Planning Inspectorate

Appeal Decision

Site visit made on 22 July 2025

by V Goldberg BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd of September 2025

Appeal Ref: APP/Z3825/W/25/3362215
Holmans Yard, Haven Road, Five Oaks Billingshurst, West Sussex RH14 9BD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr N Morris against the decision of Horsham District Council.
- The application Ref is DC/24/0400.
- The development proposed is erection of a commercial storage building (Class B8).

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

- whether the proposal would be a suitable location for a commercial storage building having regard to the Council's spatial strategy and;
- the effect of the proposal on the Arun Valley Special Area of Conservation, Special Protection Area and Ramsar Sites with reference to increased water abstraction.

Reasons

Location

3. Policy 10 of the Horsham District Planning Framework 2015 (Local Plan) seeks to support sustainable rural economic development that maintains the quality and character of an area. In the case of established rural industrial estates, the policy stipulates that proposals should be within the existing boundaries of an estate.

4. The proposal would adjoin an existing commercial building, positioned north of the central track that runs through the rural industrial estate. The existing building is the last structure on the western extent of the estate, on its northern side. Its western elevation faces agricultural grazing land.

5. The Local Plan does not provide guidance on what should be considered the boundary of a rural industrial estate; therefore, my assessment is based on the evidence before me, and my observations on site.

6. The location of the proposed building does not appear as part of the industrial estate. This is because the ground on which the proposal would be erected is predominantly covered in tall grass and weeds with rubble dumped on top. Whilst

the area in front of the existing building is formalised with hardstanding and appears part of the estate providing access to the current building, the area of the proposed building, is untidy and extends beyond the western extent of built form on this side of the estate. As such it does not appear to be within the existing boundary of the industrial estate.

7. Reference is made to the appeal site being bound on two sides by existing commercial units and being used for parking and storage of equipment, but this is not experienced on site. Whilst the proposed building would adjoin the flank elevation of an existing building, it would not be bound on a second side, and it would extend into an undeveloped area.

8. Whilst the proposed building would be of a size and design that would be compatible with other buildings on the estate, this would not justify encroachment beyond the rural industrial estate.

9. For the above reasons, the proposal would not be a suitable location for a commercial storage building having regard to the Council's spatial strategy. As a result, it would be contrary to Policy 10 of the Local Plan.

Water Abstraction

10. The appeal site is located within the Sussex North Water Supply Zone as defined by Natural England. The existing water supply in this zone cannot be ruled out as contributing to the decline in wildlife within internationally protected sites in the Arun Valley SPA, SAC and Ramsar Site. As a result, achieving water neutrality is a suitable method to rule out potential adverse effects on the integrity of these protected sites from development.

11. Whilst the proposed building would be used for dry storage, and staff would not be based within the building for prolonged periods due to existing facilities on site, the planning statement details that the building could provide employment for 6-8 employees. Despite no proposed water supply, the additional employees alone, using existing facilities, would increase water usage as part of the wider site.

12. In addition, figures for existing and proposed water usage have not been provided. As a result, I am unable to determine with any degree of certainty that the proposal would be water neutral.

13. The appellant suggests the imposition of a condition to prevent the building having a water supply. However, such a condition would not address the uplift in water usage on the wider site. In addition, the suggestion that the condition could be varied if a water supply was subsequently required, casts further doubt that the proposal would be water neutral.

14. In support of the use of a condition, an appeal at Broadbridge Farm[1] is referred to. However, this appeal refers to outline permission for 133 dwellings and water neutrality measures were secured as a unilateral undertaking. As a result, this example is not wholly comparable to the development before me and therefore it does not justify a planning permission.

15. It is claimed that the appellant should not be required to pay for a technical report to consider matters beyond the proposed limited use. However, as set out above,

[1] APP/Z3825/W/23/3321658

it has not been sufficiently demonstrated that the proposal would be water neutral. As a result, the limited use of the proposed building would be insufficient, to achieve the water neutrality required, to rule out potential adverse effects on the integrity of protected sites.

16. For the reasons above, and from the information before me, I am not satisfied that the proposal would achieve water neutrality or the potential adverse effects on the integrity of protected sites can be ruled out. On this basis, there would be conflict with the nature conservation aims of Policy 31 of the Local Plan.

Other Matters

17. Whilst the proposal would support farm diversification, enable an existing business to operate more efficiently and contribute to the local economy, this should not be at the expense of maintaining the quality and character of the countryside or protecting the integrity of European protected sites.

Conclusion

18. The proposal conflicts with the development plan and material considerations do not indicate that the appeal should be decided other than in accordance with it. The appeal is therefore dismissed.

V Goldberg

INSPECTOR