 of the overall field parcel). The proposed layout and form of development is therefore based on the applicant's very specific site needs and end use.

6.20 The application sets out that the applicant (EVM UK) has been occupying a site within the Oakhurst Business Park in Southwater for some 4 years, but has outgrown this site, with officers aware that there are parking issues presented by the existing site. Prior to this, the company appears to have been based within an employment site in Faygate. The business case put forward describes EVM UK as the UK leader in providing bespoke passenger vehicles such as zero-emission mini-buses, mobility and accessible vehicles, demand-responsive transport vehicles, luxury travel and touring vehicles. The business's growth and expansion is to take place within the next 2 years, with the business stating this would create some 30-40 jobs.

6.21 In order to satisfy this anticipated growth, the following points are noted from the submitted Planning Statement:

- EVM require a large B8 open storage area (5,690sq.m), coachworks (1,368sq.m), ancillary offices (590sq.m), a min. site are of 1.2ha (suitable for 78 minibuses, 38 staff / visitor parking, manoeuvring and turning, hospitality and display area). The largest plot available in Phase 2 (of the BTBP) is 0.77ha – even with re-planning, the site levelling works would be financially unviable
- Require suitable HGV access
- The potential for 24-hour internal operations
- Reasonably quick build-out. Ready for occupation in Q3/4 of 2026 with sufficient space for future expansion
- Desire to remain in Horsham district and retain local staff
- Desire to obtain a freehold site
- Most commercial developers will only offer sites at a maximum ratio of 40% building to yard area, with EVM's operational needs at 10% building to yard ratio.

6.22 Officers also understand from the submitted details that the applicants have investigated other business and employment sites within the district, with the outcomes summarised as follows:

- No opportunities at Nowhurst Business Park as this requires an initial large anchor tenant (min 5,000sq.m building), no local / pedestrian access to established amenities or train station, conditions restrict 24-hour internal operations, limited certainty over delivery of the site
- No opportunities at Brinsbury College land, which, despite having a lapsed permission, continues to be marketed for sale, preferably as a whole 5.4ha site, unable to offer the required linked training opportunities to Brinsbury College students, site marketed as 'unserviced' fails to provide certainty over utilities and infrastructure costs, lapses permission did not allow for 24-hour internal operations, and no local / pedestrian access to established amenities and train station
- No opportunities at Platts Roundabout, which benefits from extant permission and is to be developed on a speculative basis by an industrial developer, with permitted units too small for EVM needs, each with their own parking / servicing area to the front and thus operationally unsuited, available on a leasehold basis only, building to yard ratio therefore not operationally suited to EVM, along with significant sloping site levels increasing the costs of providing the required 1.2ha site
- No opportunities at Phase 2 of the Billingshurst Trade and Business Park, as the 1.2ha requirement would not fit onto any of the Phase 2 plots, which is made up of smaller units benefitting from extant reserved matters consent, the site levels would require financially unviable site levelling works and retaining walls, and with the landowner stating the largest plot remains subject to a contractual commitment to a prospective occupier (The Range), preventing EVM's desired timeline for delivery and occupation.

6.23 It is clear that the applicant's search criteria for other suitable sites in the district has primarily encompassed sites which are vacant or as yet unbuilt, in order to find a suitable site that provides both an appropriately sized yard, parking and display / sales area, along with suitable space for a building that can function both as workshop space and support the associated office space. To frame these requirements, the existing site area on the Oakhurst Business Park, Southwater, is about 2,400sq.m, which is about 7 x smaller than the land area of the application site (17,100sq.m), with a building that is around half that of the application proposal. It would also enable the doubling up of mini-bus parking spaces on site (EVM's specialism) along with providing on-site parking for both staff and customers, and HGV / vehicle transporter manoeuvring space within the site, which is not accommodated within their existing site on Oakhurst Business Park, and which therefore relies on the use of public roads and possibly the adjacent estate roads.

6.24 However, in exploring the other allocated sites, there is a further question mark over the certainty, deliverability and timeframes for these sites. The applicant by contrast, is seeking an opportunity to deliver and build out within a short time-frame. Furthermore, the plot ratio

for the application site would be very low at 8-12% (*the ratio between built and unbuilt portions of the site),* with most 'out-of-town' sites typically achieving a density of around 40%, with urban sites typically having a higher ratio still (around 60-65%). This results in a requirement for a larger parking / yard area and a smaller building compared to the typical employment site layout.

6.25 The proposed site layout is therefore presented to meet the specific operational needs of the applicant (EVM UK), rather than to support generic/speculative employment development (within use classes B2, B8 and E(g)) as before. The submitted growth strategy for the company outlines a key move into the emergency vehicle sector, which cannot be realised at their current site on account of the size and operational limitations, along with the restrictions imposed by the existing tenancy agreement. Consideration is given to this differing justification for the development of this site as part of this overall assessment as there are economic benefits to the district in being able to accommodate the growing needs of an established local business which draws its employees from the population, which carrying some positive weight in the planning considerations.

6.26 Officers consider that these specific needs are a material change compared to the previous proposals for speculative employment development on this site (as considered under DC/21/0748 and DC/22/0566), with the current application presenting a concise argument for developing only a portion of the wider land parcel, and including specific justifications and needs to accommodate the proposed expansion plans of a local business and employer. Nevertheless, officers acknowledge that, should planning permission be granted for this proposal, it would become difficult to resist the development of the rest of the field parcel given it would then be fully surrounded by development.

6.27 Officers conclude that the proposal would not meet the criteria of any of the local planning polices, be they contained within the HDPF or a made Neighbourhood Plan, and still presents unallocated development outside of the defined BUAB and is therefore not strategically led, or 'planned for'. However, the specific arguments which have been put forward by the applicant (EVM UK) are considered to be capable of forming a material argument in favour of the proposal, and which would result in a composite use of the land which is significantly different to the previously sought speculative 'employment' use classes for which no end users had been identified, and which therefore presents a materially different case to the preceding refused applications on the wider field parcel.

