

PLANNING STATEMENT

Broomers Hill Industrial Estate, Codmore Hill - Phase 2

Section 73 Application

June 2026



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1 Introduction

- 1.1 This Planning Statement accompanies a s73 application submitted on behalf of WT Lamb Holdings Ltd. It relates to Broomers Hill Industrial Estate in Codmore Hill. The Statement explains the proposals in the context of relevant legislation, the requirement to have flexible planning permission and justifies the approval of the planning application.
- 1.2 Summarily the changes to the approved scheme have arisen as a result of the requirement of Spellman UK a long term occupier of the adjacent Broomers Hill Industrial Estate who now have an urgent and specific set of requirements to facilitate their business.

CONTEXT

- 1.3 By way of background WT Lamb are a long-standing family owned company that primarily supply high quality bricks and stone products to the property industry. They currently own a number of quarries and industrial estates across the southeast and have a number of subsidiary companies (including WT Lamb Properties Ltd (WTLF) and WT Lamb Holdings (WTLH)) that manage their land and property portfolio and promote inter alia employment development on sites that they control. One such site is Broomers Hill Industrial Estate in Codmore Hill.
- 1.4 Planning application DC/13/1048 was granted a hybrid planning permission on 24th September 2013 for the expansion of the existing business park, it comprised:

"Proposed development of 10 No. B1/B8 units with 55 parking spaces, 2 disabled spaces & 10 LGV parking spaces and outline consent for a further B1/B8 unit with 10 car parking spaces."
- 1.5 The decision notice splits the relevant conditions into an outline component and a detailed component for which reserved matters were included within the outline submission, lawfully therefore the planning permission comprises an outline planning permission with detail provided for part of the site. Part A is identified as the outline element with all matters reserved for future consideration whereby consent was sought for one B1/B8 unit with car parking. Part B is the full element whereby all reserved matters were provided for within the application with consent sought for 10 units with associated car parking. Part B provided access and infrastructure to serve part A.
- 1.6 Alongside this, WTLH submitted a reserved matters application (Ref: DC/16/2006) on 2nd September 2016 which was approved on 21st December 2016 for:

"Reserved matters pursuant to DC/13/1048 (Proposed development of 10 No. B1/B8 units with 55 parking spaces, 2 disabled spaces & 10 LGV parking spaces and outline consent for a further B1/B8 unit with 10 car parking spaces) and seeks confirmation of compliance with conditions 2, 4, 11, 13, 16 and 18 of outline permission DC/13/1048."
- 1.7 The Authority issued a Certificate of Lawful Development on 19th December 2025 confirming that the application had been lawfully implemented.

ABOUT SPELLMAN UK

- 1.8 Summarily, it is noted that Spellman UK are a family owned and managed company established in 1947, is the world's leading independent supplier of precision DC high voltage power supplies, X-Ray generators and Monoblock® X-Ray sources for medical, industrial and scientific applications. They currently have five design centres, six production centres, eight repair locations with over 2,300 employees in North America, Europe and Asia.
- 1.9 Spellman UK, based in Pulborough, is the global leader in high-precision, high-performance, high-voltage solutions, and Spellman's global centre of excellence for the Analytical market. The Pulborough based facility employs 214 staff, including Research and Development, Engineering and

Operational specialists. Spellman UK's current sales are £48m from products sold to over 400 customers globally. Spellman UK has continued to grow since being established in 1989, with considerable growth experienced in the last five years. To support this growth, they have increased the numbers of staff and focused on improvements in productivity to maximise space utilisation. They have extended during this time, with the addition of a facility in Southwater, West Sussex, in 2021 and taking on additional units on the Broomer's Park, Broomer's Hill Lane, Pulborough, Estate when they have come available.

- 1.10 While not ideal having the company fragmented into multiple units, they have made the most of the space that they have available. This alone was not sufficient to keep up with Customer demands during the recent years of growth, and they have to take alternative action to transfer some of their production from the UK site to Spellman's other major manufacturing plants in Mexico and China. Again, this is not ideal for Spellman, their Customers and for the local UK ecosystem.
- 1.11 Spellman UK intend to continue investing in their people, equipment, and infrastructure necessary to continuously introduce new products and technology, optimizing manufacturing floorspace to serve their customer's growing demands. However, to fulfil these growing demands additional space is required.
- 1.12 Spellman UK has approached WTLH, to request further development on the site, to build additional Units to enable Spellman's growth. Additional facilities are essential within the next 2 to 3 years in order to support the growth of the Spellman UK operation. Indeed, this will safeguard the future of the existing facility and provide an opportunity to provide further high skilled jobs to the local area. In the event that the additional land cannot be delivered in a timely manner the alternative for Spellman UK would be to relocate all facilities away from the local area.

PROPOSED DEVELOPMENT

- 1.13 Whilst the description will remain the same, and the scheme has been implemented, the scope of this application s73 is limited to Part B of application reference DC/13/1048 which was granted in full.
- 1.14 The updated proposals are shown on the following plans prepared by Place By Design;
 - 1749_200 Broomers Hill Park Proposed Site Plan; and
 - 1749_2200 Broomers Hill Park Units 1-10 Plans and Elevations.
- 1.15 The proposed changes seek to combine the previously consented (and extant) two blocks of Part B, into one single block with associated updates to approved infrastructure, landscape and associated plans.
- 1.16 The description of development remains:

“Proposed development of 10 No. B1/B8 units with 55 parking spaces, 2 disabled spaces & 10 LGV parking spaces and outline consent for a further B1/B8 unit with 10 car parking spaces.”

