



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0267

Senlac, Shoreham Road, Henfield, West Sussex, BN5 9SE

DESCRIPTION:

Removal of Condition 11 of previously approved application DC/23/2064 (Erection of a E(g)(iii) / B8 building (as an amendment to planning permission DC/20/0049 to alter the window and door locations, amend the parking layout and landscaping, relocation of cycle store, extension of timber cladding to meet brick plinth, erection of solar panels on the western roof slope, insertion of a small mezzanine within Unit 3) Relating to Water Neutrality

RELEVANT PLANNING HISTORY:

DISC/21/0081	Approval of details reserved by conditions 3, 5, 6, 9, 10 and 11 on DC/20/0049	Application Permitted on 13.07.2021
DISC/21/0158	Approval of details reserved by condition 7 (a-c) to approved application DC/20/0049	Application Permitted on 05.08.2021
DISC/21/0182	Approval of details reserved by condition 8 to approved application DC/20/0049	Application Permitted on 13.09.2021
DC/22/0977	Non Material Amendment to previously approved application DC/20/0049 (Demolition of existing dwelling, kennels, cattery, animal hospital, grooming parlour and office. Erection of one building for the operation of a business offering hire and sale of non-mechanical plant, plant transport, welfare hire, mechanical repairs and associated offices / sales (B1(a) and (c), B2 and B8 use) associated with Southdown Engineers Ltd together with associated parking and outdoor storage. Erection of a second building for B1(c) and B8 use together with parking and a soft landscaping scheme. The creation of a new vehicular access, blocking up the existing vehicular access, creating a pedestrian access to the bus stops and highway works) Amendments include the removal of 4x canopies above the personnel doors on the North elevation and the most westerly one on the South elevation. Extension of the cladding to meet ground level on Building 1.	Application Permitted on 29.06.2022
DISC/23/0040	Approval of details reserved by condition 7(d) to approve application DC/20/0049	Application Permitted on 15.02.2023
DISC/23/0058	Approval of details reserved by conditions 12,13,15 and 18 to approved application DC/20/0049	Application Permitted on 21.06.2023
DC/23/2308	Variation of Condition 22 of previously approved application DC/20/0049 (Demolition of existing dwelling, kennels, cattery, animal hospital, grooming parlour and office. Erection of one building for the operation of a business offering hire and sale of non-	Application Permitted on 20.03.2024

	mechanical plant, plant transport, welfare hire, mechanical repairs and associated offices / sales (B1(a) and (c), B2 and B8 use) associated with Southdown Engineers Ltd together with associated parking and outdoor storage. Erection of a second building for B1(c) and B8 use together with parking and a soft landscaping scheme. The creation of a new vehicular access, blocking up the existing vehicular access, creating a pedestrian access to the bus stops and highway works) Relating to opening hours for trade or business.	
DC/23/2064	Erection of a E(g)(iii) / B8 building (as an amendment to planning permission DC/20/0049 to alter the window and door locations, amend the parking layout and landscaping, relocation of cycle store, extension of timber cladding to meet brick plinth, erection of solar panels on the western roof slope, insertion of a small mezzanine within Unit 3).	Application Permitted on 19.04.2024

DESCRIPTION OF THE SITE

The site was formerly a kennel / cattery and veterinary hospital but gained full planning permission in 2020 (DC/20/0049) for the erection of one building for B1(a), B1(c), B2 and B8 use and a second building for B1(c) and B8 use. The permission also included plans for associated parking, landscaping, vehicular and pedestrian access. Building 1 was constructed in line with permission DC/20/0049 and was the subject of a condition amendment application (DC/23/2308) to extent the agreed opening hours.

Building 2 was not constructed in line with permission DC/20/0049 and instead was the subject of a separate full application (DC/23/2064), allowing for design alterations. This has resulted in differing sets of planning conditions for Building 1 and 2. Condition 11, which is now sought for removal under this application, was attached to permission DC/23/2064 to ensure water neutrality was achieved for Building 2.

DESCRIPTION OF THE APPLICATION

Following the formal withdrawal of the Natural England Position Statement on 31st October 2025, the applicant seeks the removal of Condition 11 which requires the scheme to be in full accordance with the water neutrality strategy (Folkes Architects, July 2023).

