White & Sons Est. 1817

PINS Ref: APP/Z3825/W/25/3362215
13 May 2025

Gerwyn Rigby
The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

Dear Mr Rigby,

Response Statement
Appeal by Mr N Morris
Site Address: Holmans Yard, Haven Road, Five Oaks Billingshurst, West Sussex, RH14 9BD

Please take this letter as a response to the Council's Statement of Case.

The Council's Statement of Case mains that the proposed building would not be sited on a piece of hardstanding within the extent of the complex, which is in a mixed use as an agricultural holding with some of the buildings having diversified into commercial use. The commercial units help support the farming operation on the holding as a whole. The appeal site does include some hardstanding and is typically used for the overspill parking of vehicles and storage of equipment. It is therefore in use and part of the extent of the complex.

The Council state that the proposal would be attached to a commercial building which does not appear to benefit from planning permission. Whilst a separate matter, to clarify the adjacent building is lawful and replaced a previous building on the complex.

The Council stress the necessity of a Water Neutrality Statement for the application without requesting one at either validation or during the course of the application. It is not appropriate to state that a document was a requirement when one was not requested initially, or during the course of the application. The Council have been inconsistent in requesting the information i.e. asking for it on some applications before a decision is issued and not on others demonstrating an inequity between applicants. The case officer suggested initially that the development could be screened out on the basis that it is for dry storage, which would be the case with the building being open on one side to the elements and not providing any habitable space for staff (such as

enclosed rooms, WCs, kitchen facilities etc). There are other buildings on site which provide facilities for existing staff.

The Council state that *"It would be unreasonable for the council to condition that the application site would in perpetuity, for the lifetime of the development to not have access to water".* However, such a condition would meet the proposed tenants needs and would be reasonable and enforceable in the circumstances. The condition may not be retained in perpetuity as a future occupier would be entitled to apply to have it removed or varied if they need to and as part of that process propose a water neutrality strategy for the Council to consider.

We have no objection to the Council's suggested conditions.

There would be no objection to the following or similarly worded condition being applied to ensure water neutrality and no impact on habitats:

No mains water supply shall be connected to the building without the Local Planning Authority's consent first being obtained.

I trust that the above is satisfactory, if you have any queries, please feel free to contact me.

Yours sincerely



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