LEGISLATIVE & POLICY FRAMEWORK

- 1.17 Section 73 (s73) of the Town and Country Planning Act 1990 allows for planning applications to be made for the variation or removal of a condition on an existing planning permission.
- 1.18 National Planning Practice Guidance (NPPG) on the use of planning conditions contains further information on discharging and modifying planning permissions once permission has been granted. NPPG (Paragraph: 013 Reference ID: 17a-013-20230726) is clear that

“an application made under section 73 of the Town and Country Planning Act 1990 can be used to make a material amendment by varying or removing conditions associated with a planning permission. There is no statutory limit on the degree of change permissible to conditions under s73, but the change must only relate to conditions and not to the operative part of the permission.

Provisions relating to statutory consultation and publicity do not apply. However, local planning authorities have discretion to consider whether the scale or nature of the change warrants consultation, in which case the authority can choose how to inform interested parties.”

- 1.19 Further the only restrictions on what a s73 application can be used for are clearly stated (Paragraph: 014 Reference ID: 17a-014-20140306);

“Planning permission cannot be granted under section 73 to extend the time limit within which a development must be started or an application for approval of reserved matters must be made. Section 73 cannot be used to change the description of the development.”

- 1.20 The result of a s73 application is that (Paragraph: 015 Reference ID: 17a-015-20140306):

“Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original permission, which remains intact and unamended. It is open to the applicant to decide whether to implement the new permission or the one originally granted.

A decision notice describing the new permission should clearly express that it is made under section 73. It should set out all of the conditions imposed on the new permission, and, for the purpose of clarity restate the conditions imposed on earlier permissions that continue to have effect. Further information about conditions can be found in the guidance for use of planning conditions.”

- 1.21 Accordingly

PLANNING APPLICATION DOCUMENTS

- 1.22 This Planning Statement forms part of a suite of drawings and documents submitted with the planning application. Other documents submitted as part of this application include:

- Application forms;
- Architectural Plans;
- Drainage strategy;
- Landscaping scheme; and
- Ecology Note;

- 1.23 Together these documents provide a detailed explanation of the proposal and any implications upon the surrounding environs.

PLANNING STATEMENT

- 1.24 This Planning Statement outlines the nature of the proposal, the framework provided by relevant tiers of planning policy and compatibility of the changes with the Development Plan and other material considerations, including the National Planning Policy Framework (NPPF). In doing so, it provides the justification for varying the relevant planning conditions.

- 1.25 In terms of its structure, this statement is comprised of the following:

- Section 2 – describes the application site and its surrounding context;

- Section 3 – describes the proposed development;
- Section 4 – a summary of pre-application consultation process;
- Section 5 – a summary the relevant policies from the Development Plan and the National Planning Policy Framework;
- Section 5 – sets out the justification for granting planning permission; and
- Section 6 – provides a summary and conclusion.

2 Site Description and Planning History

- 2.1 This section of the Planning Statement describes the application site and its surrounding context. An overview of relevant planning history is also provided. The site context and planning history above have informed the proposed scheme.

THE LOCATION AND SURROUNDINGS

- 2.2 Codmore Hill is a hamlet in Horsham District, located approximately 2.1km northeast of Pulborough. It is rural in character and largely surrounded by open countryside. The site is located at Broomers Hill Lane, on the northern edge of Codmore Hill. Codmore Hill consists predominantly of residential development, include a relatively recent housing estate, with local amenities comprising several bus stops, a supermarket, restaurant, car dealership and equestrian activities.
- 2.3 The site covers approximately 0.71 hectares (ha) and currently comprises an informal gravel car park that serves the existing Broomers Hill Industrial Estate, with an area of scrub habitat to the south.
- 2.4 Broomers Hill Industrial Estate is owned by WTLP Ltd (a sister company of WTLH) and comprises 14 units of B1 (light industrial) and B8 employment uses within 3 terraces and one stand-alone building incorporating mezzanine floorspace that are accessed via Broomers Hill Lane. The Estate itself is well screened with a line of trees / hedgerow to the north and west.
- 2.5 To the north, the site adjoins the existing Broomers Hill Industrial Estate (phase 1) and Broomers Hill Lane. The eastern boundary is defined by the Bognor Regis to London Victoria railway line, and south lies is phase 3 of the industrial estate which is proposed to be allocated in the emerging Pulborough Neighbourhood Plan, beyond which is open countryside. To the west, it is enclosed by the A29 (Stane Street), with a scrap yard and open countryside beyond. The surrounding countryside is characterised by sporadic residential development.
- 2.6 The Flood Maps for Planning demonstrate the site to lie within Flood Zone 1 denoting areas at little to no risk of flooding from rivers and seas. This is the same in respect of surface water. Flooding is there not a constraint to the proposals. There are also no heritage assets within the vicinity of the site considered to be of relevance to the proposal at hand. The nearest asset, Forge Cottage, is Grade II listed, located approximately 250m southwest of the site. A Scheduled Monument is located circa 900m southeast. Intervening residential development and open countryside provide substantial separation from these assets.

RELEVANT PLANNING HISTORY

- 2.7 The industrial estate received permission in July 1996 under application PL/2/96. Planning application DC/13/1048 was granted in September 2013 as a hybrid permission for expansion of the business park. It approved 10 B1/B8 units in detail, with associated parking and LGV spaces, and outline consent for one further B1/B8 unit. The permission therefore comprised an outline consent with detailed approval for part of the site. A reserved matters application (DC/16/2006) was submitted in September 2016 and approved on 21 December 2016, confirming compliance with the relevant conditions of DC/13/1048. A Certificate of Lawful Development was issued in December 2025, confirming the permission had been implemented.

