

Our ref: Q260018
Your ref: PP-14885654
Email: Lucas.fallon@quod.com
Date: 27th April 2026



Planning Department
Horsham District Council
Albery House
Springfield Road
Horsham
West Sussex
RH12 2GB

By Planning Portal (ref. PP-14885654)

Dear Officers

Town and Country Planning Act 1990 (as amended)
Section 73 Application Pursuant to Planning Reference DC/22/1198
Spinningwood Farm, Horsham

Please find enclosed a planning application under Section 73 of the Act on behalf of Pantera Property ('the Applicant') pursuant to full permission reference DC/22/1198 at Spinningwood Farm, Lower Beeding, West Sussex ('the Site').

The application seeks to substitute the approved drawings to regularise minor changes to the appearance of the light industrial building to the west and car park arrangements on site. The amendments seek to ensure the set of approved drawings accurately reflect what has been delivered on the ground to date.

In addition to this cover letter, the application is supported by the following documents:

- Application Form
- Updated Drawing Pack (see schedule at **Annex 2**)

Background

The Site has an established planning history for light industrial development.

Planning permission ref. DC/21/1050 was granted in September 2021 for the erection of a new light industrial building (Class E) to the west of the Site. This consent approved the western building alongside provision for 15 car parking spaces.

A S73 (ref. DC/22/1198) was granted in August 2022 to vary permission ref. DC/21/1050 to allow for amendments to plans and repositioning of the light industrial building at a lower ground level whilst retaining the approved 15 car parking spaces.



The light industrial building was not constructed in full accordance with the list of approved drawings under Condition 1 of this planning permission.

Most recently, full planning permission DC/23/1895 was granted in April 2024 for an extension and modification to the existing light industrial building to the east of the Site, increasing its footprint by approximately 162 sqm, together with associated alterations to car parking and servicing arrangements. The Committee Report for this application confirmed that the proposals sought to regularise additional car parking provision (10 no. spaces) to the west of the Site.

The applicant has recently acquired the site and was subsequently advised by the Council of a discrepancy between the layout approved under planning permission DC/22/1198 and the development as constructed on site. The Council advised that an application should be submitted to vary Condition 1 of the consent to ensure that the approved plans accurately reflect the development as built. The Applicant is therefore seeking to regularise the approved scheme with what has been delivered on the ground.

Proposed Amendments

Following a survey of the site and assessment of what has been built out to date, changes are sought to the Site's layout and design to ensure consistency. These variations primarily relate to the building to the west of the Site, but also include minor changes to the parking layout across the Site.

Building to the west

- Change of wall materials to black featheredge timber cladding
- Change of roof materials to corrugated metal
- Removal of the first floor, changing to a single storey building
- Removal of all windows to each elevation and roof
- Changed positioning of the door to the east elevation
- Additional 2 no. roller shutter doors and 2 no. regular doors to west elevation.

Building to the east

- Showing the extension to the building to the east to align with permission DC/23/1895.

Car Parking Arrangements

- Rearrangement of the car park to the west of the western building to allow sufficient space for access to the doors on the western elevation. The proposed layout retains 10 no. spaces, aligning with what was previously approved.
- Rearranged central car park, reflecting the extension to the eastern building, resulting in a loss of 2 no. spaces.

The footprint of the building to the west will remain the same and the proposed changes only relate to the external appearance of the building and number of floors.



In accordance with the above amendments, replacement of the approved plans is necessary, alongside the removal of the approved First Floor Plan, given the removal of the first floor. The approved and proposed drawing references are set out at **Annexes 1** and **2**, respectively.

Horsham District Council has confirmed that it does not anticipate any issues arising from the proposed amendments, and the application has been submitted solely to regularise the above changes.

S73 Amendments

Section 73 of the Town and Country Planning Act 1990 (as amended) enables an applicant to seek planning permission for the development of land without complying with conditions attached to a previous planning permission. In this instance, the application seeks to vary Condition 1 of the consent, relating to the list of approved plans.

A Section 73 application is the appropriate mechanism through which to seek approval for the proposed changes. This reflects the fact that the amendments go beyond what could reasonably be regarded as non-material, but nonetheless remain consistent with the description of development and involve no substantive alteration to the scheme.