Design and Appearance:

6.28 HDPF Policies 32 and 33 relate to good design and requires all development to be of high quality by having account of the local physical and environmental context, and to satisfy a criterion of Development Principles in order to, amongst other things, conserve and enhance the natural environment. Of these Principles, development is required, amongst other things, to;

1) prioritise the use of previously developed land;
3) ensure the scale, massing and appearance of the development relates sympathetically with the landscape and routes within and adjoining the site, including any impact on the skyline and important views;
4) respect the character of the surrounding area (including its overall sitting); and
6) relate sympathetically to the local landscape.

6.29 As part of the previous appeal decision, the Inspector found the appeal site to be '*pleasant but unremarkable',* and '*heavily influenced by urbanising features'* on account of the *'substantial'* commercial buildings within the wider BTBP to the north, the *'substantial'* electricity pylons which run through the southern portion of the site, as well as a mobile phone mast along the eastern boundary. The appeal proposal would, the Inspector concluded *'urbanise a currently open field'* and '*introduce substantial built form adjacent to the PRoW'.* However, the introduction of planting alongside the PRoW, and along the green corridor

under the pylons were considered to be potentially effective in partially mitigating the visual effect of the appeal proposal.

6.30 In considering the current planning proposal, officers find that the current application has the potential to deliver a number of mitigations which could help to soften the visual transition, with the eastern planting buffer alongside the PRoW being between 4.5m and 5.5m in width, thus capable of accommodating a degree of meaningful planting, including the delivery of 22 new trees, with the building being set back from the eastern boundary (and the PRoW) by some 48m. Whilst this presents a narrower landscape strip to the eastern side of the site compared to the previously refused proposals on this site, the scale and position of the building occupying the plot would be considerably smaller, leading to a reduced overall visual impact and therefore less of a prominent 'urbanising' impact.

6.31 Similarly, the building would also be set some 61m off the southern site boundary, with the intervening yard serving to introduce visual diminishment of the proposed development when viewed from Hilland Road to the south, and from the residential properties to the south, although there are restrictions along this side of the site to enable maintenance access to the overhead lines. Where planting is possible, 4 new trees are shown along the southern boundary, reinforcing the existing tree block in the south-eastern corner.

6.32 Externally, although the scale and dimensions of the 'big box' style building would be comparable to those approved in Phase 2, the external cladding would differ, comprising a black flat-roofed 'office' section over two floors, with a white vertical clad 'workshop' section with white rainwater goods and flashing, coping details, and a white roof. Visually, this would differentiate the application site building from those approved on the northern site Phase 2, and those already built in Phase 1. However, it is also noted that planning consent exists for a different style of commercial development on land to the west (Hilland Barn), where the consented development seeks to echo rural barns. Permission has also recently been granted in outline for a residential development of up to 125 houses on land to the immediate east of the PRoW and the application site, thus considered to introduce differing visual characters into this area.

6.33 The submitted hard landscape plan shows the permitter fencing to be a 2.4m high paladin security fence which is essentially a strong welded mesh fence that allows visual permeability, and the use of RAL 9005 (jet black) can be a suitable colour to blend into the background landscape features.

6.34 To conclude on matters of design and appearance, officers acknowledge the 'developed' nature of the application site that would result, which comprises of both building and the large parking / yard area. However, whilst the parking and yard areas would be 'developed' by way of their surfacing and use, they would maintain a largely open character. The workshop / office building would present a much smaller footprint compared to the previous refused appeal scheme, and is therefore considered to largely address the Inspector's concern over 'urbanisation' and 'prominence'.

Landscape and Trees

6.35 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)'.*

6.36 Chapter 15 (Conserving and enhancing the natural environment) of the NPPF at para 180(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 182, the NPPF goes on to consider that the National Parks,

Broads, and Areas of Outstanding Natural Beauty (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 an AONB (now National Landscape) or the South Downs National Park, thus not raising any subsequent conflict with paras 182 and 183 of the NPPF.

6.37 Paragraph 180(b) goes go on to require that planning decisions *'recognising the intrinsic character and beauty of the countryside, and the wider benefits from the natural capital and ecosystems – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland'.*

6.38 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 26 states that, outside built-up area boundaries, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. 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.

6.39 The sensitivity of the site is therefore noted, as it currently contributes to creating a clear sense of separation between the road corridor of the A272, which in this location marks the northern edge of the residential settlement expansion to the east of Billinghurst, and the commercial cluster of the BTBP further to the north beyond. Although Phase 2 is currently not yet built out in full, the scale and location of the consented development would extend along the northern boundary of the application site and become visually apparent in the wider landscape setting. Whilst this impact has not yet occurred, consideration must be given to the consented scheme, and the likelihood of the truncated views that would occur in northward views as a consequence.

6.40 Similar consideration is given to the potential impact that would occur to the east of the site, given the recent appeal decision (July 2025) to allow outline consent for the development of up to 125 houses on land at Hilland House, where the development site would adjoin with the application site along the eastern boundary, thus acknowledging a resulting change to the character of this northern edge of the village.

6.41 As part of the previous appeal decision on the application site, it is noted that the Inspector considered that the proposed development of new large-scale commercial buildings would result only in '*limited'* harm to the character and appearance of the site and landscape character, albeit with the element of '*harm'* giving rise to a conflict with HDPF policy 25 which seeks to protect landscape character.