3 Proposed s73 variations

- 3.1 This section of the Planning Statement provides information about the proposed variations to the existing conditions.
- 3.2 Whilst the description will remain the same, and the scheme has been implemented, the scope of this application s73 is limited to Part B of application reference DC/13/1048 which was granted in full.
- 3.3 The updated proposals are shown on the following plans prepared by Place By Design;
- 1749_200 Broomers Hill Park Proposed Site Plan; and
 - 1749_2200 Broomers Hill Park Units 1-10 Plans and Elevations.
- 3.4 The proposed changes seek to combine the previously consented (and extant) two blocks of Part B, into one single block with associated updates to approved infrastructure, landscape and associated plans.
- 3.5 The revised Part B layout presents several clear advantages when compared to the previously approved hybrid scheme. Most notably, the proposal consolidates all 10 units into a single building, rather than splitting them across two structures, while maintaining the same overall floorspace as permitted. This more compact arrangement delivers practical and environmental benefits. In particular, it removes the need to divert the drainage ditch at the southern boundary, reducing engineering works and potential ecological disturbance. The repositioning of the building away from the eastern edge of the site also enables the retention of existing boundary trees, helping to preserve established landscape features and visual screening.
- 3.6 Collectively, these changes result in a more efficient and sensitive form of development and, importantly, provide a swift and deliverable solution that secures Spellmans' long-term presence in the area, offering certainty for both the business and the local authority.
- 3.7 The description of development remains:

Proposed development of 10 No. B1/B8 units with 55 parking spaces, 2 disabled spaces & 10 LGV parking spaces and outline consent for a further B1/B8 unit with 10 car parking spaces

VARIATION OF CONDITIONS

- 3.8 The following table sets out a summary of the proposed variations to conditions imposed on planning consent DC/13/1048:

CONDITION NUMBER(S)	CONDITION RELATING TO	APPROVED PLANS & DOCUMENTS	PROPOSED S.73 VARIATION (NEW PLANS AND REPORTS FOR COMPLIANCE BASED CONDITIONS)
20	Approval of Materials	Materials Schedule and accompanying manufacturer's specifications (walls, windows, roller shutters and roof) (by Place By Design)	Materials Schedule (prepared by Place by Design)
22 & 23	Landscape Management	Soft & Hard Landscape Proposals ref. 2250/107	Hard and Soft Landscape Proposals ref. 1810-L90-200D

	and Maintenance	Landscape Management Plan ref. 2250/01 Topsoil Depths to Soft Landscape Areas Plan ref. 2250/109 A Tree Pit Details ref. 2250/110-112 (all by CSA Environmental)	Detailed Planting Plan ref. 1810-L90-300A Top Soil Depths ref. 1810-L90-301A Tree Pit Details 1 of 3 ref. 1810-L90-302 Tree Pit Details 2 of 3 ref. 810-L90-303 Tree Pit Details 3 of 3 1810-L90-304 Trees and Services ref. 1810-L90-305A Lighting Plan ref. 1810-L90-306B Landscape management plan Rev A Tree images Landscape management plan Rev A Tree images (all by Landscape Perspective Ltd)
30 & 39	Surface water drainage & Finished Floor Levels	Planning Stage Engineering Details & Drainage Strategy Layout ref. 4528/SK100 rev. A (by Cole Easdon Consultants)	4528 - 502(B) Proposed Surface Water Drainage Layout Flood Risk and Drainage Strategy (both by Cole Easdon)
31	Travel Plan Statement	Travel Plan Statement (by White Young Green)	Travel Plan Statement (By Miles White Transport)
36	Cycling Provision	Proposed Site Plan ref. 1749/1210 Cycle Storage ref. 1749/600 (both by Place By Design)	1749_3600_Cycle Store Plans and Elevations_Broomers Hill Park (by Place By Design)
38	Construction Phasing Plan	Phased Construction Plan ref. PCP-01 (by Philips Surveyors)	Proposed to be removed as the site will be developed in Part B and Part A.

40	Laying out and retention of car parking		To be amended to “No part of the development on the approved plan shall be first occupied until the car parking spaces have been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. These spaces shall thereafter be retained at all times for their designated use.”
43	BREEAM certification	BREEAM UK New Construction 2014 Preassessment report (by Melin Consultants)	Energy Statement and Sustainability Statement (by Sol Environmental)
19	Commencement of development	Layout plan CSA/2250/113 22.07.2016 Roof plan 1202 22.07.2016 Layout plan 4528/SK100 A 22.07.2016 Site plan 1210 22.07.2016 Floor plan 1201 22.07.2016 Elevation plan 1200 22.07.2016 Elevation plan 600 22.07.2016 Supporting Statement Planning Method Statement NONE 22.07.2016 Supporting Statement Travel Plan Statement NONE 22.07.2016 Supporting Statement Planning Stage Method Statement NONE 22.07.2016 Supporting Docs NONE 22.07.2016	1749_2000B_Broomers Hill Park_Location Plan 1749_2100B_Proposed Site Plan_Broomers Hill Park 1749_3170_Proposed Streetscene & Section_Broomers Hill Park 1749_3200_Unit Plans and Elevations_Broomers Hill Park 1749_3300A_Perspective Renders_Broomers Hill Park Design and Access Statement (June 2026) Hard and Soft Landscape Proposals ref. 1810-L90-200D Detailed Planting Plan ref. 1810-L90-300A Other LARGE VEHICLE STRATEGY Received: 09.08.2013
24	Details of underground services in relation to landscaping scheme	Plan showing trees in relation to services ref. 2250/113 (by CSA Environmental)	Trees and Services ref. 1810-L90-305A

