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April 2026

Mr Jonathan Bore
c/o Kerry Tureman, Programme Officer
Horsham District Council
Albery House
Springfield Road
Horsham
RH12 2GB

Dear Sirs,

RE: WRITTEN REPRESENTATIONS REGARDING THE EXAMINATION OF THE HORSHAM DISTRICT LOCAL PLAN 2023 - 2040

TOPIC: MATTER 4: BUSINESS AND INDUSTRIAL NEEDS

CLIENT: COLDUNELL

SITE INTEREST: NORTH HEATH LANE INDUSTRIAL ESTATE, NORTH HEATH LANE, HORSHAM

D&M Planning Ltd have been instructed on behalf of the freehold owner of North Heath Lane Industrial Estate to provide comments as part of the re-opened hearing sessions concerning emerging Horsham District Local Plan 2023 – 2040.

These comments are raised as addition to those already submitted as part of the previous rounds of consultation which we trust the Inspector has copies of. Significant time, reflective of the delay to the examination of the plan, has passed since those submissions were made and therefore there is an inherent need to provide an update that previously submitted.

In preparing this representation we have given regard to the Inspector's draft agenda, the guidance note and to the Council's *Employment Topic Paper* published on 26th March 2026. It is clear from the Topic Paper that the Council consider Matter 4 to cover the following draft policies with are covered in Chapter 9 of the draft plan

- Policy 29: New Employment
- Policy 30: Enhancing Existing Employment
- Policy 31: Rural Economic Development

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Having reviewed the *Schedule of Suggested Modifications to the Regulation 19 Local Plan* published March 2026 there are some amendments proposed to Policy 30 and 31.

Owing to the overlap between matters our comments below are set out on a thematic basis.

Evidence Base

Within paragraph 14 of the Council's Topic Paper there is a recognition that some time has now passed since the submission of the draft plan and that this inherently requires and update to the evidence base in terms of data provision. Whilst this is the case, this update has only extended to Employment Land Trajectory as supported by the latest Monitoring Report.

It is principally our consideration that the evidence base which undermines the entire chapter is significantly out of date to the extent that it renders the approach to policy as unsupported to the extent that it renders those policies as being unsound.

The Council's evidence base for such policies is contained within the reports prepared by Lichfield in 2020. The parent report which covers the Northern West Sussex EGA was published in excess of six years ago in January 2020, with the Horsham focused report published later the same year in November. Other reports relevant to the chapter are even older with the Town Retail and Leisure Study being from March 2017 and the Hotel and Visitor Accommodation Study from July 2016.

The two Lichfield Reports are in turn updates to the previous North West Sussex EGA prepared in 2014 some 12 years ago.

Unlike the commentary surrounding the housing need the evidence base has not been revisited as part of the reopened consultation; this is despite there being significant shifts in the commercial market since the publication of the Lichfield reports in 2020.

It is crucial to understand the timeline of the publication of the Lichfield Report particularly in relation to the Covid-19 pandemic. The Covid-19 pandemic is arguably the biggest shock to the employment market since 2008/2009 Global Recession. As a result of the pandemic there have been fundamental shifts to working habits, employment provision, location of employment etc. There have been notable reports on the impact as prepared by the Office for National Statistics, lobbying groups, individual companies and industry experts.¹ These conclusions are commonly known and accepted and therefore we have not provided these as part of this submission.

We consider this timeline to be crucial. It should be highlighted that the parent report published in January 2020 was made prior to any Covid-19 associated issues being in place. The report itself does not mention the impact of the pandemic or its potential once. Admittedly this will be owing to the timing of the report being prior to the virus becoming of concern in the UK. It

¹ See for example: Department for Work & Pensions, *Get Britain Working: Labour Market Insights October 2025 (updated January 2026)* and Office for Budget Responsibility, *The impact of the pandemic on labour market participation*, March 2022,

does, however, reflect that the report is fundamentally out of date as it does not include any reference to the biggest shock to the employment sector and habits since 2008/09.