6.42 Clearly, the proposed massing and scale of the built development sought in detail under the current application would be smaller than that which was presented in outline under DC/21/0748, and is now being considered at a time when a residential development on the adjacent site to the east has been allowed on appeal (DC/24/0749). As a result, it is considered that the current proposal, in presenting a smaller massing than the previous outline scheme, incorporating increased distances off the eastern and southern boundaries, and in recognition of an allowed residential development on the adjacent site, would result in a materially different visual impact over and above that which was subject to the previous appeal decision in this site, with a different impact on the landscape as a result.

6.43 The first consultation response offered by the Council's Landscape Officer maintained concern over the site's location outside of the settlement boundary and in relation to the

amenity of nearby residents and users of the PRoW, noting that the site contributed to the overall landscape setting which helps to retain the rural setting around the residential extension of the village to the eastern side. Particular comments over the proposed layout noted that the parking area was now closer to the PRoW than with the appeal scheme, and that the large areas of yard referred to on plan as 'storage area', could give rise to an increased level of activities in the countryside location with the overall height of any stored material potentially imposing. The first iteration of the proposal was therefore judged to offer little in the way of mitigatory planting, with robust boundary planting buffers expected by the Council's Landscape Officer to soften the impact and positively contribute to the rural location of the site, along with integrated planting 'layers' within the parking and yard areas.

6.44 In response to this, the layout of the site was amended, and the appeal decision on the adjacent site at Hilland House, has since also been issued, with the residential development allowed. The subsequent comments by the Council's Landscape Officer acknowledged the resulting change to the overall sensitivity of the site in light of the appeal decision. Whilst the revised site layout offers improvements, with a wider landscape buffer, and no retaining walls necessary, the layout still encroaches northwards into the rooting environment of the trees to the northern boundary, with a similar encroachment noted to the south-eastern corner. Concern has therefore been retained over the scale and openness of the proposed parking / yard area, which has not been broken up by planting to create layered areas of planting.

6.45 As a consequence of the amendments which bring a vehicular access through the adjacent open field to the west and into the south-western corner of the site, a single Oak tree of a group of 7 would be removed, but with a potential impact on the root protection areas (RPA) of two retained trees either side of the proposed new vehicular route into the site from the northern parcel. Both the Council's Landscape Officer and Tree Officer express concern over the loss of the tree and potential impact on the root protection areas of the retained hedgerow trees within this group. A revised AIA has been requested to enable a fair assessment of these matters, which has since been provided.

6.46 The most recent amendments to the layout of the site have now pulled the proposed parking area back from the rooting area of the northern trees, and similarly in the south-eastern area of the site, in response to the Council's Landscape and Tree officers' comments. Whilst officers note this is a positive change to the layout, which seeks to offer increased protection to the retained boundary trees, the Council's Landscape Officer remains concerned about the wider holistic ability of the proposed layout to achieve a beneficial and long-term retention of the trees, noting the likely pressures placed on these trees from development within Phase 2 to the north of the site boundary.

6.47 It is to be noted that under the previous appeal application on this wider Phase 3 site (DC/21/0748) all but one of the hedgerow (Oak) trees was shown for removal. This was previously considered by the Council to result in the loss of key landscape characteristics of the site. The Inspector, however, considered that replacement planting could be secured by condition, noting the indicative masterplan incorporated a deep mitigatory landscaped buffer to the north-eastern corner (around 25m). The landscape-based concerns over the erosion of significant landscape features remains valid, particularly noting that the adjacent BTBP development was promoted at the outset on the integration of, retention of and supplementation of planting to arrive at a 'landscape-led' scheme.

6.48 As part of the current proposal, only one tree would be lost to facilitate the new roadway, but officers have noted a possible incursion into the RPA of two trees adjacent to the proposed roadway. The revised AIA acknowledges an incursion into the RPAs of only one of the retained hedgerow trees, amounting to around 12% of its total RPA. This is stated in the AIA to be deemed acceptable given the health of the tree and the soft ground around the tree, which is unlikely to affect the long-term health of the tree. Following assessment of the revised AIA, the Council's Tree Officer remains concerned over the loss of the tree and the implications on the adjoining trees with engineering works to form the roadway located within

the respective RPAs. The Council's Tree Officer therefore considers that, as this application relates to a greenfield site, and given the original iteration showing access derived from the north, there are other viable options available to deliver access into the site which would ensure the retention of trees and green infrastructure.

6.49 Notwithstanding the previous conclusion reached by the appeal Inspector, officers welcome the retention of this tree group, albeit of which one is to be felled to make way for the access, with the two either side to be crown lifted to accommodate traffic. The retention of the remainder of the tree group is considered by officers to contribute towards retaining existing ecological and biodiversity features which are capable of offsetting incremental climate change implications, such as reducing the impact of heat island effect and providing for carbon exchange, as well as maintaining the original 'landscape-led' vision upon which the original BTBP development was built.

6.50 However, when considered against the context of a residential development that has been allowed to the eastern boundary of the site, the site's current rural context would be subject to further visual change. Furthermore, officers acknowledge that there are proposed mitigations which are capable of offering a significant amount of compensatory new tree planting within the landscaped edges to the site. The proposed access would necessitate the felling of one Oak hedgerow tree, and, according to the Council's Tree Officer, likely impact on the adjoining two trees either side of the new access. However, officers place these concerns against the previous appeal considerations whereby the Inspector considered mitigatory planting to offset this loss. and retention of all but one of the trees within the site boundary.

6.51 The proposed development is acknowledged to lead to the erosion of what is currently an open wedge of landscape that separates the northern commercial development site of the BTBP from the residential development to the east of Billingshurst, leading to an acknowledged diminishment of the rural character and landscape harm, thus raising a conflict with HDPF policies 2, 25, 31, 32 and 33, Policy BILL 1 of the Billingshurst Neighbourhood Plan and NPPF paras 135 and 180. It is regrettable that the proposal does not incorporate the level of meaningful planting 'layers' within the expanse of paved car park and open yard areas as advised by the Council's Landscape Officer. The proposed development is therefore recognised to introduce increased visual prominence of this site within its edge-of-village, semi-rural location. However, in this instance, Officers consider that the level of resulting landscape harm would be lessened when considering the interaction of the site to the wider context which includes the existing urbanising features evident at the site, such as pylons, the trunk road, and the mobile mast.

