



## **DELEGATED APPLICATIONS - ASSESSMENT SHEET**

### **APPLICATION NO./ADDRESS:**

DC/25/1450  
Roma Farm Cottage, Wineham Lane, Wineham, West Sussex, BN5 9AG

### **DESCRIPTION:**

Erection of a detached dwelling with double garage.

### **RELEVANT PLANNING HISTORY:**

DC/23/0994	Erection of a single storey side extension and detached outbuilding (Lawful Development Certificate - Proposed)	Application Refused on 11.07.2023
DC/23/0995	Prior approval for the enlargement of an existing dwellinghouse by addition of an additional storey resulting in an increase in height of 2.56m.	Prior Approval Required and REFUSED on 04.07.2023
DC/23/1417	Erection of a single storey side extension and detached carport (Lawful Development Certificate - Proposed)	Split Decision on 15.09.2023
DC/23/1744	Erection of a single storey side extension and ancillary outbuilding (Lawful Development Certificate - Proposed)	Application Permitted on 14.11.2023
DC/23/1745	Prior approval for the enlargement of an existing dwellinghouse by addition of an additional storey resulting in an increase in height of 2.56m.	Prior Approval Required and PERMITTED on 13.11.2023
DC/24/0415	Demolition of existing detached residential dwelling and erection of a new residential dwelling and garage.	Application Permitted on 24.05.2024

### **DESCRIPTION OF THE SITE**

The application site sits outside of the built-up area boundary and is therefore within a countryside location in policy terms. The property is situated to the western side of Wineham Lane, outside the built-up area of the village of Wineham. Access to the site is currently from the north through the main farm entrance. The site encompasses an incidental curtilage of approximately 0.3 acres which is a corner of a field around the dwelling at the southern end of a track within the farm complex.

### **DESCRIPTION OF THE APPLICATION**

The application seeks full planning permission to demolish the existing detached residential dwelling and erect a new residential dwelling and garage. The dwelling will have 5 bedrooms and a pool in the residential garden. The dwelling would replace the existing single storey dwelling currently on the site.

The proposed dwelling would be located to the south of the site, with a detached garage sited close to the location of the previous dwelling. The proposed dwelling would comprise an appearance semi-reflective of dwellings in the surroundings, with a glazed gable section on the east and south elevations. The proposed dwelling would comprise brick and roof tiles to the house and the garage. The roof would have clay tiles and doors and windows would be black aluminium framed gas filled

double glazed paned windows. Windows are proposed on the east, west, and south elevations, with one window proposed on the north elevation on the ground floor.

The proposed dwelling would have a GIA of 136.10 sqm on the ground floor, and 133.54 sqm on the first floor. The garage would have a GIA of 42.50 sqm. The total accumulated GIA for both the dwelling and garage would be 178m<sup>2</sup>.

### Background:

An application to demolish the existing detached residential dwelling and erect a new residential dwelling and garage was permitted in 2024 (ref: DC/24/0415), this dwelling proposed four bedrooms. The permitted dwelling had a GIA of 97.27 sqm on the ground floor, and 90.09 sqm on the first floor. The permitted dwelling had a total accumulated GIA for both the dwelling and garage of 140m<sup>2</sup>. The permission is extant and therefore can be built out.

An application to confirm the occupation of Roma Farm Cottage as a self-contained dwellinghouse for a continuous period of more than 4 years was submitted under reference DC/20/1837 and confirmed that the building has been in use as a dwellinghouse with occupants since October 2009 and it has been in continual use since then.

It is noted that the site also benefits from a prior approval for the enlargement of the dwellinghouse by an additional storey, which would increase the height by 2.56m. The proposed GIA would be 74m<sup>2</sup>. It is further noted that a single storey side extension and ancillary outbuilding lawful development certificate was also granted allowing for further extension to the dwelling. The garage would have a GIA of 48m<sup>2</sup>, and the single storey extensions added to the ground floor would increase that GIA to 102m<sup>2</sup>.