The proposal therefore forms a s73 amendment to remove Condition 11 of permission DC/23/2064. Currently, this condition requires the following;

Condition 11: Pre-Occupation Condition: *The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (by Folkes Architects dated July 2023). No part of the development hereby permitted shall be first occupied until evidence has been submitted to and 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 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 SAC, SPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 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 and species).*

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 (2015):

Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic 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 37 - Sustainable Construction
Policy 41 - Parking

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

Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 6: Climate Change
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 11: Environmental Protection
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles

Supplementary Planning Guidance:

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

Planning Advice Notes:

Shaping Development in Horsham District
Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATION RESPONSES

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.

Consultations:

Henfield Parish Council: No Objection.

Public Consultations

None received.

Member Comments:

None received.

HUMAN RIGHTS AND EQUALITY:

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.

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.

PLANNING ASSESSMENT

Water Neutrality:

The 2021 Position Statement from Natural England identified that it could not be concluded with the required degree of certainty that new development in the Sussex North Water Supply Zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites. As a consequence, and to comply with the legal duties set out in the Conservation of Habitats and Species Regulations 2017 (known as the Habitat Regulations), all new development since has been required to demonstrate water neutrality. Condition 11 of consent DC/23/2064 was applied to ensure this development would be water neutral. An appropriate assessment was undertaken at the time to ensure compliance with the Habitats Regulations.

On 31st October 2025 Natural England formally withdrew the 2021 Position Statement, citing a package of measures that they were satisfied would safeguard the Arun Valley sites. Principal amongst these measures is a reduction in the Southern Water abstraction licence 'by March 2026'. However, given the licence change has not yet taken place Horsham District Council, as competent authority under the Habitats Regulations, cannot yet be certain that new development will not result in adverse impacts on the Arun Valley sites.

To ensure development can come forward as water neutral in the meantime, the Council has agreed with Natural England to use the significant water savings made by Southern Water in 2024/25 through their programme of leakage reduction (amongst other measures). This has generated some 3,240,000 litres per day of water savings that can now be attributed to new development without increasing water abstraction in the Arun Valley beyond baseline. These savings were previously to be used to launch the Sussex North Water Certification Scheme (SNWCS), however following the withdrawal statement SNWCS will no longer be launching. Natural England standing advice dated 10th November 2025 raises no objection to using these savings to enable development to come forward. The standing advice clarifies that it functions as Natural England's formal response pursuant to Regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 to all relevant planning applications which seek to achieve water neutrality using the above Southern Water savings.

Officers have undertaken a new Appropriate Assessment which demonstrates that the anticipated increase in mains water consumption from this development, alongside all other development granted since the 1st November 2025, will not exceed the above capacity.

Accordingly, Officers consider that the removal of Condition 11 will not result in this phase of the development having an Adverse Effect on the Integrity of the Arun Valley Site, either alone or in combination with other plan and projects, thereby complying with Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

Conclusions:

As set out above, consent is sought under Section 73 of the Town and Country Planning Act to remove condition 11 of the previously approved application DC/23/2064, as the requirements of Water Neutrality are no longer necessary given the formal withdrawal of the Natural England Position Statement on October 31st, 2025.

Whilst a consent under S73 creates a new planning permission for the site, government guidance set out in the PPG is clear that only the matters being amended are to be considered. It is not the purpose or function of a s73 consent to revisit the principle of development on the site. Accordingly, the principle

of development on this site remains settled and acceptable, along with all other matters not subject to these proposed amendments.

The conditions attached to the planning permission are otherwise repeated in their entirety, except where details have subsequently been submitted and agreed under separate applications.

Recommendation: Application Permitted

Conditions:

1 Plans list

- 2 **Regulatory (Time) Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of the permission given under reference DC/23/2064 dated 19/04/2024.

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

- 3 **Pre-Commencement Condition:** The development shall be carried out in accordance with the Construction Environmental Management Plan (CEMP) by Chalk & Weald Ltd dated 9 March 2021 (as approved under DISC/21/0081 pursuant to DC/20/0049) and submitted plan 2.09 unless an alternative Plan has been submitted to, and approved in writing by, the Local Planning Authority prior to commencement of development. The approved Plan shall be implemented and adhered to throughout the entire construction period.

