



TO: Planning Committee

BY: Head of Development and Building Control

DATE: 16 December 2025

DEVELOPMENT: Demolition of 2no. dwellings and erection of 3no. dwellings with associated parking

SITE: Threals Farm Cottages, Threals Lane West Chiltington West Sussex RH20 2RF

WARD: West Chiltington, Thakeham and Ashington

APPLICATION: DC/25/1232

APPLICANT: **Name:** Mr Tony Whitby **Address:** 80 High Street Epsom Surrey KT17 1RE

REASON FOR INCLUSION ON THE AGENDA: Departure from the Development Plan

RECOMMENDATION: To approve planning permission subject to appropriate conditions.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks to demolish the existing 2no. semi-detached cottages and erect 3no. dwellings with associated parking. The development proposes 2no. 3-bedroom semi-detached dwellings (108 sqm each) and 1no. 4-bedroom detached dwelling (146 sqm). The three dwellings are arranged in a linear form facing Threals Lane, with each property set within its own plot with private rear gardens, on-site parking and turning space. Access is via the existing entrance from Threals Lane, no new access points are proposed, and a turning area is proposed within the site.

DESCRIPTION OF THE SITE

- 1.2 The application site is located towards the southern end of Threals Lane, accessed through West Chiltington, and lying within the parish of Thakeham. The application site is located outside of, but adjacent to, the built-up area boundary of West Chiltington, which is classified as a medium village.
- 1.3 The site extends to 0.19 hectares and comprises 2 semi-detached cottages known as No.1 and No.2 Threals Farm Cottages and their respective gardens. The site has one access point directly off Threals Lane, and the site's boundaries are screened by established trees and hedges.

- 1.4 There are residential properties to the north of the site, to the east is open farmland, to the south of the site, a development of 5 detached and semi-detached houses.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

- 2.2 The following Policies are considered to be relevant to the assessment of this application:

2.3 **National Planning Policy Framework:**

2.4 **Horsham District Planning Framework (HDPF 2015):**

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 4 - Strategic Policy: Settlement Expansion

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 34 - Cultural and Heritage Assets

Policy 37 - Sustainable Construction

Policy 40 - Sustainable Transport

Policy 41 - Parking

2.5 **Draft West Chiltington Neighbourhood Plan (-2031):**

Policy H1: Spatial Strategy and Built-Up Area Boundaries

Policy H3: Quality of Design

Policy GA3: Parking and New Development

- 2.6 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).

- 2.7 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.

- 2.8 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.

- 2.9 **Horsham District Local Plan (2023-40) (Regulation 19):**
 Strategic Policy 1: Sustainable Development
 Strategic Policy 2: Development Hierarchy
 Strategic Policy 3: Settlement Expansion
 Strategic Policy 4: Horsham Town
 Strategic Policy 9: Water Neutrality
 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
 Policy 21: Heritage Assets and Managing Change within the Historic Environment
 Strategic Policy 24: Sustainable Transport
 Policy 25: Parking
 Policy 45: Replacement Dwellings and House Extensions in the Countryside
- 2.10 **Supplementary Planning Guidance:**
 Planning Obligations and Affordable Housing SPD (2017)
 Community Infrastructure Levy (CIL) Charging Schedule (2017)
- 2.11 **Parish Design Statement**
- 2.12 **Planning Advice Notes:**
 Facilitating Appropriate Development
 Biodiversity and Green Infrastructure

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/21/0081	Demolition of existing extensions and erection of new single storey rear extensions.	Application Permitted on 17.03.2021
DC/22/1122	Demolition of existing rear extension, side porches and storage sheds. Erection of a two-storey rear extension, front porch, creation of front dormer windows and alterations to existing cottages to form 1no single dwellinghouse. Erection of a detached garage, garden room building and car parking area.	Application Permitted on 16.11.2022

3. OUTCOME OF CONSULTATIONS

- 3.1 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.