All these applications demonstrate a viable fallback position that could be implemented if this application were refused.

## RELEVANT PLANNING POLICIES

### **The National Planning Policy Framework (NPPF)**

#### **Horsham District Planning Framework (2015):**

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 16 - Strategic Policy: Meeting Local Housing Needs

Policy 25 - Strategic Policy: The Natural Environment and Landscape Character

Policy 26 - Strategic Policy: Countryside Protection

Policy 28 - Replacement Dwellings and House Extensions in the Countryside

Policy 31 - Green Infrastructure and Biodiversity

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 40 - Sustainable Transport

Policy 41 - Parking

#### **Wineham and Shermanbury Neighbourhood Plan (2014-2031):**

Policy 5 – Design

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five-year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five-year supply of deliverable housing sites, with the supply currently calculated as being 1 year. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the district (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

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

Strategic Policy 1: Sustainable Development

Strategic Policy 2: Development Hierarchy

Strategic Policy 13: The Natural Environment and Landscape Character

Strategic Policy 14: Countryside Protection

Strategic Policy 17: Green Infrastructure and Biodiversity

Strategic Policy 19: Development Quality

Strategic Policy 20: Development Principles

Strategic Policy 24: Sustainable Transport

Policy 25: Parking

Policy 32: Conversion of Agricultural and Rural Buildings to Commercial, Community and Residential Uses

Strategic Policy 38: Meeting Local Housing Needs

Policy 45: Replacement Dwellings and House Extensions in the Countryside

Policy 46: Ancillary Accommodation

**Supplementary Planning Guidance:**

Planning Obligations and Affordable Housing SPD (2017)

Community Infrastructure Levy (CIL) Charging Schedule (2017)

**Parish Design Statement**

**Planning Advice Notes:**

Shaping Development in Horsham

Biodiversity and Green Infrastructure

**REPRESENTATIONS AND CONSULTATIONS 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](http://www.horsham.gov.uk)

**Consultations:**

**OUTSIDE AGENCIES**

**Natural England:** No Objection Subject to Appropriate Mitigation Being Secured

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures should be secured:

- The delivery, management and maintenance of any measures identified in the applicant's water neutrality statement that are required to ensure that the proposed development will not result in increased levels of abstraction within the Sussex North Water Supply Zone.

**Natural England (Subsequent Standing Advice):** 2021 Position Statement on Water Neutrality Withdrawn

On 31st October 2025, we wrote to the relevant local authorities to formally withdraw this Position Statement on the basis that a package of measures has been agreed which ensures no adverse effect on the integrity of the Arun Valley designated sites, without the need for development to demonstrate neutrality.

Note that your authority, as competent authority, feels that further information is required before you can be satisfied that the agreed package of measures can be sufficiently secured and effective in practice, namely the formal amendment of Southern Water's abstraction licence by the Environment Agency. Therefore, in the interim period, your authority has proposed to continue undertaking appropriate assessments and to utilise the demand capacity generated by Southern Water's efficiency savings originally planned to be used by the Sussex North Water Certification Scheme (SNWCS) to conclude no adverse effect on integrity.

Natural England advises the package of measures agreed with Southern Water, Natural England and the Environment Agency removes the risk of a likely significant effect. However, acknowledge that your authority has proposed an alternative approach.

Natural England has previously reviewed and agreed the Southern Water efficiency savings figures (3.24Ml/day) and are satisfied that they are reliable. Therefore, if consulted on future planning applications which seek to benefit from these efficiency savings, Natural England will not raise an objection on the basis of adverse effect risk.

#### **Southern Water:** Comment

Restrictions on the proposed tree planting adjacent to Southern Water sewers, rising mains or water mains. Reference should be made to Southern Water's publication "A Guide to Tree Planting near water Mains and Sewers" ([https://www.southernwater.co.uk/media/pddob0vn/ds-tree-plantingguide-1\\_nwm.pdf](https://www.southernwater.co.uk/media/pddob0vn/ds-tree-plantingguide-1_nwm.pdf)) and the Sewerage Sector Guidance (<https://www.water.org.uk/sewerage-sectorguidance-approved-documents/>) with regards to any landscaping proposals and our restrictions and maintenance of tree planting adjacent to sewers, rising mains and water mains.

