DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
S106/25/0001
Woodfords, Shipley Road, Southwater, Horsham, West Sussex, RH13 9BQ

DESCRIPTION:
Deed of variation to legal agreement for approved application DC/21/2180 to allow alternative water neutrality solution.

RELEVANT PLANNING HISTORY:

DC/21/2180	Outline application for the erection of up to 73 new dwellings (up to 100% affordable housing) and retention of existing farmhouse building, associated public open space, landscaping, drainage and highway infrastructure works, including vehicular access from Shipley Road, with all matters reserved except for access.	Application Permitted on 11.07.2024
DC/24/1974	Non Material Amendment to previously approved application DC/21/2180 (Outline application for the erection of up to 73 new dwellings (up to 100% affordable housing) and retention of existing farmhouse building, associated public open space, landscaping, drainage and highway infrastructure works, including vehicular access from Shipley Road, with all matters reserved except for access.) Amendments to Water Neutrality.	Under consideration

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

Consultations:
None received.

Parish Comments:
Shipley Parish – No comment.

Representations:
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

Planning Application DC/21/2180 was granted consent on 11.07.2024. Consent is sought to vary the agreement under a deed of variation to allow an alternative water neutrality scheme. This would involve the deletion of Schedule 3 (Delivery of the Offsite Water Neutrality Measures) and replacing this with an alternative water neutrality solution. The amendment would also require the deletion of definitions which refer to the Cenergist water neutrality scheme within the first section of the agreement.

The current water neutrality scheme under Schedule 3 is to off-set the water demand created by the Woodfords scheme via credits achieved through the Cenergist scheme. This involves fitting water saving measures to properties owned by Saxon Weald.

The proposed water neutrality scheme would instead off-set the water demand through measures to two sites at Woodsomes Farm and the Brickworks, Lynwick Street, Rudgwick, Horsham, RH12 3DL. These sites are located within the Sussex North Water Supply Zone. Woodsomes Farm and the Brickworks are to swap their current Southern Water connection point to a new Thames Water connection point to supply all onsite water. This will then give an allowance of mains water from within the SNWSZ that can be sold as part of an offsetting scheme. The water neutrality report confirms the following:

- The Southern Water supply is to be disconnected from the Woodsomes Farm and the Brickworks network (there will be an air break in the pipe connecting to the Southern Water meter and network to ensure no water can enter the Woodsomes Farm's and the Brickwork's water network, but also ensure no cross-contamination between Southern Water and Thames Water).

It is the view of the Council as the competent authority under the Habitat Regulations that these measures are considered to be sufficient to avoid adverse effects on the integrity of the interest features of the Arun Valley SPA, SAC & Ramsar site from the development either alone or in combination with other plans and projects. An HRA Appropriate Assessment has been undertaken by Officers and approved by Natural England for the proposed new water neutrality scheme.

The new requirements of the legal agreement for water neutrality would be for the following:

- To fully implement the requirements of the updated Water Neutrality Statement requiring the disconnection of water supply from Southern Water via the air break.
- To submit evidence to the Council to demonstrate that the off-site Water Neutrality measures have been implemented.
- To maintain and keep in good repair the off-site water neutrality measures.
- To allow the Council the ability to inspect the off-site measures.
- Allow the cumulation of Water Credits identified in the Water Neutrality Statement to be sold to a third party.

With these obligations in place, the deed of variation to the legal agreement under DC/21/2180 is considered appropriate.

Recommendation: Application Permitted

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.

DELEGATED

Case Officer sign/initial Jason Hawkes Date: 31.07.2025

Authorising Officer sign/initial Adrian Smith Date: 06/08/2025