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Planning Department
Albery House
Springfield Rd
Horsham
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19th May 2026

Dear Sir / Madam

Removal of Condition Application Relating to DC/22/0877

I am writing in relation to planning application DC/22/0877 relating to the replacement of an industrial building for B8 storage and Class E use with associated parking at Thornhill Court, Billingshurst Road, Coolham, West Sussex. Planning permission was granted on 24 November 2023

On 14 September 2021, Natural England issued a Position Statement identifying that the Sussex North Water Resource Zone (WRZ) was an area of serious water stress, as defined by the Environment Agency. As a consequence, developments within the WRZ were required to demonstrate water neutrality and ensure that proposals would not result in increased water consumption that could adversely affect protected habitats within the Arun Valley.

In response to the Position Statement, a Water Neutrality Statement was submitted in support of the application. This outlined the proposed water offsetting measures required to demonstrate that the development would achieve water neutrality. The approved strategy subsequently formed the basis of Condition 4 attached to the planning permission, which states

Condition 4: Pre-Commencement (slab level) Condition:

No development above ground floor slab level shall commence until full details of the water efficiency measures and rainwater/greywater harvesting system required by the approved water neutrality strategy (received 02.11.2022) have been submitted to and approved in writing by the Local Planning Authority. The rainwater harvesting system shall include suitable storage tanks to provide a minimum 35 days storage capacity.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District





Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species)

On 31st October 2025, Natural England issued a Withdrawal Statement confirming that its Position Statement dated September 2021 has been withdrawn.

This followed an agreement between Natural England, Southern Water, and the Environment Agency regarding abstraction licensing arrangements to ensure that development would not adversely affect protected habitats within the Arun Valley.

Subsequently, Horsham District Council confirmed that applications are no longer required to provide:

1. A Water Neutrality Statement;
2. A payment into the Sussex North Water Compensation Scheme (SNWCS); or
3. Bespoke planning conditions or Section 106 obligations relating to water neutrality.

The Council also confirmed that, where existing planning permissions contain bespoke water neutrality conditions, applications made under Section 73 of the Town and Country Planning Act 1990 (as amended) would be considered to remove such conditions.

In light of the withdrawal of Natural England's Position Statement, together with the Council's updated position, the policy and regulatory basis for Condition 4 no longer applies. The condition is therefore no longer necessary, relevant, or reasonable and does not meet the statutory tests for planning conditions.

Accordingly, we respectfully request the removal of Condition 4 pursuant to Section 73 of the Town and Country Planning Act 1990 (as amended).

Should you require any further information or clarification, please do not hesitate to contact me.

Yours faithfully

Charlotte Catton-Giltinane
Senior Planner
Planning and Development

Enc. Decision Notice



Mr J. Sharpe
White & Sons
3 Massetts Road
Horley
RH6 7PR

**Thornhill Court Billingshurst Road Coolham West Sussex
Erection of replacement industrial building for B8 storage and Class E use with associated parking.**

Your application DC/22/0877 has now been determined and I enclose the decision notice. The decision notice contains important information. Please take a moment to read it as further action may be required.

Conditions

Before you start work, information must be submitted for any conditions that require discharge before development can begin. The decision notice will set out what information need to be sent.

Failure to discharge conditions before commencing development could result in the development being unlawful or enforcement action being taken. You can notify us of your intention to initiate development by completing a pre-commencement notification which will help us to monitor your development. There is no fee to use this service. To do this, or for further information about discharging planning conditions, visit us online at horsham.gov.uk/planning/discharging-a-planning-condition

Community Infrastructure Levy (CIL)

If this development is CIL liable, the requirements of CIL must be met before you start work. Failure to do so could result in additional financial penalties. For further information relating to CIL visit horsham.gov.uk/planning/planning-policy/community-infrastructure-levy/cil-charges-and-how-to-pay

If you have any questions about the decision notice, you can call us and speak to a member of the team on 01403 215187 between 9AM - 5PM, Monday to Friday.

If you are acting as the planning agent for this application, please ensure that the applicant is given a copy of the decision notice and this letter.

Yours Sincerely,
Development Management



Mr J. Sharpe
White & Sons
3 Massetts Road
Horley
RH6 7PR

Application Number: DC/22/0877

TOWN AND COUNTRY PLANNING ACT, 1990 (as amended)
TOWN AND COUNTRY PLANNING (Development Management Procedure) (England) Order 2015

On behalf of: Mrs S. Keegan

In pursuance of their powers under the above-mentioned Act and Order, the Council hereby notify you that they PERMIT the following development, that is to say:

Erection of replacement industrial building for B8 storage and Class E use with associated parking.

Thornhill Court Billingshurst Road Coolham West Sussex

to be carried out in accordance with Application No. DC/22/0877 submitted to the Council on 19/05/2022 and subject to compliance with the plans/documents and conditions specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 24/11/2023

- 1 **Plans Condition:** The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule below.

SCHEDULE OF PLANS/DOCUMENTS

Plan Type	Description	Drawing Number	Received Date
Location & Block plan		DE1057/01 P1	05.05.2022
Site plan		DE1057/02 P1	05.05.2022
Floor plan	As proposed	DE1057/03 P1	05.05.2022
Elevation plan	As proposed	DE1057/04 P1	05.05.2022
Section plan	As proposed	DE1057/05 P1	05.05.2022
Supporting Statement	Water Neutrality Statement	NONE	02.11.2022

Reason: For the avoidance of doubt and in the interest of proper planning.

- 2 **Standard Time Condition:** The development hereby permitted shall begin before the expiration of three years from the date of this permission.