#### **WSCC Highways:** Comment

The site is located on Wineham Lane, a C-classified road subject to a speed restriction of 60 mph.

The site currently has approval for a replacement 4-bedroom dwelling under ref: DC/24/0415. The LHA did not raise any highway safety concerns to DC/24/0415. The site will be accessed via the existing access onto Wineham Lane, approved under ref: DC/22/1353, to which the LHA did not raise any highway safety concerns.

The applicant proposes four car parking spaces for this development within the driveway and proposed double-bay garage. The WSCC Car Parking Demand Calculator indicates that a dwelling of this size in this location would require at least three car parking spaces. Therefore, the LHA is satisfied with the proposed level of parking provision. From inspection of the plans, there is ample room on the driveway to accommodate car parking spaces and on-site turning appears achievable.

The site is situated in a rural area that lacks access to immediate services, amenities, and public transport links. The nearest town is Burgess Hill, approximately 11km east of the site. In addition, Wineham Lane lacks footways and street lighting – as such, residents may have a reliance on the private car.

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.

#### **PUBLIC CONSULTATIONS:**

##### **Representations:**

None received.

##### **Parish Comments:**

**Shermanbury Parish Council:** No Objection

##### **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

### **Principle of Development:**

Policy 28 of the HDPF supports development outside the defined built-up area boundaries that can be accommodated appropriately within the curtilage of the existing dwelling. Replacement dwellings should not be disproportionate to the size of the existing dwelling, with extensions also in-keeping with the scale and character of the existing dwelling. The cumulative impacts of existing extensions will be taken into account.

It is noted that the property benefits from an extant planning permission for a two-storey detached dwelling with 4-bedrooms (ref: DC/24/0415). This fallback is capable of implementation, representing a viable and realistic position. This is a material consideration of significant weight.

Notwithstanding other material considerations a refusal of the current application with regards to the principle of development would not therefore prevent an enlarged residential dwelling on site.

### **Design and Appearance:**

Policies 32, and 33 of the HDPF promote development that protects, conserves, and enhances the landscape and townscape character from inappropriate development. Proposals should take into account townscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings.

*WASP Policy 5 – development proposals should ensure that the design is in keeping with the prevailing character of the surrounding area.*

The proposal would involve the creation of a new dwelling on the site of an existing single storey dwelling which is to be demolished. As above, there is an extant planning permission for a two storey 4-bedroom dwelling, which is a viable fallback position, if permission for this application is refused. It is noted that the permitted dwellinghouse had 4 bedrooms whereas the proposed has 5 bedrooms, a larger GIA and revised design, with increased glazing compared to the approved scheme. The reasoning for the increased GIA is acknowledged, for the addition of one extra bedroom, and therefore the dwelling would be a 5-bed dwelling rather than a 4-bed.

The proposed dwellinghouse has an overall height of approximately 7.46m, whereas the extant permitted dwelling had an overall height of 8.08m. It is considered that overall appearance of the extant permitted dwelling appeared lesser than proposed due to the differing roof heights and proposed dormers. The overall scale of the proposed dwelling would be comparable to the fallback. It is considered that the dwelling was sufficiently separated from nearby amenity to ensure limited harm. The application proposes a significant increase in glazing, with an entirely glazed pitched roof

extension to the south elevation. The proposed garage would be constructed of brick and tile to maintain a similar appearance to the proposed dwellinghouse. It is also noted that a swimming pool is proposed in the garden in front of the south elevation and in the rear residential garden, this would be screened by trees and existing hedging.

With regard to the design, the appearance of the existing bungalow to be removed is not considered to be of any architectural value. It is of poor quality, with a shallow roof and brown exterior. The loss of the existing dwelling is not therefore considered harmful.