It is acknowledged that the second Horsham specific report published in November 2020 does give some regard to the impact of the Covid Pandemic. We would, however, direct the Inspector's attention to paragraphs 4.11 – 4.13 of the report which highlights that at the time of writing there were a range of unknown impacts arising from the pandemic to the extent that the assumptions made within the report are undermined.

Some of the wording within Chapter 9 of the emerging plan appears to include reference to Covid-19 such as at 9.16 where it seeks to support home working and smaller co-working spaces, however, this is not informed by any evidence base, and relies on assumptions in some parts that the employment/economic aspects will return to pre-pandemic levels and behaviours.

Principally we consider it wholly unreasonable that the evidence base which informs a vital part of the Council's strategic approach to employment, be so outdated. Many of the other reports that inform the Council's emerging policies as a whole are much more recent and we see no reason why this evidence base was not updated prior to the submission of the plan for examination and certainly no reason why it has not been updated as part of the hearing sessions.

Evidence to the Contrary

It is also important to note that evidence gathered on behalf of our client by an established commercial agent, Crickmay, appended to this submission (the context of which is explained later) presents a very different picture of the employment industry in Horsham than that of the report. Whilst the report is focused on the North Heath Lane Industrial Estate it does include an overview of the Horsham District Market.

The report identifies trends in the market since the pandemic noticeable as:

- Downsizing of office sizes to smaller accommodation as a result of hybrid working models
- Higher density occupation and increasingly agile working environments focusing on a need for smaller scale, high quality spaces
- Difficulty in securing occupiers for mid to large office buildings
- Significant displacement of the workforce with Horsham in part owing to development of sites
- Focus of demand for offices on premium, high quality spaces in established office locations with excellent local amenities – something which is essential to try and motivate a return to office-based working
- Focus on securing the most sustainable, energy efficient premises so as to lower demands on energy bills
- Shortage of high-quality industrial units that have high EPC ratings

Whilst acknowledging that this report is site specific for North Heath Lane it identifies trends and behaviours which are reflected in the national reporting but are absent from the Lichfield Reports which inform the plan.

We contend that this adds further weight to highlight that the evidence base informing Chapter 9 is out of date and therefore cannot be considered robust. We contend that whilst this could possibly be addressed by way of main modifications it requires updated evidence that informs the wider planning strategy. This is relevant to Policies 29, 30 and 31 as the strategy for these policies has been informed by the out-of-date Evidence Base.

Key Employment Area – Policy 30

In specific respect of Policy 30 we have previously submitted detailed statements on this policy on behalf of the freeholder Coldunell. Under this header we seek to provide further commentary and a factual update noting that it has been over two years since the previous submission was made.

Principally it remains our position that there is no justification for the designation of the North Heath Lane Industrial site as a Key Employment Area, the basis for which is largely explored in previous submission.

Factual Update

Since the previous submissions made as part of the plan making exercise our client has been exploring a range of options for the redevelopment of the Industrial Estate. To this extent the freeholder has undertaken a number of actions since such time.

Firstly, the freeholder has been in discussion with the Council by way of a pre-application submission to explore the residential redevelopment of the site. The response from the Council is attached to this report as well as the viability information as referred to. As is clear from the pre-application response the Council, in the absence of robust testing, did not support the conclusions of the submitted viability assessment. Whilst the report references discussion with a consultee they were not instructed nor did they visit the site, this in part being a failure between the Council and the freeholder to agree to pay the quoted £50,000 + VAT sum as quoted by the Council's preferred consultant. Accordingly, the comments within the pre-application response should be read in this context. The report does, however, conclude that if the matter of viability is addressed then the potential redevelopment of the site for residential could be supported in principle.