INTERNAL CONSULTATIONS

- 3.2 **HDC Conservation:** No Objection

Threals Farm Cottages are a pair of semi-detached dwellings built in local sandstone. They appear on the early edition Ordnance Survey maps as a single building and may have been the nineteenth century farmhouse. In any case, the traditional construction and simple architectural detailing reflect a provincial vernacular, and the building should be considered a non-designated heritage asset alongside the surviving Threals Barn to the south. Have been unable to find any information about the historic farm but there may be more information available at the West Sussex Records Office.

The accompanying Heritage Statement does not identify the existing building correctly in terms of its age or its quality. Do not agree with the Applicant's assessment of its historic significance. However, satisfied the overall historic interest of the cottages is low and if

content the proposed redevelopment of the site is appropriate, then do not object to demolition.

The proposed dwellings reflect the local vernacular and will be an attractive addition to the area. The submission includes details of materials and fenestration which are acceptable. Suggested conditions to ensure roof junctions are treated as indicated in the elevation drawings.

OUTSIDE AGENCIES

3.3 **Ecology Consultant:** No ecological objection subject to attached conditions

Have reviewed the Bat Survey Report (Leith Ecology Consulting, September 2025) and Preliminary Ecological Appraisal (Environmental Assessment Services Ltd., September 2024), relating to the likely impacts of development on designated sites, protected and Priority species and habitats and appropriate mitigation measures.

Note from the Bat Survey Report (Leith Ecology Consulting, September 2025) that a licence for bats will be required before commencement of any works and recommend that a copy of this is secured by a condition of any consent. This is because the two emergence surveys undertaken in July and August 2025 on the two adjoining cottages confirmed the presence of a day roost for Common and Soprano Pipistrelle bats. Support the Recommendations in the Bat Survey Report (Leith Ecology Consulting, September 2025), which should be secured by a condition of any consent and implemented in full.

Also note from the Preliminary Ecological Appraisal (Environmental Assessment Services Ltd., September 2024) that the two outbuildings have negligible bat roost potential and it appears that all trees on site will be retained.

The site lies approximately 8.6km southeast of The Mens Special Area of Conservation (SAC) and therefore lies within the 12.0km Wider Conservation Area for the SAC. Within this area significant impacts or severance to flightlines must be considered as this is the full extent of the range of foraging area required by Barbastelle bat, the qualifying feature of the SAC (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol). No European Protected Species Mitigation Licences (EPSML) have been granted within 2km of the site (MAGIC maps). There is one record for Barbastelle Bat from 2015 located approximately 1.7km from the site. There are approximately 79 records of bats within 2km of the site (SBISx – accessed under licence).

The site lies approximately 14.0km southeast of Ebernoe Common SAC and therefore lies outside the Wider Conservation Area for this SAC; and also lies approximately 3.6km east of Arun Valley SAC, SPA and Ramsar site.

The mitigation and enhancement measures identified in the Bat Survey Report (Leith Ecology Consulting, September 2025) and Preliminary Ecological Appraisal (Environmental Assessment Services Ltd., September 2024) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species, particularly bats, reptiles and mobile protected species.

3.13 **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 (3.24MI/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.

3.4 **Southern Water:** Comment

No new soakaways should be located within 5 metres of a public or adoptable gravity sewer, rising main or water main. No soakaways should be connected to the public surface water sewer.

There are restrictions on 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 sewer" (https://www.southernwater.co.uk/media/pddob0vn/ds-tree-planting-guide-1_nwm.pdf) and the Sewerage Sector Guidance (<https://www.water.org.uk/sewerage-sector-guidance-approved-documents>) with regards to any landscaping proposals and our restrictions maintenance of tree planting adjacent to sewers, rising mains and water mains.

3.5 **WSCC Highways:** Comment

The site is located on Threals Lane, an unclassified road subject to a speed restriction of 30 mph.

The existing vehicle access point on Threals Lane is to be utilised, with no alterations to this arrangement proposed. From inspection of the plans and WSCC mapping, there are no apparent visibility concerns with the existing point of access on Threals Lane.

In terms of network capacity, the net addition of a single dwelling is not anticipated to give rise to a significant material intensification of movements on the local highway network.

Nine car parking spaces are proposed for this development, which would be considered a suitable amount under WSCC Parking Standards. On-site turning appears achievable, allowing cars to exit the site in a forward gear. Provision for the secure storage of bicycles is also proposed.