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

- 3 **Regulatory Condition:** If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy has been submitted to and approved by the local planning authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

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

- 4 **Pre-Commencement (slab level) Condition:** No development above ground floor slab level shall commence until full details of the water efficiency measures and rainwater/greywater harvesting system required by the approved water neutrality strategy (received 02.11.2022) have been submitted to and approved in writing by the Local Planning Authority. The rainwater harvesting system shall include suitable storage tanks to provide a minimum 35 days storage capacity.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

- 5 **Pre-Occupation Condition:** The development hereby permitted shall not be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, details of the rainwater harvesting system installed including a minimum 35 days storage capacity, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

- 6 **Pre-Occupation Condition:** No part of the development hereby permitted shall be first occupied until the vehicle parking spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development in accordance with Policy 41 of the Horsham District Planning Framework (2015).

- 7 **Pre-Occupation Condition:** No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details which have been submitted to and approved in writing by the Local Planning Authority. The

spaces shall be provided in accordance with the approved details prior to the first occupation of the development and shall be retained such thereafter.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies in accordance with Policy 41 of the Horsham District Planning Framework (2015).

- 8 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a scheme for the provision of electrical vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed prior to first occupation of the development and shall thereafter remain as such.

Reason: To provide electric vehicle car charging space for the use in accordance with Policies 35 and 41 of the Horsham District Planning Framework (2015) and the WSCC Parking Standards (2019).

- 9 **Regulatory Condition:** No works relating to the construction of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays, unless otherwise agreed in writing by the Local Planning Authority.

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

- 10 **Regulatory Condition:** No vehicles, plant or machinery shall be operated and no process carried out and no deliveries taken or dispatched from the site outside the following times:-

0800 hours and 1800 hours on Mondays to Fridays inclusive,
0900 hours and 1300 hours on Saturdays,
and not on Sundays and Bank and Public Holidays.

Reason: In the interests of amenity and in accordance with policy 33 of the Horsham District Planning Framework 2015.

- 11 **Regulatory Condition:** No internally and/or externally located plant, machinery equipment or building services plant shall be operated until an assessment of the acoustic impact arising from the operation of all such equipment has been undertaken and has been submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken in accordance with BS 4142:2014 and shall include a scheme of attenuation measures to mitigate any adverse impacts identified in the acoustic assessment and ensure the rating level of noise emitted from the proposed building services plant is no greater than background levels. The scheme as approved by the Local Planning Authority shall be fully installed prior to first operation of the plant and shall be retained as such thereafter.

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

- 12 **Regulatory Condition:** No external lighting or floodlighting shall be installed without the prior written approval of the Local Planning Authority. Any that is installed with the permission of the Local Planning Authority shall be maintained in accordance with the approved details

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

- 13 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and/or re-enacting that Order), the premises hereby permitted shall be used solely for purposes within Class B8 and / or Class E (g), as defined in the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) unless express planning consent from the Local Planning Authority is first obtained for any alternative use.

Reason: Changes of use as permitted by the Town and Country Planning (General Permitted Development) Order or Use Classes Order 1987 are not considered appropriate in this case due to the proximity to neighbouring properties in accordance with Policies 26 and 33 of the Horsham District Planning Framework (2015).

Note to Applicant – Community Infrastructure Levy (CIL):

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017. This development constitutes CIL liable development.

If you have not received a Liability Notice from the Council within 1 month of the decision date please contact the CIL Team at cil@horsham.gov.uk

CIL is a mandatory financial charge on development. To avoid additional financial penalties, the requirements of CIL must be managed before development is commenced (including in the event of any successful appeal).

Payment must be made in accordance with the requirements of the CIL Demand Notice issued.

Note to Applicant

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.

ADDITIONAL INFORMATION

Planning Permission – Important Provisos

If planning permission has been granted, please note that your Notice of Decision refers only to consideration of your proposal under the Town and Country Planning Acts. It is not a building regulations approval and does not mean that you can disregard other Acts of Regulations, or avoid any other legal obligations. Some of these obligations, of particular relevance to your proposal are referred to elsewhere in this note. Before you proceed with your proposal you should ensure that a Building Control application is not required, or has been submitted. The Building Control Department can be contacted on 01403 215151.

If this permission relates to new dwellings, commercial premises or other buildings which will require a new postal address you should contact the Council's Street Naming & Numbering Department as soon as possible or before work commences on site. Further details are available on the Street Naming page on the Council's website or alternatively e-mail streetnaming@horsham.gov.uk or telephone 01403 215139.

It is the responsibility of the developer to provide bins for the development. If you are a developer and need to purchase bins, please email hop.oast.admin@horsham.gov.uk.

It must be stressed that the information included on this Notice of Decision may not include all your legal obligations, and it does not grant you rights to carry out works on or over lands, or to access land that is not within your control or ownership.

Amendments

Should alterations or amendments be required to the approved plans, it will be necessary to apply either under Section 96A of the Town and Country Planning Act 1990 for non material alterations, or under Section 73 of the Act for minor material alterations. An application must be made using the standard application form and you should consult with us, to establish the correct type of application to be made.

Monitoring

Horsham District Council monitors the implementation of planning permissions. Please be aware that monitoring officers may visit the application site at various stages of the development to ensure compliance with the approved plans and conditions.

Right of Appeals

If you are aggrieved by the decision to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

You must appeal within 12 weeks of the date of the decision notice for a householder application or 'minor commercial' (shop front) development, and within 6 months for other types of planning applications. There are different timescale – usually 28 days – if an enforcement notice is/has been served for the same (or very similar) land and development. Please note, only the applicant possesses the right of appeal.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are at <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>.