Highways Impacts:

6.52 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.

6.53 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.

6.54 Nationally, paragraph 114 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.

6.55 Furthermore, paragraph 117(a) 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.

Trip Rate Generation / junction capacity

6.56 The submitted Transport Statement sets out that this quantum of development is anticipated to accommodate 30 staff, assumed to be working 09:00 – 17:00 hours, and therefore generating some 23 vehicular movements for the AM and PM peak hours. In addition, the business would expect some 450 van deliveries per year, with each van remaining on site for between 1-2 weeks, which would average at 20 van movements per week, or 4 trips per day. The office use of the business is anticipated to lead to 2-4 deliveries per day, likely by van, and expected to be undertaken outside of the network peak hours, to ensure that all deliveries can be met by staff on site.

6.57 The overall TRICS assessment anticipates some 32 AM peak arrivals and 2 peak departures, and some 2 PM peak arrivals and 25 departures. This would lead to an averaged out additional 1 trip every 2 minutes on the highway network, using the standard TRICS methodology which the Local Highways Authority has assessed as being an acceptable methodology. All vehicles would have to access the site via the new 4-arm roundabout on the A29 that was built to facilitate the BTBP development.

6.58 The Local Highways Authority have reviewed and assessed the details, and accept the forecast trip generation likely to be generated by the unique end user. The calculated 25 additional movements on the existing highway network during the AM and PM peaks are not anticipated to lead to an adverse impact on the operation of the highway network, or junction capacity. Highway officers have clarified that no highway capacity or safety issues would arise from the development having considered cumulative impacts including the recently allowed appeal adjacent at Hilland House referred to above.

Parking and Sustainable Access Modes

6.59 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.

6.60 Parking for such a composite use is expected by the WSCC parking guidance to be based on site-specific assessment, with operational needs balanced with space requirements, staff expectations, efficient use of land and access to other sustainable transport choices. Seeking to relocate to the application site, the applicants have cited an inherent benefit which is to provide staff with opportunities to access the site on foot or by cycle, noting the public transport links which are available to the site. The Local Highways Authority are satisfied with the bespoke end-user assessment for parking needs and cycle parking on site.

6.61 Neighbourhood Plan policy BILL12 supports development proposals which improve cycling and walking, and where the provision of cycle and pedestrian routes is separated from vehicular traffic, whilst the NPPF para 105 sets out that 'decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails, whilst para 96(a) encourages the *'…street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods…'.*

6.62 Whilst the current proposal seeks to utilise the existing pedestrian and cycle access that was created with the build-out of Phase 1 only, the eastern PRoW, is to benefit from upgrading works to a bridleway as a result of the allowed residential scheme under DC/24/0749. Although not part of the current application, the site layout would facilitate potential future access to the upgraded bridleway, which would allow any employees who live in the eastern part of Billingshurst easier and more direct sustainable (walking / wheeling) access to the site via existing and committed safe, lit, routes.

Conclusion of Access, Parking and Active Travel

6.63 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. The recent permissions on adjacent sites have been acknowledged by the WSCC Highways Authority when assessing the current proposal. Based on the information submitted, which considers the impact arising from the proposed development to be a low number of vehicular movements, and subject to conditions, 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 96, 115, 116 and 117 of the NPPF, as well as HDPF policies 40 and 41, and policy 12 of the Billingshurst Neighbourhood Plan. Officers have no good reason to disagree with this conclusion.

Residential Amenity:

6.64 Policy 33 of the HDPF requires development is designed to avoid unacceptable harm to the amenity of occupiers / users of nearby property and land, noting that at the current time, residential properties are situated some 65m from the southern boundary of the site and around 100m from the southern edge of the building, beyond the intervening trunk road of the A272. Officers have also considered the location of the adjacent allowed appeal as set out in paragraph 1.16. It is recognised that after hours and during the night-time, the location is one that is intrinsically quiet with limited activity and operations taking place. Hours of use and operations, including deliveries and dispatch, are in place across the BTBP to the north, with the following limitations noted across Phase 2:

- external operations allowed only between 07:00 – 23:00 hours Mondays to Saturdays and 09:00 – 16:00 hours on Sundays and Bank Holidays.

6.65 The Council's Environmental Health Officers have raised a concern over the proximity of the application site to residential receptors to the south, and have identified their principal concern as being the noise impacts on the amenity of the dwellings in the vicinity of the development site arising from the south facing delivery bays and car parking areas together with the proposed 24 hour uses. Officers note that the nearest existing residential receptor to the application site is some 60m to the south. In relation to the outline planning consent for residential development to the east, this would bring prospective occupants to within 25m of the proposed yard area.

6.66 The application includes a noise assessment which has undertaken noise surveys undertaken in July 2018 (pre-development) and in January 2021. Of the monitoring locations, N3 is closest to residential properties to the south. Survey results show an average daytime noise environment of 48dB during the day, 32dB in the evening and dropping to below 30dB (23 dB) during the nighttime period of 23:00 – 07:00.

6.67 Officers acknowledge the general approach that requires any external plant to operate at no less than 5dB below the average background noise level, particularly during the quietest hours of the day (e.g. nighttime). The submitted noise report sets out that this approach is considered unreasonable, given the guidance set out under BS:4142, and that the external plant would likely operate only during the day, thus meeting the noise limits. If the plant is to

be required during the nighttime period, then it would be expected that localised screening / acoustic enclosure would be necessary to mitigate the noise.