42	Construction Management Plan	Construction Management Plan (by Philips Surveyors)	Updated Construction Management Plan (by Philips Surveyors)
A	Approved Plans	Design & Access Statement Drwg no. REV E Received: 09.08.2013 Location plan Drwg no. 0001 P4 Received: 05.06.2013 Site plan Drwg no. 0002 PS Received: 09.08.2013 Proposed Floor & Elevations plan Drwg no. 0100 P2 Received: 05.06.2013 Proposed Floor & Elevations plan Drwg no. 0200 P2 Received: 05.06.2013 Street Scene plan Drwg no. 0500 P3 Received: 09.08.2013 Supporting Documents Drwg no. NONE Received: 05.06.2013 Other LARGE VEHICLE STRATEGY Received: 09.08.2013 Other ARTICULATED HGV PLAN Received: 09.08.2013 Other LANDSCAPE STRATEGY PLAN Received: 15.08.2013	1749_2000B_Broomers Hill Park_Location Plan 1749_2100B_Proposed Site Plan_Broomers Hill Park 1749_3170_Proposed Streetscene & Section_Broomers Hill Park 1749_3200_Unit Plans and Elevations_Broomers Hill Park 1749_3300A_Perspective Renders_Broomers Hill Park Design and Access Statement (June 2026) Hard and Soft Landscape Proposals ref. 1810-L90-200D Detailed Planting Plan ref. 1810-L90-300A Other LARGE VEHICLE STRATEGY Received: 09.08.2013

ACCESS & PARKING

- 3.9 Access remains in line with the consented scheme via the existing access on Broomers Hill Lane, which currently caters for a range of vehicle types and sizes and remains appropriate.
- 3.10 The provision of parking is tied to the description within the original consent therefore the proposals comprise 55 parking spaces, 2 disabled spaces and 10 LGV parking spaces. However, this now includes now including provision for 5 dual mounted EV charging points (allowing for the charging of 10 EV's).
- 3.11 The approved scheme identified 18 cycle parking spaces for areas A and B, the proposed site plan solely for area B shows a cycle shelter to the east of the building, which will accommodate 12 bicycles (the remaining 6 will be within area A). In addition the site plan shows 10 motorcycle spaces to accord with the number shown on the approved scheme.

DRAINAGE

- 3.12 In reflection of the revised layout, an amended Drainage Strategy also accompanies this submission.
- 3.13 The proposed development comprises industrial units and access/parking areas forming an impermeable catchment of 3,520m². It is proposed that surface water runoff from this catchment is disposed of by discharge into the watercourse at the site's south western boundary, at the QBAR discharge rate (3.1) l/s for all storms up to the 1 in 100 year + 45% storm event.
- 3.14 Attenuation will be provided within a Sustainable Urban Drainage System (SuDS) cellular storage tank beneath the hardstanding in the centre of the site. The tank has been designed to accommodate post development runoff from storms up to the 1 in 100 year + 45% storm event, in accordance with NPPF requirements.
- 3.15 In the event of blockage, failure or a storm in excess of the design parameters, floodwaters would emanate from the flow control chamber and enter the watercourse as overland flow. Any water issuing from the upstream drainage system would follow the topography of the site and gravitate towards the watercourse.
- 3.16 Water quality has been assessed in line with the Simple Index approach from Chapter 26 of CIRIA C753 The SuDS Manual. The proposed SuDS will provide adequate treatment for post development runoff.
- 3.17 It is proposed that all drainage devices will be maintained in perpetuity by a private management company acting on behalf of the site owner.
- 3.18 Foul flows will be connected to the existing private foul drain in the adjacent industrial park, which discharges into a public foul sewer in the A29. Based on Sewer Sector Guidance, the proposed industrial development covering 0.35ha will generate a small peak foul flow rate of 0.2 l/s. A sewer capacity check application has been sent to Southern Water to understand if capacity exists within the downstream public sewer system to accommodate the proposed foul flows.

LANDSCAPING

- 3.19 In addition, a revised Landscaping Scheme supports the application setting out a detailed approach towards provision of landscaping and updating the previously approved drawings.
- 3.20 It is noted that an updated tree survey has been undertaken and a number of trees (9) that were previously identified to be removed (in the extant permission) are now being retained.
- 3.21 Incursions into the Root Protection Areas of trees to be retained are minor, and subject to implementation of the measures recommended on the Tree Protection Plan no significant or long-term damage to their root systems or rooting environments will occur. This includes improving existing hard surface with new surface layer to be installed no deeper than the sub-base of the existing hard surface in the RPA of the Oak (4) and hand dig techniques in the minor areas of RPA's of tree no's 14 and 17.

BIODIVERSITY

- 3.22 Ecological enhancement measures are included to ensure the works benefit local biodiversity, these include the following enhancements for habitats and notable species:
- 16 no. native species of tree – extra heavy stock, 16-18cm girth, which include specimens that will be planted alongside the eastern boundary, to enhance the existing tree line;
 - Species-rich biodiverse turf areas to the south and east, to buffer the existing vegetated boundaries from the development;

- Non-native ornamental planting around the development;
- 4 no. Schwegler bat boxes to be installed above 4-5 metres from ground level on the mature oak T4 and on mature tree line poplars on the eastern boundary, not illuminated by any artificial lighting; and
- 8 no. Schwegler bird boxes (4 no. oval entrance, 2 no. 26mm entrance and 2 no. 32mm entrance, available from <https://www.nhbs.com/>), to be installed above 3-4 metres from ground level on the mature oak T4 and on tree line poplars on the eastern boundary on different aspects but not facing south to avoid the risk of over-heating during the summer breeding season.

SUSTAINABILITY

3.23 The buildings have incorporated a range of building fabric, building services, and renewable and LDC technologies. These are set out in the following table.