Reason: In the interests of highway safety and the amenities of the area in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

- 4 **Pre-Commencement Condition:** The development shall be carried out in accordance with the approved drainage strategy (Flood Risk Assessment & Drainage Strategy (GTA Civils Ltd) dated August 2019 as approved under DISC/21/0081 and submitted plan 2.03 Rev H Proposed Site Plan, unless alternative details have been submitted to, and approved in writing by the Local Planning Authority prior to commencement of development.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

- 5 **Pre-Commencement Condition:** The development hereby permitted shall only be implemented in strict accordance with the approved Ground-Gas Risk Assessment Report (dated 28 April 2021) provided by GGS Ltd and the Ground Contamination Risk Assessment report (dated 8th November 2019) prepared by Ashdown Site Investigation Limited and approved under DISC/21/0158 and DISC/23/0040 unless alternative details have been submitted to, and approved in writing by the Local Planning Authority prior to commencement of development.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 6 **Pre-Commencement Condition:** The development hereby permitted shall only be implemented in strict accordance with the approved CEMP Biodiversity Rev 4 (by CT Ecology dated 16 April 2024) unless an alternative CEMP biodiversity has been submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of development. The approved Plan shall be implemented and adhered to throughout the entire construction period.

Reason: To enhance Protected and Priority Species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham District Planning Framework.

- 7 **Pre-Occupation Condition:** No part of the development shall be first occupied until Electric Vehicle Charging spaces have been provided in accordance with the approved site plan (drawing number 2.03 Rev H). These spaces shall thereafter be retained at all times for their designated purpose unless an alternative scheme has been submitted to and approved in writing by the Local Planning Authority.
- 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).
- 8 **Pre-Occupation Condition:** Prior to the first occupation of the development, the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of a minimum 30 megabytes per second through full fibre broadband connection shall be provided to each premises.
- Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policies 10 and 37 of the Horsham District Planning Framework (2015).
- 9 **Pre-Occupation Condition:** No part of the development shall be occupied until the road(s), footways, parking and turning areas serving the development have been constructed, surfaced, and drained in accordance with the approved details as shown on plan 2.03 Rev H and shall be thereafter retained as such.
- Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).
- 10 **Pre-Occupation Condition:** No building hereby permitted shall be occupied or use hereby permitted commenced until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved drawing number 2.03 Rev H and submitted eco cycle shelter details. The cycle parking facilities shall thereafter be retained as such for their designated use.
- Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).
- 11 N/A
- 12 **Pre-Occupation Condition:** No building hereby permitted shall be first occupied (or use hereby permitted commenced) unless and until provision for the storage of refuse and recycling has been made for that building (or use) in accordance detailed Ground Floor Plan Drawing no 2.04 Rev G. These facilities shall thereafter be retained for use at all times.
- Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).
- 13 **Regulatory Condition:** The development hereby permitted shall only be implemented in strict accordance with the approved drawing number PDA -ENT-TS -001 Rev A (Tree Survey and Arboricultural Constraints plan by Furse Landscape Architects Ltd) unless alternative details have been submitted to and approved in writing by the Local Planning Authority prior to commencement of development.
- 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).
- 14 **Regulatory Condition:** The development shall strictly accord with the detailed scheme of hard and soft landscaping works (plan no PDA-ENT-LD-001-5 Rev F) approved by the Local

Planning Authority unless an alternative scheme has been submitted to and approved in writing by the Local Planning Authority prior to development above ground floor slab level commencing. Any plants which within a period of 5 years (from the date of when they are first planted) die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure a satisfactory development in the interests of amenity in accordance with Policy 25 of the Horsham District Planning Framework (2015).

- 15 **Regulatory Condition:** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Revision 1 (CT Ecology, October 2023), Construction Environmental Management Plan (CEMP): Biodiversity revision 4 (CT Ecology, 16 April 2024) and Biodiversity Enhancement Plan Revision 4 (CT Ecology, 16 April 2024), 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: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham Development Framework.

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

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

- 17 **Regulatory Condition:** The building (Building 2) shall not be open for trade or business except between the hours of 07:00 hours to 20:00 hours Monday to Fridays and 07:00 hours to 18:00 hours on Saturdays and 09:00 hours to 14:00 hours on Sundays and Bank Holidays.