6.68 The noise report acknowledges a likely adverse impact from any deliveries of vehicles arriving to site by HGV transporter and being unloaded, in the event that this takes place during the evening or nighttime, and similarly for any deliveries by mini-bus, despite such events being a short (e.g. 2min) event.

6.69 Workshop activities are measured at a typical level of 75db (at source), and therefore it is envisaged that all activities would take place with the roller shutter and other doors closed. The submitted Environmental Noise Assessment therefore proposes the following measures to address likely noise impact on neighbouring / nearby residential receptors:

- Noise from plant will be controlled by a suitably worded planning condition to meet local authorities noise criteria;
- Vehicle deliveries can take place between 0700 and 2300 hours; and
- Subject to doors being closed there is no technical reason to restrict workshop activity

6.70 Officers accept that hours of use would, along with other mechanisms which can be controlled by way of planning conditions, adequately control matters of noise and disturbance, primarily considering the built residential development to the south, but also acknowledging the consented outline residential development to the east of the boundary (Hilland House) and future residential amenities thereof.

6.71 Subject to details required as part of a planning condition, officers are satisfied that the proposal has the potential to include mitigatory measures that would therefore not lead to any significant adverse impact on the amenities of nearby or prospective occupants, in line with the expectations of HDPF policy 33.

Ecology and Biodiversity:

6.72 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. Policy 17 of the emerging HDLP seeks to secure habitats, green infrastructure, functionally linked habitats and positive biodiversity enhancements, and also sets out a required delivery of a 12% Biodiversity Net Gain (BNG).

6.73 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 to meet the 10% national requirement. This is discussed in more detail later on in this report.

6.74 Paragraph 186a 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.

6.75 The application site is not subject to any statutory or non-statutory ecological designations. The nearest statutory sites for ecological importance are Copped Hall Hanger, some 1.8km north and the Upper Arun, some 2.7km to the west. The Mens SSSI and SAC is located 4.9km to the north-east of the site which is designated for its Barbastelle bat population, and therefore within the 6km Key Conservation Area. The site also lies around 10.2km east of the Ebernoe Common SAC and therefore within the Wider Conservation Area for this SAC. The Council's Ecological officer recognises from the Preliminary Ecological Appraisal (All Ecology, October 2024) that there are no buildings onsite and no Potential Roost Features for bats in trees. Therefore, whilst no further surveys for bats are required, the application is subject to a Bat HRA, which natural England has now reviewed and has made no further comment on.

6.76 Surveys have been undertaken at and close to the site, identifying water bodies that are suitable to support a population of Great Crested Newts, and noting that the site lies straddling the green and amber Impact zones as modelled by the district licence mapping. The surveys and conclusions are noted, recognising that these waterbodies present low potential GCN habitat potential. This is a consistent approach to that taken on the immediately adjacent site at Hilland House (under DC/24/0749), whereby an informative was considered to be appropriate to recognise the low risk to Great Crested Newts and their habitat arising by way of the proposal.

6.77 Following receipt of additional information to clarify a number of ecological queries, the Council's Ecological consultant is satisfied that there is sufficient information to enable a decision to be reached, and has therefore recommended a number of ecological conditions, including a requirement that a biodiversity lighting scheme be submitted which sets out how this can be designed in a way that avoids undue harm to foraging bats, including Barbastelle bats, which are particularly known to be affected by artificial lighting.

Biodiversity Net Gain (BNG):

6.78 Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG), unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024, and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development may not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

6.79 The Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed.

6.80 In this instance, the proposed development would not be able to achieve on-site habitat gain to achieve the required 10%, as the proposal would yield a net gain in hedgerow units, but a net loss of habitat units, leading to an overall net loss. In order to achieve the required BNG, an off-site solution would be required, which would be by way of 'purchased' units from a registered landbank, or other such trading platform, or as part of the statutory BNG credits available from Natural England. These mechanisms would be secured and finalised by way of the standard BNG planning conditions.

Water Neutrality:

6.81 Horsham District is situated in an area of serious water stress, as identified by the Environment Agency. In September 2021, Natural England released a Position Statement which advised all local authorities within the Sussex North Water Supply Zone that it cannot be concluded that existing water abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites near Pulborough. The Position Statement advises the affected local authorities that developments within the Sussex North Supply Zone must not therefore add to this impact, and to achieve this, all proposals must demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.

6.82 In assessing the impact of development on protected habitat sites such as those in the Arun Valley, decision makers must, as the competent authority for determining impact on such sites, ensure full compliance with the Conservation of Habitats and Species Regulations

2017 (known as the Habitat Regulations). The Regulations require that a Habitats Regulations Assessment (HRA) be carried out to determine if a plan or project may affect the protected features of a habitats site, before the grant of any planning permission. Section 70(3) of the Regulations requires that planning permission must not be granted unless the competent authority (Horsham District Council) is satisfied that the proposed development will not adversely affect the integrity of the affected habits site. Section 63 of the Regulations sets out the process by which an HRA must take place.

6.83 The requirements of Section 70(3) are reflected in paragraph 193 of the NPPF, which states that 'if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused'. The application site falls within the Sussex North Water Supply Zone which draws its water supply from groundwater abstraction at Hardham (near Pulborough), adjacent to the Arun Valley sites. The water abstraction issues raised by the Natural England Position Statement are therefore material planning considerations relevant to the proposal. Given the requirements of the Habitat Regulations and paragraph 193 of the NPPF, adverse impact on the integrity of the Arun Valley sites must be given great weight in decision making. In order to demonstrate that no adverse impact will occur at the Arun Valley sites, all new development within the supply zone must demonstrate water neutrality, i.e., that water consumption from the site when occupied will not increase water abstraction in the Arun Valley.