The proposals do not result in any change to the number of units delivered, nor do they materially alter the use or intended operation of the development. While there is a minor reduction in on-site car parking provision, the changes are limited in scope. Overall, the proposals simply seek to regularise the planning position so that the approved plans accurately reflect the development that has been, and is to be, implemented on site.

Planning Considerations

The proposed amendments do not materially alter the nature of the approved scheme. As such, the relevant planning considerations remain unchanged, and no planning harm is arising as a result of the proposed alterations.

The changes are limited in scope and do not alter the description of development or the fundamental characteristics of the approved scheme. As such, the proposals remain compliant with the intent of the original permission and the Development Plan (Horsham District Planning Framework (2015)), not giving rise to any new policy conflicts.

Highways and Access

Vehicular access to the Site will remain the same, using Burnthouse Lane, a publicly maintained highway. This arrangement was previously considered acceptable by the Local Highways Authority, and it was considered that there would be no unacceptable highway impacts as a result of the development.



The proposed amendments would not result in any intensification of vehicle movements to or from the site. The changes are limited to the layout and design of the approved buildings and associated parking areas and do not alter the nature or operational characteristics of the development. A minor reduction in car parking provision arises solely from layout adjustments to facilitate access to building entrances and does not give rise to any change in demand. The scheme therefore remains appropriate in scale to the existing transport infrastructure, provides safe and suitable access, and continues to accord with HDPF Policy 40, which supports development that maintains and integrates with the existing transport network and promotes sustainable patterns of movement.

The proposed parking provision is considered adequate for the intended use, and no adverse impact would arise to the safety or operation of the surrounding highways network.

Design and Materials

The proposed external material amendments result from a detailed survey of the site and an assessment of the development as built. The changes seek to align the approved scheme with what has been, and is to be, delivered on site and do not materially alter the nature, scale or function of the development.

The revised external materials, including black featheredge timber cladding and a corrugated metal roof, provide a robust and functional aesthetic appropriate for a general industrial use, consistent with the operational character of the development. The proposed materials accord with HDPF Policy 32, which encourages a high quality of design, which is functional.

The repositioning of doors and the introduction of additional roller shutter and personnel doors to the western elevation are driven by operational requirements and improve the functionality of the building without altering its use.

Overall, the proposed design amendments do not introduce any adverse visual impacts. As such, no design-related planning harm arises from the proposed amendments.

Summary

The application seeks approval under Section 73 of the Town and Country Planning Act 1990 to vary Condition 1 of the existing permission, solely to update the approved plans so that they accurately reflect the development that has been, and is to be, delivered on site. The proposed amendments are limited in scope and relate primarily to detailed design revisions, minor layout adjustments and a small reduction in car parking provision.

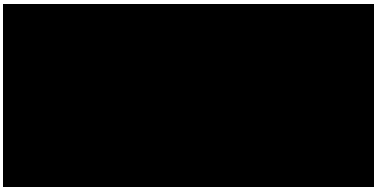
The amendments do not alter the description of development or the use of the site. There are no material impacts in respect of design or highway safety, and the relevant planning considerations remain unchanged.



The proposals seek to regularise the planning position and provide clarity by aligning the approved drawings with the development on the ground. No planning harm will result from the amendments and the development will continue to accord with the development plan and national planning policy.

I look forward to receiving confirmation of validation shortly. Please do not hesitate to contact me should you require any further information.

Yours faithfully



Lucas Fallon
Assistant Planner

enc. as noted
cc.



Annex 1: Approved Drawings

No.	Document	Reference
1	Proposed Elevations	1119_GE01_P1
2	Proposed Ground Floor Plan	1119_GA00_P1
3	Proposed Roof Plan	1119_GAR1_P1
4	Proposed Site Plan	1119_S01_P3
5	First Floor Plan	1119_GA01_P1

Annex 2: Proposed Drawings

No.	Document	Reference
1	Proposed Elevations	1119_GE01_P3
2	Proposed Ground Floor Plan	1119_GA00_P3
3	Proposed Roof Plan	1119_GAR1_P3
4	Proposed Site Plan	1119_S01_P6