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

- 18 **Regulatory Condition:** Doors to all units are to be kept closed except for when access for people and vehicles is required and vehicle reversing alarms not to be used unless they are broadband (beep or white noise sound).

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

- 19 **Regulatory Condition:** No externally located plant to be installed or operated other than with the permission of the Local Planning Authority by way of formal application.

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

- 20 **Regulatory Condition:** No industrial activities other than loading or unloading shall be undertaken in the open air and no externally located storage of any materials or waste is permitted except as shown on the submitted plans at any time.

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

- 21 **Regulatory Condition:** The vehicular access including visibility splays of 2.4 metres by 125m (leading traffic direction - looking south from the access) and 130m (trailing traffic direction - looking north from the access) and all other associated highways works serving the development as shown on drawing number 2.07 within the Transport Technical Note (revised) (GTA Civils & Transport December 2023) shall be maintained in perpetuity and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.
- Reason: In the interests of road safety and in accordance with Policies 40 and 41 of the Horsham District Planning Framework (2015).
- 22 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 and Town and Country Planning (Use Classes) Order 1987 (or any order amending or revoking and/or re-enacting that Order). The building (Building 2) shall only be used for uses falling within Classes E(g)(iii), and B8 and for no other purposes (including those falling within Class B2 as defined in the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without express planning consent from the Local Planning Authority first being obtained.
- Reason: Changes of use as permitted by the Town and Country Planning (General Permitted Development) Order or Use Classes Order 1987 are not considered appropriate in this case due to the unknown and potentially harmful impacts on local amenity under Policy 33 of the Horsham District Planning Framework (2015).
- 23 **Regulatory Condition:** If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy has been submitted to and approved by the local planning authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.
- Reason: To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).
- 24 **Regulatory Condition:** The materials to be used in the development hereby permitted shall match the Anthracite Grey Cladding (as used on Building 1 further to DC/20/0049 as amended by DC/22/0977) 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).
- 25 **Regulatory Condition:** The development shall strictly accord with the detailed Travel Plan (by GTA Civils) dated November 2019 as approved under DISC/21/0081 unless an alternative scheme has been submitted to and approved in writing by the Local Planning Authority, prior to occupation of the building.
- Reason: To encourage and promote sustainable transport and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including

planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/26/0267

(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents approved:

Plan Type	Description	Drawing Number	Received Date
Location & Block plan		2.01 REV D	17.04.2024
Site Plan	Proposed	2.03 REV H	17.04.2024
Layout Plan	Proposed General Arrangement	2.04 REV G	17.04.2024
Layout Plan	Proposed Masterplan	2.02 REV F	17.04.2024
Floor Plan	Proposed	2.05 REV C	10.11.2023
Elevation Plan	Proposed	2.06 REV D	26.03.2024
Details Plan	Detailed Planting Scheme, Tree Pit Detail and 5 Year Management Plan	PDA-ENT-LD-001-3 REV A	19.12.2023
Details Plan	Detailed Planting Scheme, Tree Pit Detail	PDA-ENT-LD-001-4 REV A	19.12.2023
Details Plan	Tree Survey and Arboricultural Constraints	PDA-ENT-TS-001 REV A	10.11.2023
Details Plan	Amended Hard and Soft Landscape Scheme	PDA-ENT-LD-001-5 REV F	17.04.2024
Details Plan	Amended Hard and Soft Landscape Scheme	PDA-ENT-LD-001-6 REV C	14.02.2024
Supporting Statement	Biodiversity Enhancement Plan	19019 REV 4	17.04.2024
Supporting Statement	Construction Environmental Management Plan - Biodiversity	19019 REV 4	17.04.2024
Supporting Statement	Preliminary Ecological Appraisal	NONE REV 1	10.11.2023
Supporting Statement	Transport Technical Note	NONE	19.12.2023
Photos	Timber Bollard Detail		
Details Plan	Construction Logistics Plan	2.09	17.04.2024
Details Plan	Eco Cycle Shelter		15.04.2024

DELEGATED

Case Officer sign/initial Sophie Moore Date: 30/03/2026

Authorising Officer sign/initial Adrian Smith Date: 07/04/2026