6.84 The proposal relies on the implementation of a rainwater harvesting and filtration system to provide all potable and non-potable water for the development, as per the consented principle established to the north within Phase 2 of the BTBP. The calculations show an average rainwater yield collected from the new roof-slope would be around 2,206 litres / day, against a calculated employee and vehicle washdown need of some 710 litres / day. This proposal would therefore likely lead to a comfortable headroom, which, along with a sufficient 35+ day drought storage capacity, and appropriate testing, filtration and maintenance regime, would enable a potable water supply to be realised for the site, capable of ensuring the proposed development is water neutral.

6.85 The applicant's overall water neutrality strategy, including the calculations of water demand arising at the site and the means of offsetting/mitigation, have been assessed by Natural England who have raised no objection subject to the implementation of the stated measures prior to any occupation of the proposed development.

6.86 Accordingly, officers are satisfied that the proposal now provides the level of certainty that the development would not contribute further to the existing adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites as required by policy 31 of the HDPF, NPPF paragraph 193 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Climate change

6.87 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 proposed development includes the following measures to build resilience to climate change and reduce carbon emissions:

- Efficient building fabric combined with air source heat pumps, mechanical ventilation and heat recovery, and PV panels
- Water efficiency measures / rainwater harvesting associated with water neutrality

6.88 Subject to the implementation of these measures the application will suitably reduce the impact of the development on climate change in accordance with local and national policy. It has therefore been sufficiently demonstrated that local plan policies requirements related to energy use and sustainable construction (HPDF Polices 36 and 37) have been complied with.

Other Matters:

Heritage Impacts:

6.89 The site does not adjoin or contain any designated heritage assets, nor are there any conservation areas adjoining the site. However, an Archaeological Notification Area has been identified to include the site and surrounding areas. The submitted desk-based Archaeological Assessment is noted to reveal that further archaeological investigations would be proportionate to assess the potential of the site, particularly given that significant remains have been discovered on adjacent sites

6.90 The Council's Archaeologist therefore recommends a more detailed Written Scheme of Investigation condition be secured in the event of approval, satisfying the criteria of HDPF policy 34 and NPPF para 200 in relation to heritage assets.

Drainage / Flooding:

6.91 The Environment Agency Flood Map shows that the application site is not at risk of flooding from rivers and sea, nor from surface water. No increased risk is shown within the climate change predictions.

6.92 The Flood Risk Assessment submitted with the application has been revised to address a number of comments and concerns raised by the WSCC Local Lead Flood Authority, and also now incorporates reference to the new National Standards for sustainable drainage systems (SuDS), which was introduced in July 2025. The revised SuDS details refer to the use of rain water collection and re-use within the building, permeable paving with an oil separator, revised to account for the proximity of the RPA to the trees in the south-eastern corner, and now includes a Swale along the southern extent of the site which leads into an existing drainage ditch within the applicant's control.

6.93 The Local Lead Flood Authority has reviewed the submitted documents and is now satisfied that the drainage-related concerns have been adequately addressed.

6.94 Overall, therefore, officers consider that the proposed development would meet the requirements of Chapter 14 of the NPPF and that appropriate conditions would ensure that the surface water drainage measures, including SuDS, are acceptable and fully implemented. Subject to these conditions the proposal accords with policies 35 and 38 of the HDPF and Chapter 14 of the NPPF.

Minerals Safeguarding:

6.95 Under the West Sussex Joint Minerals Local Plan (JMLP July 2018) the entire site falls within a Brick Clay Mineral Safeguarding Area. A Minerals Resource Assessment (MRA) has not been submitted to identify whether economically viable mineral resources are present on site, and whether prior extraction is practicable.

6.96 Policy M9 (b) (iii) of the West Sussex Joint Minerals Local Plan requires that for non-mineral development (such as the current application), 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 abundancy of Brick Clay within the wider county and the application site relates in part to previously developed land.

6.97 WSCC Minerals Officers provided comments for the adjacent development on land at Hilland Farm, accepting that Weald Brick Clay is abundant within the wider county, agreeing that the environmental constraints presented by that site would undermine the feasibility for any significant minerals resource extraction, coupled with the site's location on the edge of the built up area boundary, rendering the safeguarding of brick clay in that instance as a low priority.

6.98 Officers acknowledge that the application site is smaller than the adjacent site at Hilland Farm and additionally adjoins the defined settlement edge along two sides, with residential development some 65m from the site, and furthermore, a PRoW running directly alongside the eastern and part of the northern boundaries. These constraints would likely reduce the viable area for extraction at the site.

6.99 Whilst acknowledging that a MRA should have been submitted in support of the application, Officers understand that the location of the site, the relative abundance of Brick Clay within the area, and the relatively small area of the site where extraction might be possible, would likely lead to prior extraction of the site being unviable of unfeasible. As a result, the safeguarding of the brick clay resource in this particular instance is likely to be considered a low priority, as the adjacent site to the west, against the site-specific justification provided for the commercial / employment proposal.

6.100 The proposal therefore satisfies the requirements of Policy M9 (b) (iii) of the West Sussex Joint Minerals Local Plan.

Conclusions and Planning Balance

6.101 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)). The site is not allocated for employment development in the HDPF or the BNP, and, as the site lies outside of, but adjoining, the defined BUAB, it must be concluded that the proposed development is contrary to Policies 2, 4, and 26 of the HDPF and Policy BILL1 of the BNP. The proposal would also result in landscape harm contrary to Policies 25 and 33, although this is considered to be limited given the site context and the adjacent development which remains extant, insofar as units 16 through to 24 (NB Units 25 – 32 were permitted in full and expired in April 2025 on account of not having been implemented).

6.102 It is acknowledged that the Inspector considered the HDPF planning policies to be 'out-of-date' during the appeal on the previous application across the wider Phase 3 site, noting that at the time, the HDPF was over 5 years old, with a revised local plan in production at the time but delayed with no clear timetable for consultation and eventual adoption. Despite concluding the HDPF employment policies to be 'out-of-date', the inspector nevertheless determined that a need for further employment land had not been demonstrated.