Building Fabric Performance Values		Building Services & Renewable/LDC Technologies	
Walls	0.2 W/m ² K	Heating/Cooling	Electric panel heaters and electric air heaters (100% Efficiency)
Roof	0.16 W/m ² K	Lighting	100% LED
Floor	0.15 W/m ² K	Hot Water	Ariston Andris Lux 2kW 10l Storage Electric DHW (100% efficiency)
Glazing	1.4 W/m ² K	Building Management	Thermostatic controls on the heating system, and programmers to panel heaters additionally.
Doors	1.4 W/m ² K	Renewable/LDC Technology	136kW roof mounted PV array
Vehicle Doors	1.3 W/m ² K		
Air Permeability	5m ³ /(hr.m ²)		

3.24 An updated Travel Plan has been prepared and includes a range of measures to encourage a modal shift towards non car modes of transport. These include:

- Staff travel packs setting out information about car sharing clubs, public transport details etc.
- A dedicated intranet page for Travel Planning including information on car share schemes, facilities and public transport.
- Personal Travel Planning advise for staff.
- Facilities to include more sustainable forms of travel including cycle spaces and 5 dual mounted EV charging stations (facilitating the charging of 10 EV's).

LIGHTING

3.25 An updated lighting strategy has been developed following input on ecology and from consultation with neighbouring properties. The aim being to minimise light spill by the use of sensitive lighting.

4 Pre-application engagement & consultation

- 4.1 As part of the pre-application process a number of different consultations were undertaken in order to feed into and inform the proposals.

PRE-APPLICATION CONSULTATION WITH HORSHAM DISTRICT COUNCIL

- 4.2 On Monday 16th March 2026 a pre-application meeting was held on site with Alice Johnson, Planning Officer at Horsham District Council. A written response, referenced PE/26/0053, was subsequently issued on the 2nd April. The comments were broadly positive and are summarised as follows:

- Welcomed the suggestion to match the ridge height with the approved units
- In terms of design, the Officer stated that the proposal would satisfactorily reflect the existing built form on the site.
- The Officer noted that the revised layout brings the built form away from neighbours; however, the additional bulk and revised location needs to be considered in respect of amenity impact.
- The Council's Landscape Officer raised concerns about the parking spaces along the eastern boundary and the encroachment into the existing trees Root Protection Areas beyond the approved footprint. It is therefore recommended to reconsider these spaces, with motorcycle parking advised to be more appropriate in this location.
- The Officer confirmed that the Council's Arboricultural Officer is yet to provide any comment on the proposals but will be forwarded under separate cover.
- The Officer noted during the site meeting that clearance works have taken place and therefore suggested any formal submission should demonstrate the works and compliance with relevant conditions of permissions as well as legislation for these works.
- Given that some time has passed since the original permission and the adopted Parking Standards have changed in the intervening time, engagement with West Sussex County Council as the Local Highway Authority is advised.
- Noting that the description would match the original description, in addition to the confirmation of the lowered ridge heights, the Officer confirms that it is likely the proposal would meet those requirements as to be submitted as a S73 to vary DC/13/1048.

MEETING WITH PARISH COUNCIL

- 4.3 On 19th May 2026, representatives of WT Lamb Properties Ltd and Spellman met with the Chair and Planning representative from Pulborough Parish Council (PCC). Summarily:
- Spellman provided background information on their company, explaining their history, products and need for expansion, with emphasis on their ties to the local area and the benefits this brought, and wish to remain in the area long term.
 - WT Lamb explained the current proposal referring back to the Consented Scheme and the representations made by PCC and Killybegs Cottage on this.
 - WT Lamb stated that matters had moved on, the subject Scheme was an improvement on the previous, taking into account Spellman's specific requirement and the past comments made. Changes include:
 - Three blocks of units reduced to two.
 - Railway boundary reinforced with additional vegetation.
 - No breaching of stream.

- Lighting scheme that is bat friendly.
 - More EV charging points.
 - Spellmans stay/occupy all.
 - Car movements will not significantly increase.
- PCC advised that the most important factor was to ensure due process was followed, attendance by the applicants at the PPC meeting at which the Scheme was due to be discussed would be beneficial.
- PCC specifically asked about ecology/BNG. She was informed that as it was a S.73 Application recent BNG enhancements would not apply, but both WTLP and Spellman were committed to producing a sustainable Scheme. The railway corridor to include the Phase 3 area would be used to enhance BNG, landscaping would also be included in the Phase 2 Scheme, as Spellman required it to look presentable to clients.
- PCC saw the benefits of the Scheme and would report to the Council accordingly, but couldn't advise on how the members would view it.

MEETING WITH OWNERS OF KILLYBEGS COTTAGE

4.4 On 21st May 2026, representatives of WT Lamb Properties Ltd and Spellman met with the owners of the cottage. Summarily:

- considered it to be an improvement on the consented layout;
- they raised the issue of lighting and asked that all car park lighting is by way of downlighters;
- The other concern was contractor management, which would be dealt with via the CMP and by way of good site management; and
- It was also mentioned that their site can suffer flooding due to water running down Broomers Hill Lane, there is a culvert under the railway that should deal with this, but it has suffered roof damage. WT Lamb advised that they would raise this maintenance issue with Network Rail.

5 National and Local Planning Policy

- 5.1 This section of the Planning Statement provides information on the National and Local planning policies which are relevant to the consideration of the s73 application to vary conditions based on the extant planning permission.

NATIONAL PLANNING POLICY FRAMEWORK

- 5.2 The National Planning Policy Framework (NPPF) was revised in December 2024. The following policies are relevant to the proposed development.
- 5.3 **Paragraph 7 and 8** note that the function of planning is to contribute to achieving sustainable development with three overarching interdependent objectives: an economic objective; a social objective; and an environmental objective.
- 5.4 **Paragraph 11** states that all decisions should apply a presumption in favour of sustainable development by approving developments which accord with up-to-date development plans without delay.
- 5.5 **Section 6** of the NPPF states significant weight should be placed on the need to support economic growth and productivity. It underlines the importance of taking into account both local business needs and wider opportunities for development, allowing each area to build on its strengths, counter any weaknesses and address the challenges of the future. In this context,
- 5.6 **Section 11** of the NPPF outlines the ways in which to make effective use of land. **Paragraph 125** notes that decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs.
- 5.7 **Paragraph 125** also confirms that planning decisions should take opportunities to achieve net environmental gains.
- 5.8 **Paragraph 139** states that planning permission should be refused for development of poor design which fails to take the opportunity to improve the character and quality of an area, including taking into account any local design standards. Conversely, where the design of a development accords with the clear expectations in policy, design should not be used as a reason to object against the proposal.

