



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0470

12A Tesla Engineering Ltd, Water Lane, Storrington, Pulborough, West Sussex, RH20 3EA

DESCRIPTION:

Removal of Condition 4 of previously approved application reference DC/25/0371.

RELEVANT PLANNING HISTORY:

DC/25/0371	Construction of industrial extension to Unit 12 with associated vehicle parking and works.	Application Permitted on 24.07.2025
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DESCRIPTION OF THE SITE

The application site is located on the northeast side of Water Lane, adjacent to the built-up area boundary of Storrington. Planning permission was granted in 2025 for an extension of an existing industrial unit (Unit 12) under reference DC/25/0371, which is the subject of this application. The extension has not yet been built out.

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 4 which requires the applicant to submit either confirmation that credits have been secured via the Sussex North Water Certification Scheme or a site-specific water neutrality mitigation scheme.

This proposal therefore forms a s73 amendment to remove Condition 4 of permission DC/25/0371. Currently, this condition requires the following;

Pre-Commencement Condition: No development shall commence until either:

i) Details have been submitted to and been approved in writing by the Local Planning Authority confirming that the necessary credits to achieve water neutrality have been secured via the Sussex North Water Certification Scheme;

or

ii) A site-specific water neutrality mitigation scheme has been submitted to and been approved in writing by the Local Planning Authority. The site-specific water neutrality mitigation scheme shall include full details of the means of any and all onsite and offsite mitigation and any necessary agreements pursuant to S106 of the Town and Country Planning Act 1990 to deliver and secure the approved mitigation; and

iii) The development shall not be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority confirming that the approved site specific water neutrality mitigation scheme has been fully implemented. The approved mitigation shall thereafter be retained, maintained and operated to the same or better water performance standard.

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), Paragraph 193 of the National Planning Policy Framework (2024), and to enable the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

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 31 - Green Infrastructure and Biodiversity

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

Strategic Policy 1: Sustainable Development

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

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:

Thakeham Parish Council: No response provided.

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 4 of consent DC/25/0371 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 4 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 4 of the previously approved application DC/25/0371, 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.

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.

Recommendation: Application Permitted

Conditions:

- 1 Plans
- 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/25/0371 dated 24/07/2025.

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 Phase Plan by Tesla Engineering dated 13 October 2025 (as approved under DISC/25/0316 pursuant to DC/25/0371) and Traffic Management Plan Revision A 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 process.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).
- 4 N/A
- 5 **Pre-Commencement Condition:** The development shall be carried out in accordance with the approved drainage strategy (Drainage Technical Note: 16185A - Evans & Landgford) dated October 2025 as approved under DISC/25/0326 and submitted plan 16185-02 H Drainage Layout Plan, unless alternative details have been submitted to, and approved in writing by the Local Planning Authority prior to commencement of development.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with NPPF and Local Planning Policy 38 in the Horsham District Planning Framework.
- 6 **Pre-Occupation Condition:** No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved details shown on the 'Proposed Context Plan', drawing DHA/33674/04. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of all highways in accordance with Policy 40 of the Horsham District Planning Framework (2015) and Policy 5 of the Thakeham Neighbourhood Plan (2017).
- 7 **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, full details of all soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:
 - a) Planting and seeding plans, including a schedule specifying plant numbers, sizes, densities and species in Latin names.
 - b) Hard and soft written specifications (NBS compliant) including ground preparation, cultivation and other operations associated with plant and grass establishment.

- c) Locations and details of proposed enhancement measures for protected species including bat and bird boxes.
- d) Details of the persons responsible for implementing the enhancement measures.
- e) Details of initial aftercare and long-term maintenance of the enhancement measures (where relevant).

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

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

- 8 **Pre-Occupation Condition:** Upon completion of the surface water drainage system, including any SuDS features, and prior to the first occupation of the development; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition 1. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policy 38 in the Horsham District Planning Framework.