In summary, 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

3.6 Representations:

2 letters of Objection have been received from 2 addresses, objecting to the application on the following grounds:

- Cottages in a prominent position – high visibility in the street scene
- Sit on edge of Conservation Area affecting character and setting
- Demolition of old cottages a travesty
- Overdevelopment of the site
- Development outside of defined built up area boundary (BUAB)

- Threats Lane destroyed by construction traffic
- Access a concern due to poor, narrow single-track lane

3.7 **West Chiltington Parish Council:** Objection

- Residential sprawl
- Outside the built-up area boundary
- Edge of important settlement separation zone between West Chiltington and Thakeham
- Existing dwellings are derelict
- Conflict with Policies 26, 27 and 28 of the HDPF
- S106 funds directed to West Chiltington Parish Council if approved

3.8 **Thakeham Parish Council:** Objection

- Not need for properties of this size and type
- Current dwellings may be nothing of special architectural interest, but they do sit in a prominent location at the top of the lane, and they have some vernacular merit, reflecting their rural character for a predominantly agricultural area
- Need for more affordable housing
- Current dwellings may not meet modern standards internally but are still habitable, albeit that they might require some updating
- No need to demolish
- Overdevelopment of the site
- No beneficial use
- Urbanisation of the location
- Diminish local character
- Issues with water neutrality.

3.9 Member Comments:

None received

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

4.1 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.

4.2 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.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

Principle of Development:

- 6.1 Policy 2 of the Horsham District Planning Framework (HDPF) sets out the main growth strategy, focusing development in the main settlements. The HDPF outlines that the proposed settlement hierarchy is the most sustainable approach to delivering housing; where new development is focused in the larger settlements of Horsham, Southwater and Billingshurst; and limited new development is directed elsewhere, and only where it accords with an adopted Neighbourhood Plan. Specifically, Policy 3 of the Horsham District Planning Framework seeks to retain the existing settlement pattern and ensure that development takes place in the most sustainable locations as possible.
- 6.2 Policy 3 of the HDPF seeks to concentrate new development within existing settlement boundaries, with Policy 4 setting out a series of criteria which must all be met for the expansion of settlements. West Chiltington is classified by Policy 3 as a 'Medium Village', these are settlements with a moderate level of services and facilities, together with some access to public transport.
- 6.3 Policy 4 of the HDPF outlines that the expansion of settlements outside the built-up area are supported where the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge; the level of expansion is appropriate to the scale and function of the settlement type; the development is demonstrated to meet the identified local housing needs; the impact of development individually or cumulatively does not prejudice comprehensive long term development; and the development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced.
- 6.4 Policies 3 and 4 of the HDPF set out the strategy for growth within the District. As stated within Policy 3 of the HDPF, development will be permitted within towns and villages that have defined built-up areas; with development in the countryside more strictly controlled through the provisions of Policy 4. This policy states that development outside of built-up areas will only be supported where the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins a settlement edge.
- 6.5 In addition, within this countryside location, the proposal is also considered against Policy 26 which seeks to protect the countryside against inappropriate development unless it is considered essential and appropriate in scale; whilst also meeting one of four criteria. This criterion includes supporting the needs of agriculture or forestry; enabling the extraction of minerals or the disposal of waste; providing for quiet informal recreational use; or enabling the sustainable development of rural areas. The proposed development does not meet any of this criterion, nor is it considered to be essential to the countryside location and does not therefore comply with Policy 26 of the HDPF.
- 6.6 The Council is however currently unable to demonstrate a five-year housing land supply, with the latest Housing Delivery Test Action Plan (April 2025) detailing a supply of 1 year. In such instances Paragraph 11(d)(ii) of the NPPF states that where there are no relevant development plan policies in place, or the policies that are considered most important for the determination of applications are out of date (such as when a five year housing land supply cannot be demonstrated), planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 6.7 In this case the most important policies contained within the HDPF, including Policies 2, 4 and 26 must be afforded reduce weight given the engagement of the 'tilted balance' within Paragraph 11d.
- 6.8 In recognition of this, the Council published interim guidance on Shaping Development in Horsham District (2025). This report recognises that the Council is likely to receive applications outside of defined BUABs and on unallocated sites (such as this application) as it is unable to demonstrate a five-year housing supply. Given this position and the principles

behind HDPF Policy 4, the report confirms that applications which meet all the criteria will be positively considered:

- The site adjoins the existing settlement edge as defined by the BUAB
- The level of expansion is appropriate to the scale and function of the settlement the proposal relates to;
- The proposal demonstrates that it meet local housing needs or will assist the retention and enhancement of community facilities and services;
- The impact of the development individually or cumulatively does not prejudice comprehensive long-term development; and
- The development is contained within an existing defensible boundary and the landscape character features are maintained and enhanced.

6.9 The application seeks to demolish the existing 2no. dwellings and the erection of 3no. dwellings. The proposal would therefore result in the net increase of 1no. dwelling on the site. The application site is located immediately adjacent to the West Chiltington Common built-up area boundary, and is sited within an established cluster of residential dwellings, where these are read alongside the defined settlement edge.

6.10 This proposal would meet all the criteria of the Shaping Development in Horsham District guidance document, as it represents an expansion appropriate to Threals Lane, adjoining the defined built-up area boundary, and appearing as infill development on a site that has 2no. existing residential dwellings. The development would also help meet local housing needs, would not prejudice long term development, and is within an existing defensible boundary. Given the housing shortfall, emerging policy support and the site's established residential character, it is considered that the principle of 3 no. residential dwellinghouses on site, being a net increase in 1no. residential dwelling, is acceptable, subject to other material considerations.

Design and Appearance:

6.11 Policy 32 of the HDPF states that good design is a key element in sustainable development and seeks to ensure that development promotes a high standard of urban design, architecture, and landscape. Policy 33 of the HDPF states that development proposals should make efficient use of land, integrate effectively with the character of the surrounding area, use high quality and appropriate materials, retain landscaping where feasible (and mitigate loss if necessary) and ensure no conflict with the character of the surrounding town or landscape.

6.12 The site is located to the edge of the built-up area of West Chiltington and is sited on a relatively prominent corner. The wider surroundings are characterised by detached dwellings of varying size and design within relatively spacious plots, with the boundaries predominantly defined by trees and hedging. The north and east of the site is defined by agricultural fields and sporadic development comprising dwellings and agricultural buildings.

6.13 It is recognised that concerns have been raised by Thakeham Parish Council regarding the loss of the existing dwellings, which are considered to be of an appropriate vernacular, with concerns also raised regarding the scale of the development and overdevelopment.

6.14 The arrangement of the 3no dwellings follows a linear pattern, orientated to face onto Threals Lane and arranged in a line similar to other residential development along Threals Lane. The prevailing settlement pattern as established along Threals Lane is respected through the linear form and visual reflection of nearby properties, ensuring the scheme remains in keeping with its surroundings. The three-bedroom semi-detached cottages would each provide 108 sqm GIA and the four-bedroom detached dwelling would provide 146 sqm GIA, with these in excess of the national space standard.

- 6.15 The proposed dwellings have been designed to reflect local vernacular architecture, with design cues taken from traditional Sussex materials such as local sandstone and Warnham stock brick. Detailing such as chimneys, lean-to side extensions and deep porches enhance the rural character and help to integrate the dwellings with their surroundings. The existing access would be retained, ensuring there is no additional break in the established mature screening along Threals Lane.
- 6.16 The proposed dwellings are considered to be proportionate for the size of the site and have been designed to reflect the sensitivity of the surroundings, taking design and material cues to remain in keeping. The design would mimic the original cottages, with slate tile roofs and sandstone. The use of similar materials will help blend the dwellings into the existing built environment. It is considered that the design of the three dwellings is appropriate in this location, and do not represent a visually prominent or out of keeping addition to the site. The proposal would therefore be in accordance with Policies 32 and 33 of the HDPF (2015).

Landscape and Trees:

- 6.17 The site is enclosed by mature boundary vegetation along the road, which is to be retained. Replacement planting and boundary enhancements are proposed where tree removal is required. The landscaping scheme has been designed to soften the development, enhance visual amenity, and maintain a rural feel.