6.103 The current application is considered primarily under the same planning policies and evidence base (the Northern West Sussex Economic Growth Assessments (EGAs) and related documents (Jan 2020 and Nov 2020)) as the previous appeal decision. As such, there is no reason to take a different approach to the inspector in the assessment of this application, noting that the employment land allocations, based on the EGAs, are included in the Reg 19 draft Local Plan.

6.104 Whilst it remains that a general need for additional employment land is not demonstrated, this application is considered on the basis of the particular needs of a particular business seeking to re-locate within the district in order to expand its operations. Officers note that the proposal is for a composite use with elements falling into the specified use classes, which the application form describes as 381sq.m of B8 (storage and distribution) use, and 934sq.m

of B2 (general industrial) use, with the Planning Statement also referring to ancillary office accommodation. Specifically, the application seeks to facilitate a custom coachworks workshop, sales and aftersales with repair and customisation provided on-site. The proposal has been shaped to reflect the specific operational needs of the applicant, and their specialist business needs, which can be easily accommodated on this large and open site, compared to a site where an existing building is located, or which is defined by pre-existing planning controls or conditions. This apparent conflict between the applicant's operational requirements having to fit into a pre-existing site is demonstrated by the unsuitability of the existing site which EVM currently occupy.

6.105 It is therefore Officer's opinion that the current proposal would provide the applicants (EVM UK) with a suitable site where their operations can be based, and which can be adapted to suit their specific operational needs. The edge of village location would be contiguous to the defined BUAB, and the proposed site would align itself as an extension to the existing BTBP, where employment-based uses have been consented. The proposal therefore presents a justified and particular argument for seeking a location which is outside of the defined BUAB, although adjoined, and not allocated for such development. This sets this application apart from the previous applications dismissed at appeal.

6.106 Furthermore, the location of the site adjacent to the BTBP, where estate roads and site infrastructure have been permitted and in part built out, enable the proposal to link into pedestrian and cycle links through to the village, and provide close proximity to public transport links. The existing field pattern would also still be discernible and the site's boundaries would look to be further enhanced with planting and soft edges, with the submitted details setting the development away from the site's edges and capable on including appropriate design and layout features which address the sensitive site context.

6.107 Taking all matters into consideration, the material benefit of releasing this site to enable the applicant's business to re-locate and grow within the district is considered by Officers to outweigh the harm afforded by the conflict with development plan as a whole. As part of this assessment, due consideration has also been had to the recent grant on appeal of housing to the immediate east of the site which will in time mean the site becomes surrounded by urbanising effects, severing much of its relationship with the countryside beyond. The application is therefore recommended for approval subject to the conditions shown.

7. RECOMMENDATIONS

7.1 To approve planning permission subject to the following conditions:

Conditions:

1. **Plans list Condition**

2. **Standard Time Condition:** The development hereby permitted shall begin before the expiration of three years from the date of this permission.

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

3. **Pre-Commencement Condition:** The development hereby approved shall not commence until the following 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).

4. **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 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 part [i] of this condition, 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: 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).

5. **Pre-Commencement Condition:** Prior to the commencement of development, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted and agreed in writing by the Local Planning Authority. The scheme shall then be constructed as per the agreed drawings, method statement, Flood Risk Assessment and Drainage Strategy by Motion, 03/07/2025, issue Final_v2 and Outline Drainage Strategy by Motion, 17/09/2025, revision P03 and remain in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Planning Authority.

   Reason: To ensure that the development achieves a high standard of sustainability and to comply with NPPF, Policy 38 of the Horsham District Planning Framework (2015) and National Standards for SuDS.

6. **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 and adjacent land levels) 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 the development hereby approved.

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).

7. **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 [as shown on the Tree Removal / Tree Protection Plan, DLA-2275-DR-L-10 Rev P02] 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).

8. **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) a non-technical summary;
   (b) 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
   (c) 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).

9. **Pre-Commencement (Slab Level) Condition**: No development above ground floor slab level shall commence until a management and maintenance plan for the rainwater harvesting system has been submitted to and approved in writing by the Local Planning Authority. The management and maintenance plan shall include the following details:
   - The sampling regime and parameters etc, recognising that the sampling will need to be undertaken a DWI certified sampler and analysed by a UKAS accredited lab.

- Detail on how any failure of any samples will be investigated and managed.
- Details, including a plan or schematic, showing the supply – storage tanks, treatment etc, and means to record the total water consumption of the unit.
- Detail on the type of treatment that will be installed on the supply, with information clearly indicating that it is appropriate for the amount of water being used.
- Detail on how the treatment system, pipework, tanks etc will be cleaned and maintained and who will maintain them for the lifetime of the development. This should include any re-activation of the system after it has been out of use due to lack of rainfall/use.
- The completion and sharing of the Regulation 6 risk assessment by a suitably competent person (as required by the Private Water Supply (England) Regulations 2016) prior to the water supply being put into use.
- Detail on the continuity of supply during dry periods extending beyond 35 days.
- Arrangements for keeping written records of all sampling, results of analysis, inspection, cleaning, and maintenance.
- Details of contingency plans to ensure any failure's or reported concerns with the supply are investigated and rectified as soon as possible, including timeframes. This should include notification of the investigation and corrective actions to the local authority.
- The management and maintenance plan shall be operated in full at all times. No alterations or revisions to the approved management plan shall be implemented without the written approval of the Local Planning Authority.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2024), and to enable the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

10. **Pre-Commencement [Slab level] Condition:** Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist, shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:
    a) Purpose and conservation objectives for the proposed enhancement measures;
    b) detailed designs or product descriptions to achieve stated objectives;
    c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);
    d) persons responsible for implementing the enhancement measures; and
    e) details of initial aftercare and long-term maintenance (where relevant).

