



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0379

Furnace Lakes, Guildford Road, Slinfold, Horsham, West Sussex, RH13 0QZ

DESCRIPTION:

Removal of 9 fishing swims and the siting of 3 shepherds huts for use as holiday accommodation together with associated works (Part Retrospective)

RELEVANT PLANNING HISTORY:

DC/24/1959	Removal of 9No. fishing swims and the siting of 3 shepherds huts for use as holiday accommodation (Class C3) together with associated works.	Application 14.03.2025	Refused	on
DC/24/1924	Variation of condition 1 of previously approved application reference RW/55/99 (Commercial fishing of the top lake) to allow for a reduction in the numbers of anglers permitted to fish at any one time on 'Furnace Lake'.	Application 06.02.2025	Permitted	on

DESCRIPTION OF THE SITE

The application site comprises six fishing lakes forming part of 21-hectare estate. The application site relates to a 0.2-hectare area to the south-east of the largest of the two lakes (Furnace Lake). The site previously hosted 9 'swims', which will be removed as part of this application. The site is accessed via a driveway leading from the A281, this driveway is shared with a residential property and a public right of way.

DESCRIPTION OF THE APPLICATION

Planning permission is sought for the siting of 3no. shepherds' huts and associated works on land forming part of Furnace Lakes. The application is retrospective, with two of the huts already on site. The proposed shepherds' huts are sought to provide holiday lets, for additional income for the estate. Each hut would contain a bed, bathroom, kitchen and living area, for two occupants. The application is a resubmission of DC/24/1959 which was refused in March 2025. This application seeks to address the two reasons for refusal.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):

Policy 1 - Strategic Policy: Sustainable Development

Policy 10 - Rural Economic Development

Policy 11 - Tourism and Cultural Facilities

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

Policy 26 - Strategic Policy: Countryside Protection

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 35 - Strategic Policy: Climate Change
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 - Parking

Rudgwick Neighbourhood Development Plan (-2031):

RNP1: Spatial Strategy

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

Strategic Policy 1: Sustainable Development
Strategic Policy 9: Water Neutrality
Strategic Policy 10: Flooding
Strategic Policy 11: Environmental Protection
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 31: Rural Economic Development
Policy 32: Conversion of Agricultural and Rural Buildings to Commercial, Community and Residential Uses
Strategic Policy 34: Tourism Facilities and Visitor Accommodation

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:

INTERNAL CONSULTATIONS

HDC Arboriculture: Objection: -

The application site forms part of the Western edge of Furnacehouse Copse / Roman Woods Ancient Woodland (AW) where it abuts the bank of Furnace Lake.

The wood forms a part of the relatively large Furnace Wood that has good tree'd landscape connectivity W towards Rudgwick and N and E to Rowhook and further towards Okewood Hill.

The soil is the predominating Low Weald clay with woodland species typical of NVC classification W10 dominated by pedunculate oak with significant quantities of formerly worked hornbeam and hazel with occasional Wild service. Ground flora is diverse in places, dependant on localised historic management and usage (or recent lack of).

It is apparent from available imagery that the development area has been denuded of all woodland understorey vegetation and the majority of the woodland trees over the course of approximately the last decade. Some recent planting of ornamental species has occurred as part of the urbanisation of the site.

Pre-emptive denudation of AW is not a sound reason for permitting subsequent development.

The land remains subject of AW designation until such time as Natural England deem otherwise. Provided underlying soils have not been destroyed, the woodland could likely re-colonise given time.

HDC Drainage Engineer: Does not consider that this proposal would have an unacceptable impact on flood risk on or off site. However, no detail has been provided regarding Foul Drainage on site as part of the proposed development. The applicant must confirm the method of foul disposal in line with the drainage hierarchy (Building Regulations Part H).

HDC Environmental Health: Comment: -

The Shepherds' huts must be provided with a wholesome water supply for use within the kitchenette. The applicant should advise if water is mains water supply or what provisions are in place to ensure that water is from a wholesome supply.

The Mobile Home(s) (shepherds huts) will need to be issued with a Caravan Site Licence if permission is granted. This will have requirements for hard-standings, provision of water supply and for the distances allowed between the mobile home and other structures on site (including the boundary).