LOCAL PLANNING POLICY

- 5.9 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act and Section 70(2) of the Town and Country Planning Act 1990, applications for planning permission should be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 5.10 Relevant to the application site, the Development Plan is comprised of the following documents:
- Horsham District Planning Framework (Adopted November 2015); and
 - Pulborough Parish Neighbourhood Plan 2015 to 2031 (Adopted September 2025).

Horsham District Planning Framework

- 5.11 The following policies are the most relevant to the s73 application.

- 5.12 **Policy 1** '*Sustainable Development*' sets out that planning decisions should be made in line with the presumption in favour of sustainable development, as established in the National Planning Policy Framework.
- 5.13 **Policy 3** '*Development Hierarchy*' directs development to settlements with defined built-up area boundaries, with the scale and nature of development expected to reflect the role and function of each settlement within the hierarchy. Codmore Hill is identified as a Small Town or Larger Village, characterised by a reasonable range of services, community facilities and local employment. These settlements are identified to act as hubs for smaller villages to meet their daily needs.
- 5.14 **Policy 7** '*Economic Growth*' sets out the approach to delivering sustainable employment development within Horsham District up to 2031. It supports economic growth through a range of measures, including the redevelopment, regeneration and intensification of existing employment sites, and the identification of additional employment areas to meet the needs of new and expanding businesses
- 5.15 **Policy 9** '*Employment Development*' supports the expansion of existing employment sites and premises within the built-up area boundary where it can be demonstrated that the operational needs of the business cannot be accommodated within the existing site or buildings through reasonable on-site intensification, and where relocation to alternative existing employment stock is not preferable.
- 5.16 **Policy SD6** '*Landscape Buffer, Landscape Character, Biodiversity and Green Infrastructure*' requires development proposals to respond to and complement the site's existing landscape character and biodiversity qualities. The policy emphasises that development should be informed by the positive natural features of the site and integrate appropriately with its surrounding landscape and ecological context.
- 5.17 **Policy SD7** '*Design*' sets out that development should be of a high-quality design that responds to local character and distinctiveness. Proposals are expected to be well laid out, create clear and accessible focal points, and provide an appropriate transition to the surrounding countryside.
- 5.18 **Policy 24** '*Environmental Protection*' seeks to safeguard the quality of the district's environment by requiring development to take account of relevant local guidance in relation to minimising pollution, including noise, air, light and odour.
- 5.19 **Policy 25** '*The Natural Environment and Landscape Character*' seeks to protect the district's landscape, townscape and natural environment from inappropriate development. It supports proposals that conserve and enhance landscape character, maintain settlement separation, strengthen the green infrastructure network, and protect geological and biodiversity interests, with an expectation of no net loss and, where possible, net gains in biodiversity.
- 5.20 **Policy 31** '*Green Infrastructure and Biodiversity*' supports development that maintains or enhances the green infrastructure network and resists proposals that result in its loss unless appropriate mitigation or compensation is provided. It requires development to enhance biodiversity, including the retention of important ecological features, creation of new habitats where appropriate, and improved connectivity between habitats. Where the removal of protected trees is necessary, replacement planting with suitable species will be required.
- 5.21 **Policy 32** '*The Quality of New Development*' requires all development to demonstrate a high standard of inclusive design, informed by the site's local, environmental and policy context. Proposals should provide attractive, safe and accessible environments, respect local character and heritage, and create a strong sense of place. Development is expected to make efficient use of the site, support appropriate complementary uses, and contribute to a network of high-quality open spaces that meet identified community needs.

- 5.22 **Policy 33** '*Development Principles*' requires development to make efficient use of land, prioritising previously developed sites where possible while respecting constraints, and to deliver a high standard of design, ensuring appropriate scale, massing and appearance that relates sympathetically to its surroundings.
- 5.23 **Policy 37** '*Sustainable Construction*' seeks to ensure development is sustainable by promoting energy and water efficiency, low-carbon design, climate resilience, and the use of natural light and ventilation. Proposals should support sustainable transport, minimise waste and environmental impact, allow for future adaptability and enhance biodiversity,

Pulborough Neighbourhood Plan

- 5.24 The following **Neighbourhood Plan** policies are the most relevant to the proposed scheme at Broomers Hill Industrial Estate in Codmore Hill.
- 5.25 **Policy 1** '*A Spatial Plan for the Parish*' defines the Built-Up Area boundary of Pulborough and Codmore Hill. Development proposals outside of this boundary will be required to conform to development plan policies relating to the control of development in the countryside.
- 5.26 **Policy 7** '*Broomers Hill Industrial; Estate, Codmore Hill*' allocates land to the south of the application site for commercial development. The proposals will be supported subject to a number of criteria.
- 5.27 **Policy 15** '*Design*' requires development to be high-quality, sustainable and climate-responsive, with design that reflects the character, scale and appearance of its surroundings. Proposals should have regard to local design principles and statements and are encouraged to incorporate biodiversity features.