Heritage:

- 6.18 Policy 34 of the Horsham Development Framework aims to sustain and enhance the historic environment through positive management of development affecting heritage assets. By reassuring development preserve and ensure clear legibility of, locally distinctive vernacular building forms and their settings, features, fabric, and materials.
- 6.19 Threals Farm Cottages are a pair of semi-detached dwellings built in local sandstone. While they are not listed buildings, they are of heritage value and historic significance. The HDC Conservation Officer identified that the traditional construction and simple architectural detailing reflect a provincial vernacular, and the building should be considered a non-designated heritage asset alongside the surviving Threals Barn to the south. Due to the historic significance of the building there is a need to protect or at least reflect the vernacular of the building in the development of new dwellings.
- 6.20 The Conservation Officer is satisfied that the overall historic interest of the cottages is low and that the proposed dwellinghouses reflect the local vernacular and would be an attractive addition to the area. The details of materials and fenestration is considered acceptable. Therefore, the proposed dwellings are considered to be reflective of the existing building, and while this building would be demolished, the replacement dwellings would reflect the local vernacular using materials that are similar to those found on Threals Farm Cottages. The proposal is considered to be in accordance with Policy 34 of the HDPF (2015).

Residential Amenity:

- 6.21 Policy 33 of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.
- 6.22 The proposed dwellinghouses are positioned so they sit in a linear form to Threals Lane. The positioning of the three dwellings is appropriate and there is a good relationship between them, with sufficient amenity space to the rear for each dwelling. The majority of the windows are positioned on the front and rear elevations to ensure that there is limited overlooking, as to the rear there are open fields and to the front is mature boundary screening. Through orientating the dwellings to face the highway and increased plot separation, there would be

limited mutual overlooking, with each dwelling benefiting from good natural light, outlook and amenity space.

- 6.23 In the wider surroundings, the dwellinghouses to the north and south of the plot are located at a sufficient distance, with adequate boundary treatment to ensure that there would not be harmful amenity impacts as a result of the three proposed dwellings. It is considered that the proposed dwellings would not have a detrimental impact and is considered acceptable in this regard.

Highways Impacts:

- 6.24 Policy 40 of the HDPF deals with sustainable transport and seeks new developments to provide safe and suitable access for all vehicles, pedestrians, cyclists, horses riders, public transport, and the delivery of goods. Policy 41 which relates to parking requires adequate parking and facilities to be provided within developments to meet the needs of anticipated users.
- 6.25 The existing vehicular access point on Threals Lane will be utilised, with no alterations to the arrangement proposed. WSCC Highways commented that there are no apparent visibility concerns with the existing access point onto Threals Lane. Also, according to WSCC Highways, the net addition of a single dwelling is not anticipated to give rise to a significant material intensification of movements on the local highway network.
- 6.26 According to West Sussex County Council Parking Standards, 3-bedroom dwellings in this location require 2.2 parking spaces, and 4-bedroom dwellings require a minimum of 2.7 parking spaces. The site plan indicates that the 3-bedroom dwellings would have 5 parking spaces between them and the 4-bedroom dwelling has 3 parking spaces. WSCC Highways considered that the number of parking spaces provided on site would be a suitable amount under
- 6.27 WSCC Parking Standards, and that on-site turning is achievable through the turning points. Cycle storage and EV charging points have also been integrated into the design.
- 6.28 It is considered that the parking provision is sufficient for the number of bedrooms proposed in each dwelling. Furthermore, WSCC Highways raised no highways safety concerns in relation to the application, it is considered that the proposal complies with Policies 40 and 41 of the HDPF (2015).

Ecology:

- 6.29 Policy 31 of the HDPF states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate.
- 6.30 The application site lies approximately 8.6km southeast of The Mens Special Area of Conservation (SAC) and therefore lies within the 12.0km Wider Conservation Area for the SAC. The site lies approximately 14.0km southeast of Ebernoe Common SAC and therefore lies outside the Wider Conservation Area for this SAC; and also lies approximately 3.6km east of Arun Valley SAC, SPA and Ramsar site.
- 6.31 The provided ecological assessment concluded that the further surveying was recommended for bats. The applicant undertook a bat survey, which concluded that the proposed development supports a confirmed common and soprano pipistrelle day roost. As such, the demolition of the property and loss of the roost site will require a European protected species licence from Natural England prior to its disturbance and ultimate loss.

