



## **DELEGATED APPLICATIONS - ASSESSMENT SHEET**

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

DC/26/0832  
Sandycroft, Chesworth Close, Horsham, West Sussex, RH13 5AL

### **DESCRIPTION:**

Demolition of existing dwelling and detached garage and replacement with a new dwelling and garaging.

### **RELEVANT PLANNING HISTORY:**

No relevant planning history

### **DESCRIPTION OF THE SITE**

The application site is situated on the western side of Chesworth Close, within the built-up area boundary of Horsham. The existing dwelling sits within a sizeable plot, with the River Arun and a wooded treeline to the southwest. The surrounding area consists predominantly of residential properties, with Chesworth Close itself having an eclectic mix of house types and sizes. The site is not subject to any heritage designations, with no locally or statutory listed buildings in the vicinity and there are no Article 4 Directions applicable. The application site is located within the Red Impact Zone for Great Crested Newts and is not located within

### **DESCRIPTION OF THE APPLICATION**

This application seeks full planning consent for the demolition of the existing dwelling and garage, built in the 1930s, and the erection of a new dwelling and garage. The proposed scheme would have an increased footprint from the existing, increasing from 192sqm to 303sqm (garage inclusive). The proposed dwelling would be set further back with the plot, still facing a northeastern direction and would comprise a two storey dwellinghouse, of a Tudor style design. A three-bay garage is also proposed, with habitable loft space with an intended use as a games room.

### **RELEVANT PLANNING POLICIES**

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

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

- Policy 1 - Strategic Policy: Sustainable Development
- Policy 2 - Strategic Policy: Strategic Development
- Policy 3 - Strategic Policy: Development Hierarchy
- Policy 15 - Strategic Policy: Housing Provision
- Policy 24 - Strategic Policy: Environmental Protection
- Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
- Policy 31 - Green Infrastructure and Biodiversity
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles

Policy 35 - Strategic Policy: Climate Change  
Policy 36 - Strategic Policy: Appropriate Energy Use  
Policy 37 - Sustainable Construction  
Policy 38 - Strategic Policy: Flooding  
Policy 39 - Strategic Policy: Infrastructure Provision  
Policy 40 - Sustainable Transport  
Policy 41 - Parking

### **Horsham Blueprint Business Neighbourhood Plan 2019-2036**

HB1: Location of development  
HB4: Design of development  
HB5: Energy Efficiency and design  
HB10: Green and Blue Infrastructure and Delivering Biodiversity Net Gain

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

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

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

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

Strategic Policy 1: Sustainable Development  
Strategic Policy 2: Development Hierarchy  
Strategic Policy 4: Horsham Town  
Strategic Policy 6: Climate Change  
Strategic Policy 7: Appropriate Energy Use  
Strategic Policy 8: Sustainable Design and Construction  
Strategic Policy 9: Water Neutrality  
Strategic Policy 10: Flooding  
Strategic Policy 11: Environmental Protection  
Strategic Policy 12: Air Quality  
Strategic Policy 13: The Natural Environment and Landscape Character  
Strategic Policy 17: Green Infrastructure and Biodiversity  
Strategic Policy 19: Development Quality  
Strategic Policy 20: Development Principles  
Strategic Policy 23: Infrastructure Provision  
Strategic Policy 24: Sustainable Transport  
Policy 25: Parking

### **Supplementary Planning Guidance:**

Planning Obligations and Affordable Housing SPD (2017)  
Community Infrastructure Levy (CIL) Charging Schedule (2017)

### **Planning Advice Notes:**

Shaping Development in Horsham District  
Biodiversity and Green Infrastructure

## REPRESENTATIONS AND CONSULTATIONS RESPONSES

Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at [www.horsham.gov.uk](http://www.horsham.gov.uk)

### Consultations:

#### INTERNAL CONSULTATIONS

**HDC Arboricultural officer:** No Objection/Advice

No tree survey or AIA has been submitted with the application. The property has a number of ornamental trees within the curtilage. None of the trees are of outstanding form/size/condition that confer high public amenity value or would be a constraint on property development. No additional details of tree sizes/positions are therefore deemed necessary. If minded to approve in other respects, control of tree retention/soft landscaping could be secured by condition as deemed appropriate.

**HDC Environmental Health:** No comments

#### OUTSIDE AGENCIES

**NatureSpace:** Comment

The applicant had provided an ecological report, Preliminary Ecological Appraisal and Roost Assessment. NatureSpace are satisfied with the approach provided and therefore recommend the use of a compliance condition to secure the measures outlined within the report.

**Ecology Consultant:** No Objection subject to conditions

The submitted Preliminary Ecological Appraisal & Roost Assessment (Arbtech Consulting Ltd., May 2026), has been reviewed. It is noted the buildings have negligible bat roost potential and that there are no trees on the site. Therefore, it is agreed that no further surveys are required.

Support the implementation of the non-licensed Precautionary Method Statement for riparian animals (including Otter, which is a European Protected Species) in Section 9.3 of the assessment. This should be secured by a condition of any consent and implemented in full.

Support the implementation of the Precautionary Method Statement for reptiles, common amphibians and mobile protected and Priority species (including Hedgehog, which is a threatened and Priority species) in Sections 7.3, 8.3 and 13.3 of the assessment. This should be secured by a condition of any consent and implemented in full.

Satisfied there is sufficient ecological information available to support determination of this application. This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

**Southern Water:** Comment

In order to protect and safeguard the existing water supply apparatus, Southern Water requests formal notification of any proposed demolition works prior to such works being undertaken. There are restrictions on proposed tree planting adjacent to Southern Water sewers, rising mains or water mains, as such reference should be made to Southern Water's publications and guidance. Pre-commencement condition requested relating to landscaping proposals in proximity of public apparatus, in order for protection in accordance with this guidance.

**WSCC Highways:** Advice

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

## PUBLIC CONSULTATIONS:

### Representations:

None received

### Parish Comments:

**Horsham Town Council:** No comments received

### Member Comments:

None received

## HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

## PLANNING ASSESSMENT

### **Principle of Development:**

Policy 2 of the Horsham District Planning Framework (HDPF) sets out the main growth strategy, focusing development on the main settlements, with the most sustainable approach to delivering housing being focused on larger settlements, such as Horsham. Policy 3 states development will be permitted within defined built-up areas and that any redevelopment will be required to demonstrate that it is of an appropriate nature and scale to maintain the characteristics and function of the settlement in accordance with the settlement hierarchy.

Policy HB1 of the Horsham Blueprint Business Neighbourhood Plan (HBBNP) 2019-2036, states development shall be focused within the defined built-up area boundary.

Sandycroft is a detached dwellinghouse located within the built-up area boundary of Horsham. The site is not in a Conservation Area, and the property is neither locally nor statutory listed. The proposal seeks to demolish the existing dwelling and garage and erect a replacement dwelling with an associated garage. The replacement dwelling would be a one-for-one basis and whilst the proposed dwelling would be an increase from the existing dwelling, it would be proportionate given the sizeable curtilage of the application site and in relation to the neighbouring dwellings. The proposed development is therefore considered to be acceptable in principle, subject to all other material considerations.

### **Design and Appearance:**

Policies 25, 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.

Policy 4 of the HBBNP states development is expected to demonstrate high quality design, which integrates with its surroundings and meets the needs of current and future residents, whilst minimising its impact on the natural environment.

The proposed dwelling would be located centrally within the site and would be oriented to face northeast. Whilst set back within the plot, the development would follow the build line of Chesworth Close, with the increased footprint of the building considered to be acceptable in the context of the generous plot size and comparable with other dwellings in the locality.

The proposal would extend over two stories and be of a Tudor style design, with the walls finished in brickwork, render and mock Tudor boarding, the roof finished in green natural slate roof tiles and timber hardwood windows and doors. The proposal would be of a design that would reflect the characteristics and form of other dwellings within the locality, with the proposed materials also considered to be sympathetic to the wider surroundings. Owing to the established landscaping and being set back in the plot, it would not appear unduly prominent or out of keeping, given the eclectic mix of house types and sizes in the locality.

The proposed garage would be sited in the northwest corner of the site and would incorporate a half-hipped roof, with three pitched roof dormers on the front elevation, to allow for habitable loft space. The proposed garage would be subservient in height to the proposed dwelling and is considered to be of a design and form that would reflect the character and appearance of the host dwelling and nearby built form.

Overall, the proposed development is considered to relate sympathetically to the built characteristics and character of the locality, and is considered to be of a scale, proportion, and finish that would sit comfortably within the context. The proposal is therefore considered to accord with the above policies.

### **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 proposed dwelling would be sited further within the plot than the existing, following the built line of the neighbouring dwelling to the east, Oak Tree. A window at first floor level, serving a bathroom, is proposed on this side elevation and given the separation distance of approximately 9 metres, it is appropriate to impose an obscure glazing condition, to ensure its retention and the development not giving rise to overlooking or loss of privacy issues. Whilst a balcony is also proposed on the rear elevation, given its location, the orientation of the dwelling and neighbouring properties and the mature boundary screening, there are no issues arising from its presence.

Overall, the development is not considered to give rise to overshadowing, overlooking or privacy issues, subject to the considerations discussed above and the proposal is therefore considered to accord with policy 33 of the HDPF.

### **Highways Impacts:**

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.

The replacement dwelling would see an increase in the number of bedrooms, therefore resulting in the potential for additional parking demand. West Sussex County Council's '*Guidance on Parking at New Developments*' identifies an expected parking demand of 2.7 spaces for a four-bedroom dwelling within Parking Behaviour Zone 2. The proposal includes a 3-bay garage, with each bay having minimal internal dimensions of 6.3 metres x 3 metres. These measurements would meet the minimum internal dimensions for a garage as specified in the above document, 6m x 3m, and is therefore capable of accommodating a modern-sized vehicle. It is also acknowledged that the proposed dwelling would retain the driveway, which is suitably sized to accommodate further vehicles. Cycling is a viable option

given the site's location, and the submitted Planning Statement confirms that the garage will provide covered cycle parking, in which this can be secured by condition.

WSCC Highways, in their capacity as the Local Highways Authority, confirm that they do not consider that the proposals would result in a material intensification of use and that the site exhibits suitable space for sufficient parking provision in accordance with WSCC Parking Standards, with room for on-site turning to be achievable. 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.

### **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.

Circular 06/2005 identifies that the presence of protected species is a material consideration when considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Therefore, it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed application, is established before planning permission is granted. Information on biodiversity impacts and opportunities should inform all stages of development, and an ecological survey is usually necessary where the type and location of development are such that the impact on biodiversity may be significant and existing information is lacking or inadequate.

The application has been supported by a Preliminary Ecological Appraisal & Roost Assessment (Arbtech Consulting Ltd., May 2026). This appraisal concludes that no further bat surveys are required and identifies appropriate precautionary mitigation and biodiversity enhancement measures. Both the Council's Ecological Consultant and NatureSpace have reviewed the report and raise no objection to the proposal, subject to conditions securing the recommended mitigations measures and it is considered that the proposal would be acceptable in ecology terms.

### **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.

#### **Other Matters:**

#### **Climate Change:**

Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. Conditions are to be attached to this consent securing the following:

- Water consumption limited to 110litres per person per day
- Requirement to provide full fibre broadband site connectivity
- Refuse and recycling storage
- Cycle parking facilities
- Electric vehicle charging points

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

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

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

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

The Applicant has demonstrated that the development is exempt from the requirement to achieve a minimum 10% BNG by reason of:

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

#### **Conclusions:**

The site falls within the built-up area of Horsham, ensuring the dwelling is well connected and complying with the strategic policies of the HDPF and HBBNP. The replacement dwelling would be a one-for-one basis and whilst the proposed dwelling would be an increase from the existing dwelling, it

would be proportionate given the sizeable curtilage of the application site and in relation to the neighbouring dwellings.

The proposed development would sit comfortably within the context of the site and surroundings, and would utilise a design, form and material finish that would reflect similar development within the locality, whilst limiting the impact on the amenities of adjoining residential dwellings. On the balance of these considerations, the proposed development is considered to be acceptable.

### COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

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

| Use Description      | Proposed                | Existing | Net Gain |
|----------------------|-------------------------|----------|----------|
| District Wide Zone 1 | 262.8                   | 172.1    | 90.7     |
|                      | <b>Total Gain</b>       |          |          |
|                      | <b>Total Demolition</b> |          |          |

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

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

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

### **Recommendation: Application Permitted**

#### **Conditions:**

- 2     **Standard Time Condition:** The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 3     **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the car parking spaces (including the garages) necessary to serve it have been constructed and made available for use in accordance with approved drawing number (Proposed Plans and Elevations, received 27.05.2026). The car parking spaces permitted shall thereafter be retained as such for their designated use.

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

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

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

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

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

- 6 **Pre-Occupation Condition:** Prior to the first occupation of each dwelling, the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabits per second through full fibre broadband connection shall be provided to the premises.

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

- 7 **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).

- 8 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the window at serving the en-suite at first floor level on the southeast elevation, show on plan 'Proposed Elevations and Plans' (received 27/05/2026), has been fitted with obscured glazing. No part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing and non-openable parts of those windows shall be retained permanently thereafter.

Reason: To protect the privacy of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 9 **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 10 **Regulatory Condition:** The dwelling hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to no more than 110 litres per person per day. 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), and to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2024), and to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

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

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).

- 12 **Regulatory Condition:** The development hereby permitted shall be undertaken in strict accordance with the ecological mitigation and enhancement measures set out in the Preliminary Ecological Appraisal & Roost Assessment (Arbtech Consulting Ltd., May 2026).

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority Habitats & Species).

- 13 **Regulatory Condition:** The garage hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of Sandycroft as a dwelling and shall not be used as a separate unit of accommodation.

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

#### NOTE TO APPLICANT

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

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

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

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

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

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

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

*Statutory exemptions and transitional arrangements*

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

*Irreplaceable habitat*

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

NOTE TO APPLICANT

1. In order to protect and safeguard the existing water supply apparatus, Southern Water requests formal notification of any proposed demolition works prior to such works being undertaken.
2. There are restrictions on the proposed tree planting adjacent to Southern Water sewers, rising mains or water mains. Reference should be made to Southern Water's publication "A Guide to Tree Planting near water Mains and Sewers" ([https://www.southernwater.co.uk/media/pddob0vn/ds-tree-planting-guide-1\\_nwm.pdf](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-approveddocuments/>) with regards to any landscaping proposals and our restrictions and maintenance of tree planting adjacent to sewers, rising mains and water mains.
3. It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site. If this happens, please call our Customer Service Desk on 0330 303 0119. For further assistance, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (TEL: 0330 303 0119)

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/26/0832**

(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 Statement | Planning Statement 2                                                                    | NONE           | 27.05.2026    |
| Supporting Docs      | Preliminary Ecological Appraisal & Roost Assessment (Arbtech Consulting Ltd., May 2026) | NONE           | 27.05.2026    |
| Location plan        | Existing Elevations and Plans (Location Plan, Elevations, Floor                         | NONE           | 27.05.2026    |