EMERGING LOCAL PLANNING POLICY

- 5.28 Horsham District Council are currently carrying out a **Local Plan Review**. The revised Local Plan, which covers the period between 2023 and 2040, was formally submitted to the Planning Inspectorate in July 2024. Representations have been made as part of the process confirming that the application site represents an employment land "commitment"

6 The Justification for the Development

- 6.1 This section of the planning statement provides the justification for the development proposal. It demonstrates that the s73 variations are acceptable in planning terms and should therefore be granted permission.

PRINCIPLE OF DEVELOPMENT

- 6.2 As already noted the application site is subject to an extant planning permission for employment use, therefore construction could commence immediately on the already approved scheme as such the lawful use of the site for employment purposes is firmly established.
- 6.3 However, the proposed variation to the approved plans will consolidate the units into a more compact and efficient form of development, delivering operational, sustainability, ecology and landscape benefits when compared to the approved scheme.
- 6.4 Notably, the proposals allow for the retention of existing boundary vegetation (and no removal of trees compared to the loss of at least 9 in the extant permission), retention of the existing stream with an appropriate buffer, ecological enhancements, and result in a more coherent and deliverable form of employment development.

DESIGN, LAYOUT AND CHARACTER

- 6.5 The acceptability of the proposed design, layout and character has been considered in detail within the DAS submitted with the application. The submitted layout has been the result of a significant consultation process with the Authority as well as liaison with neighbours and the Parish Council.
- 6.6 The DAS describes the character of the surrounding area including the adjoining business park and sets out how the proposal responds. Key considerations include:
- respects the height of the extant buildings (both 9.15m to ridge heights), albeit the proposed variation brings the building line forward in order to avoid the stream to the rear;
 - an appropriate response to neighbouring properties and in particular removing the building that was approved along the eastern boundary; and
 - retention of existing trees on site (9 which were approved to be removed).
- 6.7 Overall, the proposal is the result of an iterative design process which reflects the most effective manner in which to develop the site and will be a marked improvement on the existing character of the area within the wider area.

ECOLOGY

- 6.8 Whilst the site benefits from an extant planning permission that could re-commence imminently the applicants have commissioned ecological work in order to accompany the s73 and demonstrate how the variations to the planning permission can provide ecological enhancements. Indeed, the proposed variations have ensured that a number of ecological enhancements have been included within the scheme that would not have been achieved if the extant permission was implemented.
- 6.9 GreenLink Ecology Ltd. was commissioned to detail the mitigation and enhancement measures that have been/will be implemented for the site.
- 6.10 The results of the SxBRC desk study indicate that the statutory designated South Downs National Park is present in the ZOI, along with notable habitat types. There are also SAC present in the wider

area. Since it is considered that the proposals would not have any significant impacts on designated sites/notable habitats, mitigation measures are not considered necessary.

- 6.11 The SxBRC desk study data also includes protected/notable species records from within the ZOI, which of relevance to the site includes bats, birds, great crested newt, hazel dormouse and reptiles. The site contains common/widespread habitats that are not of conservation concern and since impacts to most of these habitat types are considered to be insignificant, mitigation measures are only required for retained trees, as detailed in the report by SJA Trees, which will be protected in accordance with BS 5837:2012 "*Trees in Relation to Design, Demolition and Construction - Recommendations*".
- 6.12 The results of the 2018 and 2025 bat survey indicate that the site appears to be of limited importance to the local bat population, other than in association with occasional commuting/foraging. However, there is flightline between the Mens SAC barbastelle maternity woodland and a hibernation site, which appears to be located close to the site's north/eastern boundary and the associated tree line may represent a habitat feature of seasonal importance.
- 6.13 Therefore, mitigation measures have been recommended to avoid the risk of indirect impacts. Potentially suitable breeding bird habitat was removed outside the breeding season and retained boundary vegetation and trees will be isolated from the construction site via the use of 'heras' fencing, to ensure that there is no risk of affecting birds during the breeding season.
- 6.14 The results of the laboratory analysis of water samples from the pond located to the north-west of the site have proven that there is no great crested newt eDNA present in P1 during 2018 or 2025, and in 2020 there was insufficient standing water present. Although the risk of impacts was considered to be low, great crested newt was a consideration during the mitigation strategy that was implemented for breeding birds and reptiles. There were no great crested newt or any other species of amphibian recorded as present at any time.
- 6.15 Since there was no evidence of hazel dormouse recorded during the 2018 and 2025 surveys and the species will therefore not be affected by the proposals, mitigation measures are not required for hazel dormouse.
- 6.16 Hedgehog was a consideration during the mitigation strategy that was implemented for breeding birds and reptiles, with no hedgehogs recorded as present. On a precautionary basis, mitigation measures have also been recommended to avoid the risk of impacts during the construction phase. The reptile survey conducted in 2018 and 2025 recorded a low numbers of three reptile species. During the mitigation strategy implemented in April-May 2026, low number of slow worms were carefully trapped and translocated into the receptor site, with no killing/injury taking place and five clear days with no reptiles being recorded as present being achieved within a 30 day period. Once the Section 73 application has been approved, the strategy will be concluded with an ECoW supervised a destructive search.
- 6.17 Ecological enhancement measures have also been recommended to ensure that the proposed works benefit local biodiversity, these include the following enhancements for habitats and notable species:
- 16 no. native species of tree – which include specimens that will be planted alongside the eastern boundary, to enhance the existing tree line;
 - Species-rich biodiverse turf areas to the south and east, to buffer the existing vegetated boundaries from the development;
 - Non-native ornamental planting around the development;
 - 4 no. bat boxes to be installed above 4-5 metres from ground level on the mature oak T4 and on mature tree line poplars on the eastern boundary, not illuminated by any artificial lighting; and
 - 8 no. bird boxes (4 no. oval entrance, 2 no. 26mm entrance and 2 no. 32mm entrance, available from <https://www.nhbs.com/>), to be installed above 3-4 metres from ground level on the mature

oak T4 and on tree line poplars on the eastern boundary on different aspects but not facing south to avoid the risk of over-heating during the summer breeding season.