Secondly, an application was made to the Council under reference; DC/26/0024, to change the use of one of the buildings within the estate (Bentley House) to provide 9 residential units. That submission has been appealed as a non-determination and the decision remains pending. The appeal statement is appended to this submission for reference of the Inspector. As was presented as part of that submission and is included within the submission it is clear that this building has been vacant, despite the best marketing efforts, for a period of 5 years. This in turn provides a clear example of the reality of the housing market contrary to the evidence base as referenced above. Should the appeal be allowed, this would result in a further expansion of the mixed uses within the estate though this would not prejudice

Response to Policy

As set out in the original submission concerning the policy it is principally our client's position that it would be unsound to designate North Heath Lane Industrial Site as a Key Employment Area. The original submission provides commentary regarding the following points:

- There is an inherent conflict between the uses the policy seeks to protect namely B2 (General Industry), B8 (storage and distribution) and E(g)(ii) (Research and Development) and E(g)(iii) Industrial Processes and the actual uses on site. As set out the majority of floor space within the estate is in office use E(g)(i) and many of the buildings have conditions limiting the use of such buildings to that use. Accordingly, the allocation as a Key Employment Area would result in an inherent conflict with the policy from the outset.
- The quality of the stock is in poor condition, and it is unviable to upgrade or replace existing stock to meet the identified market needs.
- The hours of operation controlled by way of condition across the site limit the suitability of it as meeting current employment needs and expectations. The site is surrounded by residential properties which presents a potential conflict if an application were made to vary these hours. Indeed, it is noted that the Council has previously sought to enforce compliance with these hours and permission has previously been refused by the Council to amend said hours.

It remains our position that the designation of North Heath Industrial Site as a Key Employment Area is not supported by the particular site circumstances. Accordingly, we do not consider the evidence sufficiently robust to justify the designation and to this extent would be unsound. Policy 30 would still provide protections to the employment use, but this would be commensurate with the specific challenges and circumstances of the estate itself. This could readily be rectified by a main modification to remove North Heath Lane from Table 7.

In addition to those points raised above it is highlighted that the pre-application response on site draws attention to the Lichfield Report from January 2020 to justify why the site is proposed for inclusion as a Key Employment Area. Notwithstanding the comments regarding the nature of that report as being out of date it is highlighted that neither this report, nor any of the others within the Evidence library, provide any site-specific justification for its allocation as a Key Employment Area.

The only available evidence appears to come from the Employment Floorspace review carried out by Crickmay in June 2016. This report coincidentally also mentions a number of the other sites newly proposed for inclusion. We have been unable to find any other document that post-dates the adoption of the current local plan that considers or provides any detailed analysis of North Heath Lane itself. This report, however, does not appear to form any part of the evidence base relied upon as part of the submitted plans as it is not included within the submitted documents. If, however, this has shaped the decision to include the site within the designation we would highlight in the first instance its age being nearly some 10 years old. Secondly, it is highlighted that the author who prepared that report is now indicating that North Heath Lane is not viable for said purposes.

Accordingly, it is clear that there is an inherent unsound logic to the designation of North Heath Lane for such purposes, and that said allocation would impede the ability to explore viable options on the site. Further, it is contended that the evidence which informs the designation is significantly out of date having been prepared prior to the Covid pandemic and without any detailed site-specific analysis.

As set out this could be resolved by way of a main modification to amend table 7 of the plan.

Concluding Remarks

It is our position that the evidence base which informs Chapter 9 of the emerging plan with specific relation to the proposed designation of North Heath Lane Industrial Site as a Key Employment Area is unsound as it should not be considered robust. The evidence is significantly out of date and does not reflect the significant impact that the Covid-19 pandemic has had on the employment sector. Further, there is no evidence or justification as to why our client's site is proposed as a designation despite the number of issues raised already.

As has been demonstrated the allocation would be contradictory from the outset, would result in the designation of poor-quality stock that is not fit for modern day employment use and that would not be viable to redevelopment for such uses.

It is our consideration that in respect to our client's site this could be resolved by way of a main modification though this does not address the wider issues regarding the soundness of the evidence base and whether it is sufficiently up to date so as to inform the economic strategy of the district over the plan period.

We trust that these comments will be considered by the Inspector and the Council in the hearing session relating to Matter 4.

Yours Sincerely,

Matt Smith BA(Hons), MA, MRPTI
D&M Planning Ltd

On behalf of Coldunell

Appendices:

1. Crickmay Report
2. Pre-application response
3. Appeal statement and acknowledgement