- 9 **Pre-Occupation Condition:** The development hereby approved shall not be first occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

- a) a timetable for its implementation,
- b) details of SuDS features and connecting drainage structures and maintenance requirement for each aspect
- c) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policy 38 in the Horsham District Planning Framework.

- 10 **Regulatory Condition:** No external lighting or floodlighting shall be installed other than with the permission of the Local Planning Authority by way of formal application.

Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 11 **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00am to 18:00pm each day Mondays to Fridays and 08:00am to 13:00pm on Saturdays nor at any time on Sundays, Bank or Public Holidays.

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

- 12 **Regulatory Condition:** No plant or machinery shall be operated from the site and no commercial processes be carried out from the site on Saturdays other than between the hours of 0800am - 1300pm each day and at no time on Sundays and Bank and Public Holidays.

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

- 13 **Regulatory Condition:** The roller shutters doors on the buildings hereby approved shall not be opened except between the hours of 08:00 am and 18:00 pm each day Monday to Friday and 08:00am and 13:00pm hours on Saturdays and not at any time on Sundays, Bank or Public Holidays.

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

- 14 **Regulatory Condition:** No operations involving the use of power tools or other noise generating plant, machinery or equipment (with the exception of fork-lift truck movements), shall be undertaken within the site, other than inside the buildings hereby permitted.

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

- 15 **Regulatory Condition:** Deliveries to or from the premises shall not take place other than between the hours of 07.30am -17.30pm each day Monday to Friday and 08.00am hours and 13:00pm on Saturdays, and at no time on Sundays or Bank Holidays.

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

- 16 **Regulatory Condition:** If, during any phase of the development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the LPA detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

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).

- 17 **Regulatory Condition:** There shall be no external storage on site in conjunction with the development hereby permitted.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 18 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 and the Town and Country Planning

(Use Classes) Order 1987 (as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020) (or any order amending or revoking and/or reenacting these Orders), the premises hereby permitted shall be used for Use Class B2 use only and for no other purposes whatsoever, (including those defined in the Town and Country Planning (Use Classes) Order 1987 (as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020), 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 (as amended) are not considered appropriate in this case due to the site location within the countryside and the constraints of economic development in such a location under Policies 9, 10 and 26 of the Horsham District Planning Framework (2015) and Policies 5 and 9 of the Thakeham Neighbourhood Plan (2017).

- 19 **Regulatory Condition:** The development hereby permitted shall be occupied as an extension to Unit 12 only and shall not be occupied as a separate Unit other than with the permission of the Local Planning Authority by way of formal application.

Reason: In order to secure appropriate occupation of the development which would otherwise have been contrary to the provisions of the Development Plan due to the site location within the countryside and the constraints of economic development in such a location under Policies 9, 10 and 26 of the Horsham District Planning Framework (2015) and Policies 5 and 9 of the Thakeham Neighbourhood Plan (2017).

- 20 **Regulatory Condition:** The development hereby approved shall be carried out and operated in accordance with the approved Impact of Noise report GA-2017-0008-R1-RevB by Grant Acoustics dated 22nd May 2017 and Best Practice Noise and Statutory Nuisance sheet (vibration, dust and air quality) Sunninghill received 10.10.2018 approved under planning permission DC/18/2149.

Reason: In the interests of amenity of neighbouring residential occupiers and to ensure the use of the site does not have a harmful environmental effect and in accordance with Policy 33 of the Horsham District Planning Framework (2015)

- 21 **Regulatory Condition:** The development hereby approved shall be carried out and operated in accordance with the approved Air Quality Assessment by SLR dated 20th of February received 11.03.2025.

Reason: In the interests of amenity of neighbouring residential occupiers and to ensure the use of the site does not have a harmful environmental effect and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 22 **Regulatory Condition:** The materials and finishes of all new external walls, windows and roofs of the development hereby permitted shall match in type, colour and texture those of the existing building.

Reason: In the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Plans list for: DC/26/0470

(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
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