- 6.18 This is considered to provide a significant betterment upon the extant planning permission.

LANDSCAPE AND TREES

- 6.19 An updated landscape scheme for the new layout has been prepared. It includes the retention of the row of Lombardy poplars that were to be removed in the approved scheme. An appropriate detailed scheme of planting is also provided.
- 6.20 It is noted that an updated tree survey has been undertaken and a number of trees that were previously identified to be removed (in the extant permission) are now being retained. As a result the tree report concludes that the proposals will not result in any alteration to the main arboricultural features of the site, to the overall arboricultural character of the site and will not have an adverse impact on the arboricultural character and appearance of the local landscape.
- 6.21 As no trees are to be pruned, and none of the proposed buildings will be within 5m of the extents of the canopies of the individual trees to be retained, there will be adequate working space for construction close to trees, and a reasonable margin of clearance for future growth.
- 6.22 Incursions into the Root Protection Areas of trees to be retained are minor, and subject to implementation of the measures recommended on the Tree Protection Plan no significant or long-term damage to their root systems or rooting environments will occur. This includes improving existing hard surface with new surface layer to be installed no deeper than the sub-base of the existing hard surface in the RPA of the Oak (4) and hand dig techniques in the minor areas of the RPA's of tree no's 14 and 17.
- 6.23 Accordingly there are a range of environmental enhancements that would not have been achieved in the extant permission.

DRAINAGE

- 6.24 The approved surface water drainage strategy for the extant scheme comprised permeable subbase attenuation storage with discharge to watercourse restricted to 5 l/s for storms up to the 1:100 year + 30% climate change event. The drainage strategy was prepared in 2015 and changes in SuDS guidance and climate change allowances since that time have meant that the approved drainage strategy has had to be updated to reflect current guidance. This has resulted in betterment when compared to the approved drainage strategy in terms of discharge rate and attenuation storage requirements. In accordance with *National Standards for SuDS* requirements, the post development surface water discharge rate has now been restricted to the QBAR greenfield rate of 3.1 l/s for all storms up to the 1 in 100 year + climate change storm event where the climate change allowance is now 45%. Thus the attenuation storage requirement has increased resulting in betterment over the approved drainage scheme.

ENERGY & SUSTAINABILITY

- 6.25 The conclusion of the energy strategy is that, based on planning stage calculations and the implementation of the Energy Hierarchy, the proposed development aligns with Building Regulations Part L (2021) benchmark in relation to carbon emissions, hence meeting the requirements of Policy 36 of the Horsham District Planning Framework (Published 2015). Policy 36 requires developments provide an Energy Statement demonstrating and quantifying how the development will comply with the Energy Hierarchy. Compliance has been determined following an energy modelling exercise, undertaken using the building fabric, building services, and renewable and LZC technologies proposed for the development:

- 6.26 Compliance has been demonstrated with Policy 35 and Policy 37, given the development's all electric systems are supported by a 136kW Solar PV array, and climate adaptation techniques have been implemented where practical, such as the optimisation of building orientation to reduce unwanted solar gains, simplification of form to allow for improved air-tightness and reduced thermal bridging, and maximising the use of natural ventilation and daylight via rooflights specified with double skin obscure systems to minimise solar gain.
- 6.27 The provision of parking is tied to the description within the original consent therefore the proposals comprise 55 parking spaces, 2 disabled spaces and 10 LGV parking spaces. However, this now includes now including provision for 5 dual mounted EV charging points (allowing for the charging of 10 EV's).
- 6.28 Alongside the updated Travel Plan Statement this is considered an enhancement of the existing scheme. In addition, the existing s106 agreement includes a transportation payment of £54,797 paid towards bus service improvements, including:
- real time passenger information modules, bus shelters and access improvements;
 - pedestrian enhancements in Pulborough;
 - pedestrian enhancements and access to the northbound platform at the station; and
 - safety improvements on the A29 at Church Hill, Pulborough.

SUMMARY

- 6.29 In all respects the proposed development accords with all relevant policies within the Development Plan and as such Paragraph 11 of the National Planning Policy Framework (2024), the presumption in favour of sustainable development applies and the proposal variations should be approved.

7 Summary and Conclusions

- 7.1 This Planning Statement has been prepared in support of a Section 73 application relating to land at Broomers Hill Industrial Estate, Codmore Hill, which seeks to vary conditions attached to planning permission DC/13/1048, insofar as they relate to Part B of the approved scheme. The original permission has been lawfully implemented, and the proposed alterations are considered to provide a more appropriate and improved arrangement.
- 7.2 The application proposes revisions to the approved layout and design of the ten B1/B8 units, while retaining the approved description of development, floorspace quantum, height and employment use. The revised arrangement consolidates the units into a more compact and efficient form of development, delivering operational, environmental and landscape benefits when compared to the approved scheme. Notably, the proposals allow for the retention of existing boundary vegetation, reduce engineering intervention associated with drainage infrastructure, and result in a more coherent and deliverable form of employment development.
- 7.3 The proposal has been informed by pre-application engagement with the Local Planning Authority and is supported by an updated suite of technical documents, including drainage, landscaping and ecological information. These demonstrate that the updated layout for the development can be delivered and provide a betterment upon the approved scheme in respect of landscape character, ecology, neighbouring amenity and sustainability.
- 7.4 In light of the above, the proposed development is considered to be acceptable in planning terms, complies with the Development Plan when read as a whole, and benefits from the presumption in favour of sustainable development on a site where permission is extant and development could recommence now. The variations proposed are therefore respectfully commended to the Local Planning Authority and approval is sought.

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