It is recognised that the proposed dwelling would increase the bulk and massing of the dwelling when compared with the existing and approved dwellings. Whilst the proposal would be of a reduced height when compared with the extant permission, the proposed dwelling would incorporate a design that would appear greater in scale and massing. Whilst the proposal is considered to be of less visual interest than the extant permission, with the limited visual relief contributing to the sense of scale and bulk, given the varied character within the locality and the relative isolation of the application site, it is not considered that the proposal would result in such significant harm to justify a reason for refusal.

The proposed garage would reflect the character and design of the proposed dwelling and would be grouped with the proposal. As such, the garage is considered to relate sympathetically to the development as a whole, and would be sufficiently subservient.

Therefore, on the balance of all considerations, the proposed development is considered to sit comfortably within the context of the site and surroundings and would relate sympathetically to the character and visual amenity of the locality. The proposal is therefore considered to accord with the above policies.

### **Residential Amenity:**

Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contribute a sense of place both in the buildings and spaces themselves. Policy 33 continues that development shall be required to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land.

There is an established dwelling at the site which operates without harm to adjoining neighbours. The dwelling is currently positioned 93 metres away from the residential dwelling at Roma Farm, and the proposed dwelling would be located further south which would increase the distance between properties. There is also significant screening along the western boundary with Wineham Lane, which would screen the dwelling in views from the road. It is noted that there have been no representation letters received.

It is therefore considered that the siting and layout of the proposed dwelling and the resulting relationship with adjoining properties would be sufficient to prevent any unacceptable harm to neighbouring amenity.

### **Highways Impacts:**

Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.

An application for a new vehicular access onto Wineham Lane was permitted in 2023 – ref: DC/22/1353. This access provides an entrance to the dwelling from the road without having to access through Roma Farm. The application proposes four car parking spaces for the development on the driveway and proposed a double-bay garage. There is considered to be sufficient space on the driveway to accommodate the four parking spaces and on-site turning appears achievable. The WSCC Parking Demand calculator requires a minimum of 2.7 parking spaces for dwelling with 4+ bedrooms. It is considered that the dwelling could satisfy this level of parking provision on site. WSCC Highways were satisfied that the proposal would not have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network. The application is considered acceptable in accordance with the above policies.

## **Water Neutrality:**

A 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.

On 31<sup>st</sup> 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 10 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 an Appropriate Assessment which demonstrates that the anticipated increase in mains water consumption from this development, alongside all other development granted since the 31<sup>st</sup> October 2025, will not exceed 3,240,000 litres per day.

Accordingly, Officers consider that the proposed development will not have 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.

## **Other Matters:**

Southern Water were consulted, noting that should any sewer be found during construction works, that an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

## **Climate Change:**

Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. The proposed development includes the following measures to build resilience to climate change and reduce carbon emissions:

- Requirement to provide full fibre broadband site connectivity
- Dedicated refuse and recycling storage capacity
- Cycle parking facilities
- Electric vehicle charging points

Subject to these conditions the application will suitably reduce the impact of the development on climate change in accordance with local and national policy.

### **Biodiversity Net Gain (BNG):**

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG (unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024) and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

The Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

- The development qualifies as 'self-build or custom housing' under Regulation 8 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024

### **Conclusions:**

The principle of an enlarged dwelling had already been established through the fallback position of an extant permission for a two-storey replacement dwelling and detached garage (ref: DC/24/0415). The application represents an appropriately sized replacement dwelling for the curtilage that has a GIA which is larger than the extant permission, but not significantly so. The design is a visual improvement from the existing single storey building and appears as sympathetic to the surrounding development. The benefits of the scheme are considered to outweigh any potential harm and therefore, the proposal is considered acceptable under Policies 28, 32 and 33.

### **COMMUNITY INFRASTRUCTURE LEVY (CIL)**

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

**It is considered that this development constitutes CIL liable development.**

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	309.19		309.19
		<b>Total Gain</b>	
		<b>Total Demolition</b>	<b>140</b>

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

### **Recommendation: Application Permitted**

### **Conditions:**

- 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 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the car parking spaces (including garage) necessary to serve it have been constructed and made available for use in accordance with approved plan reference A4. The car parking spaces permitted shall thereafter be retained as such for their designated use.