HDC Ecology: Objection: -

The agent and ecologist argue that due to the already degraded woodland, the portion of the site relevant to the development footprint should no longer be considered ancient woodland. Natural England should be notified of such claims with supporting evidence to remove any non-ancient woodland designation from the inventory. It should be noted that with the removal of hardcore, the ancient seed bank within the soil may begin to re-establish via natural regeneration, particularly with improved management, and such sites are still afforded protection. As per government guidance, the condition of ancient woodland habitat is not considered when assessing the merits of the development proposal. As such, I am not convinced that the designation can be disregarded.

In addition, section 4.11 within the Planning, Design & Access Statement (Batcheller Monkhouse, 2025) states that mitigation and enhancement measures are proposed following the mitigation hierarchy. However, there is no mention of why such development cannot be avoided, and I cannot see evidence as to why the huts cannot reasonably be located elsewhere within the site. It is also claimed that the area enhanced will exceed any habitat loss with regards to compensation impacts on ancient woodland. This is not agreed, as compensatory efforts will never exceed the removal or degradation of irreplaceable habitat, hence why a biodiversity net gain cannot be calculated on such losses.

Furthermore, the development lies within the standard 15m buffer of the 'remaining' ancient woodland adjacent to the site. As above, it is not clear for the reasons for locating the huts within the buffer zone.

Finally, the AW Mitigation Strategy states that the proposed mitigation will not fully result in no net disturbance to ancient woodland, hence the need for compensation. This supports the points above, and therefore in conclusion I am minded to agree with the HDC Arboricultural Officers position on the matter.

OUTSIDE AGENCIES

Ecology Consultant: No objection. Are satisfied that there is sufficient ecological information available to support determination of this application.

Note from the Extended Phase 1 Habitat Survey (AEWC Ltd., October 2024) that no trees nor the two small outbuildings on the site will be impacted by the works and that no trees or buildings were impacted by the two shepherd's huts already constructed. Therefore, agree that no further surveys for bats are required. Note whilst this ecological report is out of date in line with best practice guidelines, the information contained within the document remains satisfactory. This is because the Biodiversity Net Gain Assessment (AEWC, May 2026) has included an updated site visit, with recent photos and the works have largely been completed, due to this being part retrospective.

As Common Toad (which is a Priority species) may be present on-site and support the implementation of the Precautionary Method Statement for mobile protected species in Sections 6.6 and 6.21 of the Extended Phase 1 Habitat Survey (AEWC Ltd., October 2024). This should be secured by a condition of any consent.

Support the Ancient Woodland Mitigation Strategy (South Downs Ecology, August 2025), which includes an indicative woodland enhancement plan, for the nearby woodland. This should be secured by a condition of any consent.

WSCC Highways: 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.

Representations:

None received.

Parish Comments:

Rudgwick Parish Council: Objection. Whilst recognising the benefits to the local economy from tourist accommodation, the uncertainty over foul sewage disposal and the concerns over harm to the Ancient Woodland and environment from this development outweigh the benefits at present. Objection until or unless these concerns are overcome.

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

Background

A preceding application for the development was in March 2023 for the following reasons: -

- 1 Insufficient information has been provided to demonstrate to the satisfaction of the Local Planning Authority that the proposed development would not be adversely impacted by flood risk, as the proposal falls within Flood Zone 3 and is considered a more vulnerable use. The proposal would therefore not comply with Policy 38 of the Horsham District Planning Framework (2015).
- 2 It has not been demonstrated to the satisfaction of the Local Planning Authority that the groundworks of the development and future pressure associated with the proposed recreational usage would not result in adverse impact on the designated Ancient Woodland, contrary to Policy 31 of the Horsham District Planning Framework (2015) and Paragraph 193 of the National Planning Policy Framework (2024).

This application represents a revised application which seeks to address the above reasons for refusal.

Principle of Development:

Policy 7 of the Horsham District Planning Framework (2015) (HDPF) seeks to achieve sustainable economic growth for Horsham District to 2031. Criterion 6 of the policy states that this will be achieved by 'promotion of the District as an attractive place to stay and visit to increase the value of the tourism economy'.

Policy 10 of the HDPF more specifically relates to the economic development of rural enterprises, or the development of businesses in a rural location, stating that any development should be appropriate to the countryside location, and in the case of countryside-based enterprises and activities must contribute to the wider rural economy and/or promote recreation and the enjoyment of the countryside. In doing so, development should either:

- Be contained wherever possible within existing converted buildings, and/or within existing boundaries of the site, or;
- Result in substantial environmental improvement and reduce the impact on the countryside where new or replacement buildings are involved.

Policy 11 of the HDPF seeks to encourage measures which promote and enhance local cultural facilities. Any development should be of a scale and type appropriate to its location, and should increase the range, or improve the quality of accommodation, attraction of experiences for tourists, day visitors, business visitors, and residents in the District. Criterion 4 of the policy states that support will be given to proposals which develop the opportunities associated with rural diversification and rural development initiatives, where they benefit the local economy.

In this instance the application falls outside of the existing Built-Up Area and lies within the Countryside. Policy 26 of the Horsham District Planning Framework (2015) would be relevant and requires development outside the Built-Up Area boundaries to be essential to its countryside location in order to protect the rural character and undeveloped nature of the countryside against inappropriate development. In addition, it must meet one of the following criteria:

1. Support the needs of agriculture or forestry;
2. Enable the extraction of minerals or the disposal of waste;
3. Provide for quiet informal recreational use; or
4. Enable the sustainable development of rural areas.

Furthermore, this policy requires that development be of a scale that is appropriate to its countryside character and location and should not lead either individually or cumulatively to a significant increase in the overall level of activity in the countryside and protects and/or conserves, and/or enhances the key features and characteristics of the landscape character area.

The Horsham District Hotel and Visitor Accommodation Study dated July 2016 outlines that the District is well-placed to capitalise on the projected growth in domestic short break and overseas tourist markets and the increasing demand for family and friend get together, celebrations, and weekends away. The study concludes that there is insufficient provision of all forms of visitor accommodation in the District, with the potential in the rural parts of the District to upgrade existing facilities through the provision of high quality holidays cottages, small holiday lodges/eco lodges, etc.

As indicated within both the Horsham District Hotel and Visitor Accommodation Study 2016, there is an identified need for such tourist accommodation as proposed within the District. The proposed scale and nature of the accommodation is considered appropriate to the character and location of the area, whilst improving the range and quality of facilities for visitors.

The proposal would provide 3x holiday accommodation, their size and scale limiting the number of occupants, with only 6 bedspaces shown across the 3 units. This limits the number of people (to 6) on the site at one time to a maximum of up to 3 households, and there is unlikely to be more than 3 cars on the site at any one time, in addition to the existing users of the site. Due to the number of occupants and the nature of the huts, the proposal would not be expected to have a significant increase in the overall level of activity in the countryside and as such there is considered to be no harmful conflict with Policy 26 of the HDPF. While the site is not particularly well located in respect of surrounding settlements, it benefits from direct access to the public right of way network, thus providing opportunity for the enjoyment of the countryside. With the above in mind, the proposal is considered in accordance with HDPF policies 10, 11 and 26 and the wider scope of the NPPF, thus the principle of development is acceptable.

Design and Appearance:

Policy 25 of the HDPF states that the natural environment and landscape character of the district, including landscape, landform and development pattern, together with protected landscapes and habitats will be protected against inappropriate development. Policy 32 and 33 of the HDPF seeks to ensure that development promotes a high standard and quality of design in order to enhance and protect locally distinctive characters. The policies also seek to ensure that the scale, massing, and appearance of development relates sympathetically with the built surroundings, landscape, open spaces, and routes within and adjoining the site, including any impact on the skyline and important views.

The planning statement states that the shepherds' huts have been built to a high quality and screened from view by the woodland backdrop. Each hut measures 6.1m x 2.3m, with a double bed, kitchenette, and shower room, as well as a hot tub and firepit outside. The huts are visible from the nearby public footpath, but some level of visibility is expected as the site historically had fishing equipment and tents. The huts have been positioned on existing areas of hardstanding with an area of decking to the front of each providing an outside sitting area. Decking has also been provided for the siting of a hot tub at each hut. The planning statement states that approximately 300sqm of the existing hardstanding has been planted over with turf. The materials used for the huts are corrugated metal for the wall black corrugated sheeting for the roof. The huts are considered to have limited visual impact on the surrounding landscape, and would be of modest size, comprising green painted timber exterior, sited atop a wheelbase. Overall, no objection is raised with regards to the design and appearance of the holiday-let accommodation.

With the above in mind, the proposal is considered to accord with Policies 32 and 33 of the HDPF in terms of design and appearance.

Trees and Landscaping:

Policy Context

Policy N6(2) of the NPPF states that *irrespective of a site's status in nature conservation terms, development proposals which would entail the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁶² and a suitable compensation strategy exists.*

The Planning Practice Guidance (PPG) is clear that planning permission should be refused where development would result in the loss or deterioration of ancient woodland, ancient trees or veteran trees unless both of the following apply:

- there are wholly exceptional reasons; and
- there is a suitable compensation strategy in place (this must not form part of the consideration of whether wholly exceptional reasons exist – see paragraphs 33 and 34 of the PPG on compensation).

The PPG further states:

“You should make decisions in line with [Policy N6(2)] of the NPPF. Ancient woodland, ancient trees and veteran trees are irreplaceable. Therefore, you should not consider proposed compensation measures as part of your assessment of the merits of the development proposal.”

The PPG also states, in relation to the existing condition of ancient woodland, ancient trees and veteran trees:

- *Where a proposal involves the loss or deterioration of ancient woodland or ancient or veteran trees you should not take account of the existing condition of the ancient woodland or ancient or veteran tree when you assess the merits of the development proposal. Its existing condition is not a reason to give permission for development. A woodland or tree in poor condition can be improved with good management.*

Site Context and Planning History

The proposal is located within 15m of Ancient Woodland (AW), the Great Copse Ancient and Semi-Natural Woodland. The planning statement states that the scale of activity within the area will be significantly reduced due to the removal of 9 anglers from site and the proposal requires no disturbance of the ground. From aerial photography, it appears that the area where the huts are sited has no woodland there since at least 2018. Planning Application reference DC/24/1959, was refused at the site due to the adverse impact on the designated Ancient Woodland and the development not being considered 'wholly exceptional' as per the NPPF. As such, this planning application has been submitted seeking to address this reason for refusal.

The previous application (DC/24/1959) concluded that while the use of the site as holiday accommodation would be economically beneficial, it would not be considered a wholly exceptional reason for development within Ancient Woodland. The NPPF is clear that there must be a wholly exceptional reason for development within Ancient Woodland. In respect of "wholly exceptional reasons", the recent appeal decision for DC/24/0848 (Land to the east of Rowhook Road, Horsham, RH12 3PZ) advises at Paragraph 45 that:

"Wholly exceptional reasons by their very nature are extremely rare. The Framework provides examples of such reasons, such as infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat".

And,

"Compensation cannot overcome this fundamental requirement as, in the words of the PPG, "Planting new trees and creating new native woodland is not a direct replacement for lost or damaged trees or woodland."

Assessment of Impact on Ancient Woodland

The Local Planning Authority (LPA) are aware that some denudation has occurred in areas of the AW, over the last decade, with the area denuded of all woodland understorey vegetation and the majority of the woodland trees. Nevertheless, AW is an irreplaceable habitat and the NPPF is clear that development resulting in its loss or deterioration should be refused, unless for wholly exceptional reasons.

The Applicant provided an Ancient Woodland Mitigation Strategy. The strategy first details that development in this location cannot be avoided, as there is no appropriate alternative location, especially as the disturbing works have occurred years ago. Mitigation measures are proposed including replacement of non-native shrubs with native species and the banked and cleared areas around the hut allowed to revegetate naturally. Lastly, the enhancement measures, which include restoring the grassland glade falling within AW designation, to a woodland glade, through sparse planting of native trees and pockets of shrubs. However, the HDC Ecologist argued that whilst the glades on-site have been classified as modified grassland, glades are inherent features of woodland (including ancient woodland) and as such, are an accurate predictor of true ancient woodland at the site contrary to the strategy. To secure the enhancement strategy, the Applicant proposes a S106 agreement to legally secure the works to the surrounding ancient woodland, or securing this through planning condition, although anything outside of the red line boundary cannot be secured by planning condition. However, while the ecological improvements are acknowledged, it has not been sufficiently demonstrated that there is a wholly exceptional reason for the development in this location and mitigation and enhancement should be a last resort as the site is still designated as ancient woodland.

HDC Arboriculture retained their objection for the same reasons as the previous application (DC/24/1959), noting that unless Natural England decide to alter the extent of the Ancient Woodland at the site to accommodate the relatively recent engineering works, they do not support the loss of a section of irreplaceable habitat for the proposed use. HDC Ecology also objected, highlighting that while mitigation and enhancement measures are proposed, there is no mention of why such development cannot be avoided within the buffer zone and there is no evidence why the huts cannot be located elsewhere on site. It is also claimed, in the Design and Access statement, that the area

enhanced will exceed any habitat loss with regards to compensation impacts on ancient woodland. This is not agreed by HDC Ecology, as compensatory efforts will never exceed the removal or degradation of irreplaceable habitat. Therefore, both Arboriculture and Ecology object to the planning application for 3 shepherd's huts for holiday-let accommodation, due to the presence and impact on the ancient woodland, and the lack of demonstration that this would be a wholly exceptional reason for development in this sensitive location.

In response to HDC Arboriculture's consultation response, the Applicant argues that the proposal should be assessed against the baseline condition of the site, as the areas occupied by the shepherd's huts are located within land that has been subject to historic clearance and long-standing recreational use associated with the fishing lake. The Applicant highlights that the clearance of woodland vegetation and installation of fishing swims occurred between 2013 and 2018, under the previous owner. The Ancient Woodland status applies in planning terms, regardless of its current condition or past tree removal. The PPG is clear that you should not take account of the existing condition of the ancient woodland when you assess the merits of the development, as poor condition is not a justification for development, as the woodland could be improved through good management. While it is acknowledged that the site was cleared by the previous owners, the site still retains an Ancient Woodland designation, which remains unchanged between different site ownership. The Design and Access Statement states "*the site consists of an area originally forming part of the adjacent ancient woodland*", however, Natural England has not changed the designation, so this site still forms part of an area of designated Ancient Woodland. Until such point that Natural England changes this designation, the significant level of protection afforded to Ancient Woodland by the NPPF remains. It is also not considered by the LPA that the denudation of the development area over the course of the last decade can justify any further potential denudation.

Conclusion

Therefore, based on the above and the information provided, the development would be contrary to the aims of Policy 31 of the HDPF. The development would result in harm to an area of designated Ancient Woodland, which is an irreplaceable habitat afforded the highest level of protection under national planning policy. The NPPF and PPG are clear that such harm should be refused unless wholly exceptional reasons are demonstrated, and that neither the existing condition of the woodland nor proposed mitigation or compensation measures can be relied upon to justify development.

In this instance, it has not been adequately demonstrated that wholly exceptional reasons exist to justify the siting of the development within the Ancient Woodland. While the Applicant has put forward mitigation and enhancement measures, these do not overcome the fundamental policy objection. The proposal is therefore considered to conflict with Policy N6(2) of the NPPF, Planning Practice Guidance and Policy 31 of the Horsham District Planning Framework. Accordingly, the development is recommended for refusal.

Residential Amenity:

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.

The huts are considered to be a sufficient distance from the nearest residential properties and therefore there would not be any adverse impacts on neighbouring residents. The planning statement confirms that the nearest dwelling belongs to the applicant, and the next closest property is over 350m away with sufficient screening in between. Therefore, it is considered that the proposed huts would not have a harmful impact on residential amenity in accordance with the above policy.

Highways Impacts:

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

The site is accessed off Guildford Road via an existing driveway, the planning statement states that no alteration is required. The traffic generated by the huts is considered to be limited, as due to the size of the huts and sleeping arrangements, there is only provision for up to 6 people. There is sufficient space

for cars to park within the existing car park. Furthermore, the proposal is not considered to generate an unacceptable level of trips that would otherwise be unsafe to the general day to day use and operation of the highway. Cycle storage is located in the car park. WSCC Highways were consulted and concluded that the proposal would not have an unacceptable impact on highway safety, as the intention to reduce the number of anglers making use of the site would further reduce movements to and from the site.

Ecology:

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.

The Applicant has submitted an Extended Phase 1 Habitat Survey. While it is acknowledged that this report is out of date in line with best practice guidelines, Ecology were satisfied with the information as the Biodiversity Net Gain Assessment included an updated site visit, with photos showing the works largely completed. Common pipistrelle bats were recorded within 2km of the site. Most of the proposals lie within 15km of ancient woodland. The site has been historically surfaced with some now removed and grassed. Recommendations to avoid ecological impacts include the removal of invasive species, protection and buffering of the adjacent ancient woodland, a pre-works site check for badgers, covering of trenches at night, minimising and controlling lighting, maintaining the proposed working area as a short sward prior to commencement, careful vegetation clearance, and habitat enhancements particularly adjacent to the ancient woodland.

Following consultation with the Council's Ecologist consultant there were no objections raised to the proposal. There were not considered to be Adverse Effects on the Integrity of the bat SAC and there were no records for Barbastelle bats within 2km of the site. As common toads may be present on site, the Ecologist supported the implementation of the Precautionary Method Statement for mobile protected species. Therefore, it is considered that there would be no ecological grounds to refuse the application.

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 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.

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 31st 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.

Drainage and Flood Risk

Policy 38 of the HDPF states that development proposals will follow a sequential approach to flood risk management, giving priority to development sites with the lowest risk of flooding and making required development safe without increasing flood risk elsewhere. 1.c states that proposals will only be acceptable in Flood Zone 2 and 3 following completion of a sequential test and exceptions test if necessary.

Since the previous application (DC/24/1959) the flood risk mapping has been updated and the flood risk assigned to the site has reduced. The site now lies entirely within Flood Zone 1, at lowest risk of flood events. The huts and pathways lie within Flood Zone 1. Due to the close proximity to the lake, the areas closest to the lake appear on the flood risk map as within Flood Zone 2. Furthermore, there is a section of surface water flooding which falls within the red line boundary of the site and covers the access road to the site. Sites used for holiday or short-let caravan and camping are considered a more vulnerable use under the vulnerability classification in the NPPF guidance.

A flood risk assessment has been submitted as part of the application. The assessment confirms that the site has not been impacted by historical flooding. All new parking areas and access tracks will be underlain by permeable gravel. While the three shepherds' huts will be situated outside of Flood Zone 2, Flood Zone 3 and the Climate Change extents, the report recommends that the accommodation is set back at least 5m away from the lake edge. Two of the huts are further than 5m away from the lake edge, however, the northern-most shepherds' hut is less situated approximately 3.9m from the lake edge. This is acknowledged, but while the FRA has recommended this, it is guidance rather than a hard requirement as this shepherds' hut remains entirely within Flood Zone 1. HDC Drainage did not consider that the proposal would have an unacceptable impact on flood risk on or off site.

With regard to drainage, HDC Drainage considered that no details had been provided regarding foul drainage on site as part of the proposed development. The applicant must confirm the method of foul disposal in line with the drainage hierarchy (Building Regulations Part H). More information was requested to determine that the site drainage meets the requirements of the NPPF and PPG, National standards for sustainable drainage systems (June 2025), and the Horsham District Planning Framework (2015) Policy 35 and Policy 38.

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 (on unregistered sites) and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

The Applicant has submitted a Biodiversity Metric which demonstrates a 10.45 % net gain is achievable by way of onsite biodiversity gains. This would be secured through the standard BNG condition in the event permission were granted.

Conclusions:

It has not been demonstrated to the satisfaction of the Local Planning Authority that the development meets the test of being wholly exceptional, and that groundworks and future pressure associated with the proposed recreational usage would not result in an adverse impact on the designated Ancient Woodland. Significant weight is given to the need to protect ancient woodland, and the harm identified is considered to outweigh any economic benefits which would derive from the development, with other considerations considered neutral or of insufficient weight in the planning balance. The development is therefore contrary to Policy 31 of the HDPF and Policy N6(2) of the NPPF and relevant paragraphs of the Planning Practice Guidance (PPG) and is recommended for refusal.

Recommendation: Application Refused

Reason for Refusal:

1. It has not been demonstrated to the satisfaction of the Local Planning Authority that the development meets the test of being wholly exceptional, and that groundworks and future pressure associated with the proposed recreational usage would not result in an adverse impact on the designated Ancient Woodland, contrary to Policy 31 of the Horsham District Planning Framework (2015) and Policy N6(2) of the National Planning Policy Framework (2026).

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/26/0379

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

Schedule of plans/documents not approved:

Plan Type	Description	Drawing Number	Received Date
Plans	3D SHEPHERD HUT PLAN 1	NONE	02.03.2026
Plans	3D SHEPHERD HUT PLAN 2	NONE	02.03.2026
Supporting Docs	HABITAT SURVEY	24-104	02.03.2026
Supporting Docs	ARBORICULTURAL IMPACT ASSESSMENT	GS500.FurnaceLAKES.aia.v1	02.03.2026
Supporting Docs	ANCIENT WOODLAND MITIGATION STRATEGY	GS500.FurnaceLAKES.AWMS.v2	02.03.2026
Supporting Docs	BIODIVERSITY NET GAIN ASSESSMENT REPORT	24-104	05.05.2026
Supporting Docs	BNG CONDITION ASSESSMENT	NONE	02.03.2026
Supporting Docs	BNG METRIC	NONE	02.03.2026
Location plan		001	02.03.2026
Site plan	EXISTING SITE PLAN	002	02.03.2026