- 6.32 Following consultation with the Council's Ecologist, it is concluded that there is sufficient ecological information available for determination, where the recommended proposed mitigation and enhancement measures are considered acceptable. These would be secured by conditions to be attached to permission.

Water Neutrality:

- 6.33 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.
- 6.34 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.
- 6.35 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.
- 6.36 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 31st October 2025, will not exceed 3,240,000 litres per day.
- 6.37 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:

Climate Change:

- 6.38 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
 - Opportunities for biodiversity gain

- Cycle parking facilities
- Electric vehicle charging points

6.39 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):

6.40 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.

6.41 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.

6.42 The Applicant has submitted a Biodiversity Metric which demonstrates a 16.64 % net gain for habitat units and 11.04% net gain for hedgerow units, by way of onsite biodiversity gains. However, this is not so significant as to warrant a legal agreement for monitoring. The informative attached details that the proposed net gain shall be secured post-decision.

Conclusions and Planning Balance:

6.43 As the site is not allocated for development within the HDPF or a made neighbourhood plan, owing to the site's location outside of the built-up area boundary, the principle of development is contrary to Policies 1, 2, 4 and 26 of the Horsham District Planning Framework.

Housing Land Supply

6.44 Chapter 3 of the Council's most recent Authority Monitoring Report (AMR) revealed that the Council currently benefits from a deliverable supply of housing sites of 1 year. As the development has been shown to be water neutral, and on the basis of the Council's lack of 5-year housing land supply, the presumption in favour of sustainable development at paragraph 11(d) of the NPPF is engaged in this instance.

6.45 NPPF paragraph 11(d)(ii) states that where there are no relevant development plan policies in place, the policies that are considered most important for the determination of applications (in this case, Policies 1, 2, 4 and 26 of the HDPF, owing to the lack of a five-year housing land supply) permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Development Plan Policies

6.46 In circumstances where Paragraph 11(d) is engaged, NPPF Paragraph 225 (Annex 1) sets out that due weight can be given to the most important policies for determining an application according to their degree of consistency with policies in the Framework. However, the Framework does not prescribe the weight to be given to conflict with development plan policies. This is affected by the purpose of the policy and the circumstances of the case.

- 6.47 In this case the most important policies include those relating to the spatial development strategy as set out at HDPF Policies 1, 2, 3 and 4. Policy 1 reflects the Framework presumption in favour of sustainable development and is thus fully consistent with the NPPF. Policies 2, 3 and 4 set out how sustainable growth will be achieved, though as they seek to focus development within settlements and only allow expansion on allocated sites, they have a restrictive element. Nonetheless, they generally reflect the Framework preference for development to be well located in relation to services and facilities. Therefore, moderate weight is applied to these policies.
- 6.48 HDPF Policy 26 refers specifically to countryside protection outside built up area boundaries, requiring development to be essential to this location. Whilst again this reflects the Frameworks preference for development to be well located in relation to services and facilities, as the definition of built-up areas is based on out-of-date housing numbers, this policy is afforded moderate weight.
- 6.49 As per the preceding sections of this report, the granting of this permission would conflict with Policies 1, 2, 4 and 26 of the HDPF. Whilst the proposed would not support the spatial strategy for the District, these policies are not fully framework compliant. Furthermore, these issues associated with the Council's current five-year housing land supply situation result in *moderate* weight being applied to these policies in the overall planning balance.