    The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

    Reason: To enhance protected, Priority and threatened species and allow the Local Planning Authority to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended) and in accordance with Policy 31 of the Horsham District Planning Framework (2015).

11. **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level shall commence until full details of the water efficiency measures and rainwater harvesting system, as required by the approved water neutrality strategy (by Motion, dated 12th December 2024), have been submitted to and approved in writing by the Local Planning Authority. The rainwater harvesting tank shall be sized so as to provide 35+ day drought tolerance capacity. The agreed measures shall be implemented in accordance with the

approved details prior to first use of the development hereby approved, and shall be retained, operated and maintained at all times thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

12. **Pre-Occupation Condition:** Notwithstanding the details submitted under External Lighting Assessment, by Fowler Clark (dated Jan 2025), prior to the first use of the development hereby permitted a "lighting design strategy for biodiversity" in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall:
    a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
    b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

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

13. **Pre-Occupation Condition:** The development hereby approved shall not be first occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:
    I. a timetable for its implementation,
    II. details of SuDS features and connecting drainage structures and maintenance requirement for each aspect
    III. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

    Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policies 35 and 38 of the Horsham District Planning Framework (2015).

14. **Pre-Occupation Condition:** Upon completion of the surface water drainage system, including any SuDS features, and prior to the first occupation of the development; 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 5. 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 the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policies 35 and 38 of the Horsham District Planning Framework (2015).

15. **Pre-Occupation Condition:** No part of the development hereby permitted shall be brought into first use until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for the development has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.

    Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

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

17. **Pre-Occupation Condition:** Prior to the first use of the development hereby permitted, the staff and visitor car parking spaces, and turning space, shall have been constructed and made available for use in accordance with the approved site plan [1342:20 Rev D]. The car parking spaces and turning area shall thereafter be retained at all times for their designated use.

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

18. **Pre-Occupation Condition:** Prior to the first use of the development hereby permitted, details of secure and covered cycle parking facilities to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle parking facilities shall be installed prior to first occupation of the development and thereafter be retained for its designated use at all times.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies, and to ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

19. **Pre-Occupation Condition**: Prior to the first occupation or use of the development hereby permitted, an Air Quality Mitigation Scheme shall be submitted to and approved in writing by the Local Planning Authority, setting out a damage cost and detailed measures to offset the calculated damage cost. The approved scheme shall be installed prior to first occupation of the development and shall thereafter remain as such.

    Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

20. **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied 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).

21. **Post-Occupation Condition:** Within 3 months of occupation, evidence of the water consumption shall be submitted to, and approved in writing by, the Local Planning Authority. The evidence shall demonstrate that there is sufficient water supply from the rainwater harvesting system to cater for the demand of the development hereby approved with a minimum of 35 days drought storage capacity. In the event the existing rainwater harvesting system fails to cater for the required water consumption of the development hereby approved, details of how suitable rainwater supply and storage will be provided shall be submitted to and be approved in writing by the Local Planning Authority alongside the above evidence, and shall be installed within 1 month of the date of its approval. Ongoing written evidence shall be made available to council officers upon their reasonable request.

    Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

22. **Regulatory Condition**: All Ecological mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (All Ecology, July 2025) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

    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: 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).

23. **Regulatory Condition:** Other than internal office and administration activities, no operations or activities, including the operation of plant and machinery, workshop processes, deliveries and dispatches, shall take place in connection with the development hereby approved except between the hours of 07:00 to 23:00 Mondays to Saturdays, and 07:00-20:00 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).

24. **Regulatory Condition:** The landscaping scheme shown in soft landscaping proposals plan reference [DLA.2275.DR.L.02 Rev P09] shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of the development hereby permitted. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any existing or proposed planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

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

25. **Regulatory Condition:** Apart from equipment associated with the wash-down bays, no externally located plant or equipment within the site shall be installed or operated without the prior written approval of the Local Planning Authority by way of formal application.

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

26. **Regulatory Condition:** No activities other than wash-down, loading or unloading shall be undertaken in the open air within the site 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).

27. **Regulatory Condition:** Other than vehicles, no external storage of any materials or waste shall take place at any time within the site, aside from within the allocated bin / refuse store as shown on plan [1342:20 Rev D].

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

28. **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the [1342:22d, Proposed Elevations] unless detail of alternative materials have been submitted and approved in writing by the Local Planning Authority prior to development above ground floor slab level commencing.

    Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

29. **Regulatory Condition**: No works for the implementation of the development hereby permitted shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and

08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

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

30. **Regulatory Condition**: Notwithstanding the details submitted under External Lighting Assessment, by Fowler Clark (dated Jan 2025), no external lighting, other than low level lighting to emergency exits, shall be operated within the development site hereby permitted without the prior written approval of the Local Planning Authority by way of formal application.

    Reason: To safeguard the ecology and tranquillity of the countryside and amenities of adjacent occupiers in accordance with Policies 24, 25, 26, 31 & 33 of the Horsham District Planning Framework (2015).

31. **Regulatory Condition:** The development hereby permitted shall not be connected to or draw supply from the mains water supply except for emergency purposes in the event of a temporary failure of the rainwater harvesting system. Where a temporary failure has occurred, the occupiers shall immediately undertake the contingency measures set out in the management and maintenance plan agreed under Condition 9 until such time as the system is fully operational. The occupiers of each unit shall keep an ongoing record of all water taken from the mains supply and hold written evidence to explain why it was necessary as an exceptional measure to take water from the mains supply.

    Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2024), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

32. **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 premises hereby permitted shall be used for Use Class B2 and B8 purposes 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).

Statutory BNG 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 a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan 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.

GCN Informative:
The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence."