Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/25/0151
Mill Farm , Mill Lane, Itchingfield, West Sussex, RH13 0NP

DESCRIPTION:
Approval of Details Reserved by Condition 7 to approved application DC/23/0460

RELEVANT PLANNING HISTORY:

DC/23/0460	Demolition of an agricultural building and the erection of a two-storey dwelling (as an alternative to prior approval reference DC/21/2075).	Application Permitted on 02.05.2024

PLANNING ASSESSMENT

Planning application ref: DC/23/0460 granted consent on 02.05.2024 for the demolition of an existing barn and the erection of a single replacement dwelling. Planning permission was granted subject to conditions, with consent now sought for the approval of details reserved by Condition 7.

Condition 7

Condition 7 states:-

> *"**Pre-Occupation Condition:** The development hereby permitted shall be undertaken in full accordance with the water neutrality statement (Batchelor Monkhouse, dated June 2023). The dwelling hereby permitted shall not be occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the installations, appliances and fittings detailed at Appendices A and B to the water neutrality statement have been installed to the indicated standard of efficiency. The installed measures shall be retained as such thereafter.*
>
> *Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC, SPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species)."*

In response to the above condition the applicant has provided a 'Discharge of Condition Report'. As set-out within the report, this seeks to confirm that the fixtures, fittings and rainwater harvesting system installed in the approved dwelling align with those specified within the approved Water Neutrality Statement.

Appendix B to the Discharge of Conditions report includes a photographic schedule of installed fixtures and a further Part G calculation showing conformity with standards specified Appendix A to the approved Water Neutrality Statement. As, additionally, included within Appendix B to the Discharge of Conditions report this is further verified through the provision of a plumbers quote describing the fitting of flow-restrictors to achieve specific flow-rate values.

Appendix C to the Discharge of Condition report includes a further photographic schedule showing the installation of a rainwater harvesting tank to the approved dwelling and that to the livery (which forms part of the agreed offsetting approach). Appendix C, further, includes a paid-invoice to the rainwater harvesting provider evidencing the installation of specific equipment which aligns with that specified at Appendix B to the approved Water Neutrality Strategy.

On the basis of the submitted detail it is considered that the requirements of Condition 7 have been satisfied and that measures stipulated within the Water Neutrality Statement have been implemented. It is recommended that Condition 7 be discharged accordingly.

Habitat Effects and *Fry* [2023]

The development approved pursuant to ref: DC/23/0460 was approved subsequent to the completion of an 'appropriate assessment' pursuant to Regulation 63 of the Habitats Regulations establishing the absence of adverse effect upon the integrity of European sites, including the Arun Valley SAC, SPA and Ramsar and The Mens and Ebernoe Common SAC.

Where an assessment was conducted in advance of an initial grant of planning permission it is not considered that the judgement of the High Court pursuant to *CG Fry & Son Limited v Secretary of State for Levelling Up Housing and Communities and Somerset Council* [2023] EWHC 1622 (Admin) would prohibit an approval of details reserved by condition in this instance.

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.

Plans list for: DISC/25/0151
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	DISCHARGE OF CONDITION APPLICATION CONDITION 7 - WATER NEUTRALITY		09.05.2025

DELEGATED

Case Officer sign/initial Giles Holbrook Date: 02.07.2025

Authorising Officer sign/initial Adrian Smith Date: 02/07/2025