Planning Balance

- 6.50 The proposal would provide for three market dwellings. As above, as the Council cannot currently demonstrate a five-year housing land supply, the provision three additional dwellings towards this supply is afforded *significant* weight. However, the Council considers that this benefit would be *moderate* given the negligible overall contribution to the supply.
- 6.51 The Council published the Shaping Development in Horsham District Document in September 2025. The document recognises that the Council is likely to receive applications outside the BUABs and on unallocated sites (such as this proposal) as it is unable to demonstrate a five-year housing land supply. Given this position and the principles behind HDPF Policy 4, it will consider positively applications that meet all of the criteria:
- The site adjoins the existing settlement edge as defined by the BUAB;
 - The level of expansion is appropriate to the scale and function of the settlement the proposal relates to;
 - The proposal demonstrates that it meets local housing needs or will assist the retention and enhancement of community facilities and services;
 - The impact of the development individually or cumulatively does not prejudice comprehensive long-term development; and
 - The development is contained within an existing defensible boundary and the landscape character features are maintained and enhanced.
- 6.52 This proposal would meet all the criteria of the Shaping Development in Horsham District report, as it represents an expansion appropriate to Threals Lane, adjoining the defined built-up area boundary, and appearing as infill development on a site that has an existing residential dwelling. The development would also help meet local housing needs, would not prejudice long term development, and is within an existing defensible boundary, the natural boundary of the site (hedges and trees). Therefore, the titled balance would fall in favour of the development, as the proposal would benefit from the provisions of the Shaping Development in Horsham District document as above.
- 6.53 The cumulative benefits (the provision of three market dwellings (moderate weight) and the socio-economic benefits (moderate weight), combined with the compliance with the Shaping Development in the Horsham District document would outweigh the identified adverse impacts of the development, namely the conflict with the development plan. Therefore, on

balance, the titled balance would fall in favour of the three market dwellings, which comply with the SDHP document. The proposal is therefore recommended for approval.

7. RECOMMENDATIONS

- 7.1 It is recommended that planning permission is granted subject to appropriate conditions as detailed below.

Conditions:

1 **Approved Plans**

- 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-Commencement Condition:** Any works which will impact the breeding / resting place of bats, shall not in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
- b) evidence of site registration supplied by an individual registered to use a Bat Mitigation Class Licence; or
- c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To conserve protected species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998.

- 4 **Pre-Commencement Condition:** A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

- 5 **Pre-Commencement Condition:** No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

- 6 **Pre-Commencement (Slab Level) Condition:** A Biodiversity Enhancement Layout for biodiversity enhancements listed in the Preliminary Ecological Appraisal (Environmental Assessment Services Ltd., September 2024) shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Layout shall include the following:

- a) detailed designs or product descriptions for biodiversity enhancements; and
- b) locations, orientations and heights for biodiversity enhancements on appropriate drawings.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under paragraph 187d of the NPPF 2024 and s40 of the NERC Act 2006 (as amended).

- 7 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the parking, turning and access facilities necessary to serve that dwelling have been implemented in accordance with the approved details as shown on plan [Proposed Site/Roof Plan 03 revB] and shall be thereafter retained as such.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 8 **Regulatory Condition:** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Bat Survey Report (Leith Ecology Consulting, September 2025) and Preliminary Ecological Appraisal (Environmental Assessment Services Ltd., September 2024), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the Precautionary Method Statement for reptiles and mobile protected species in Sections 4.3 and 4.6 of the Preliminary Ecological Appraisal (Environmental Assessment Services Ltd., September 2024), which avoids impacts on protected species.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

- 8 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until details of secure and covered cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied or use hereby permitted

commenced until the approved cycle parking facilities associated with that dwelling or use have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

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).

- 9 **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).

- 10 **Regulatory Condition:** The development hereby approved shall be undertaken in strict accordance with the approved landscaping plan reference 03 rev B. 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 30 years after completion of the development. Any proposed or retained planting which 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).

- 11 **Regulatory Condition:** The new roof junctions at ridge, hips, eaves and verges shall be built to reflect traditional detailing including exposed rafter feet, cut verges, clay hip tiles and clay ridge tiles.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

- 12 **Regulatory Condition:** Any roof lights fitted during the construction shall be metal framed, top hung and sit flush with the roof slope.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

- 13 **Regulatory Condition:** The dwellings 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. The subsequently installed water limiting measures shall thereafter be retained.

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).

- 14 **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).

- 15 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order) the dwelling hereby permitted shall not be enlarged under Class A, AA, and B of Part 1 within Schedule 2 of the Order without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and due to the constraints of the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission is Horsham District Council.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: Submit a biodiversity gain plan - GOV.UK (www.gov.uk).

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.