Reason: To provide car-parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 4 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling has been provided within the garage or side or rear garden for that dwelling. The facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 5 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the cycle parking facilities serving it have been provided within the garage or side or rear garden for that dwelling. The facilities shall thereafter be retained for use at all times. The cycle parking facilities shall thereafter be retained as such for their designated use.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 6 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a fast charge electric vehicle charging point for that dwelling has been installed. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

- 7 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabits per second through full fibre broadband connection has been provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

- 8 **Regulatory Condition:** The garage hereby permitted shall be used solely for purposes incidental to the occupation and enjoyment of the residential property at Roma Farm Cottage, Wineham Lane, Wineham, BN5 9AG (as identified on the approved plans) and shall not be used as a separate unit of accommodation, as habitable living accommodation, for any commercial purposes or for any other purpose(s)/use(s).

Reason: The establishment of an additional independent unit of accommodation, additional living accommodation, commercial use or any other use(s) would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent units of living accommodation contrary to Policies 26 and 33 of the Horsham District Planning Framework (2015).

- 9 **Regulatory Condition:** The dwelling hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to no more than 110 litres per person per day.

Reason: To limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015).

- 10 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 11 **Post-Occupation Condition:** Upon the occupation of the building hereby permitted the existing building shown in red on the approved block plan. shall cease to be used for any purpose whatsoever and within a period of 1 month thereafter such existing building shall be demolished (including the removal of foundations) all materials arising from such demolition removed from the site and the site of the demolished building restored in accordance with details of landscaping which have been submitted to and approved in writing by the Local Planning Authority prior to demolition works commencing.

Reason: The retention of existing buildings together with the new buildings would result in the proliferation of buildings on the site, detracting from the character of the area which would be contrary to Policy 33 of the Horsham District Planning Framework (2015).

#### NOTE TO APPLICANT

##### **Biodiversity Net Gain Condition**

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

Under Regulations 4, 5, 7 & 8 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024 the statutory biodiversity gain condition required by Schedule 7A to the Town and Country Planning Act 1990 (as amended) does not apply in relation to planning permission for development which:

1. does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (a hedgerow habitat or watercourse habitat identified for the purposes of the biodiversity metric);
2. is the subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015;
3. is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the biodiversity gain planning condition which applies in relation to another development (In determining whether a development is undertaken solely or mainly for this purpose, no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee);
4. consists of no more than 9 dwellings, is carried out on a site which has an area no larger than 0.5 hectares, and consists exclusively of dwellings which are self-build or custom housebuilding ("Self-build or custom housebuilding" has the same meaning as in section 1(A1) of the Self-build and Custom Housebuilding Act 2015 (as amended)).

In addition, the Biodiversity Gain Plan Condition does not apply to applications for major development made before 12 February 2024, or non-major development made before 2 April 2024.

**Based on the information submitted in the planning application documents, the Planning Authority considers that this permission is exempt from biodiversity net gain, and as such does not require approval of a biodiversity gain plan before development is begun.**

*Statutory exemptions and transitional arrangements*

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at <https://www.gov.uk/guidance/biodiversity-net-gain>.

*Irreplaceable habitat*

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

**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.

---

**Plans list for: DC/25/1450**

(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved:**

<b>Plan Type</b>	<b>Description</b>	<b>Drawing Number</b>	<b>Received Date</b>
Floor plan	Proposed	A03	09.09.2025
Location plan		NONE	25.09.2025
Elevation & Floor plan	Proposed Double Garage	NONE	09.09.2025
Site plan	Proposed	A.4	28.11.2025
Elevation plan	Proposed New Main Dwelling	A01	09.09.2025

**DELEGATED**

Case Officer sign/initial Bethan Tinning Date: 16.12.2025

Authorising Officer sign/initial Tamara Dale Date: 18.12.2025