Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/26/1235
Land at 509125 125895, East Street, Billingshurst, West Sussex,

DESCRIPTION:
Removal of Condition 3 of previously approved application DC/23/1685 (Erection of 2 No. dwellings with access from East Street, and associated landscaping) relating to water neutrality.

RELEVANT PLANNING HISTORY:

DC/23/1685	Erection of 2No. dwellings with access from East Street, and associated landscaping.	Application Permitted on 15.10.2025

DESCRIPTION OF THE SITE
The application site is located to the south of East Street, within the designated built-up area and Conservation Area of Billingshurst. The site comprises undeveloped land, with a number of trees within the site and along the boundaries. Residential development is located to the south, east and west of the site, characterised by high density development, with open countryside located to the far-east of the application site.

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 16 - Strategic Policy: Meeting Local Housing Needs
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 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities

Billingshurst Parish Neighbourhood Plan:
Policy Bill 1 – Billingshurst Built-Up Area Boundary
Policy Bill 2 – Housing Design and Character
Policy Bill 3 – Energy Efficiency and Design

Policy Bill 14 – Residential Parking Provision

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
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
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Strategic Policy 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs
Policy 40: Improving Housing Standards in the District

Parish Design Statement:
Design statement for the Parish of Billingshurst.

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.

Representations:
None received.

Parish Comments:
Parish Council: 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 permission was previously granted for the erection of 2 no. dwellings with access from East Street, and associated landscaping under application reference DC/23/1685. This current application

seeks to remove Condition 3 of approved application DC/23/1685 relating to water neutrality restrictions.

3 ***Pre-Commencement Condition**: No development shall commence until evidence has been submitted and approved in writing by the Local Planning Authority confirming that:*

i) the offsite offsetting measures set out in the Water Neutrality Statement (TN01: Water Neutrality Statement by Motion dated 29.11.2024) have been fully implemented and are operational in accordance with the obligations set out in the s106 legal agreement appended to the Water Neutrality Statement; and

ii) the requisite water credits have been secured pursuant to the offsite offsetting measures under part i)

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 HDPF, Paragraph 193 of the National Plan-ning Policy Framework (2024), and to enable 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).

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. This was achieved through condition 3 of the existing planning permission.

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'. The licence to reduce Southern Water extraction at Hardham was formally agreed by the Environment Agency on 9 October 2026.

On this basis, the removal of condition 3 of planning permission DC/23/1685 would 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. It is however considered reasonable and necessary to impose a condition limiting water consumption at the development to 110 litres per person per day.

Recommendation: Application Permitted

Conditions:

2 **Standard Time Condition**: The development hereby permitted must be commenced by the 15.10.2028.

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

3 NOT USED

4 **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).

5 **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 reference 08669-LEP-ZZ-ZZ-M2-A-00105 REV P01 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).

6 **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 or side or rear garden 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).

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 provision for the storage of refuse and recycling has been made for that dwelling in accordance with plan reference 08669-LEP-ZZ-ZZ-M2-A-00105 REV P01. These facilities shall thereafter be retained for use at all times.

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

9 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of a minimum 30 megabits per second through full fibre broadband connection has been 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).

10 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until a Biodiversity Enhancement Strategy for Protected and Priority species has been submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

(a) Purpose and conservation objectives for the proposed enhancement measures;
(b) Detailed designs to achieve stated objectives;
(c) Locations of proposed enhancement measures by appropriate maps and plans;
(d) Persons responsible for implementing the enhancement measures;
(e) Details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

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).

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

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**: All works shall be executed in full accordance with the submitted Tree Survey and Arboricultural Integration Report reference AR-4035 TSAIR-240312 by Quaife Woodlands dated 12.03.2024.

Reason: To ensure the successful and satisfactory protection of important trees, shrubs and hedges on the site in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).

13 **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 reference 22003 by Corylus Ecology dated 01.02.2022.

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).

14 **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).

Biodiversity Net Gain Condition
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.

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/26/1235
(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
Location plan	Site Location Plan	08669-LEP-ZZ-ZZ-M2-A-00100 REV P01	11.09.2023
Floor plan	House A Plans	08669-LEP-01-ZZ-M2-A-00201 REV P01	11.09.2023
Elevation plan	House A Elevations	08669-LEP-01-ZZ-M2-A-00202 REV P01	11.09.2023
Floor plan	House B Ground Floor and First Floor Plans	08669-LEP-02-ZZ-M2-A-00210 REV P01	11.09.2023
Roof plan	House B Second Floor And Roof Plan	08669-LEP-02-ZZ-M2-A-00211 REV P01	11.09.2023
Elevation plan	House B Elevations	08669-LEP-02-ZZ-M2-A-00215 REV P01	11.09.2023
Site plan	Existing Site Plan	08669-LEP-ZZ-ZZ-M2-A-00101 REV P01	11.09.2023
Site plan	Proposed Site Plan	08669-LEP-ZZ-ZZ-M2-A-00105 REV P01	11.09.2023
Section plan	Existing Site Sections	08669-LEP-ZZ-ZZ-M2-A-00230 REV P01	11.09.2023
Section plan	Proposed Site Sections	08669-LEP-ZZ-ZZ-M2-A-00235 REV P01	11.09.2023
Supporting Statement	Tree Survey Schedule	none	11.09.2023
Details plan	Proposed CGI Visual 01	none	11.09.2023
Supporting Statement	Tree Survey Arboricultural Integration Report by Quaife Woodlands dated 12.03.2024	AR-4035 TSAIR-240312	11.09.2023
Supporting Statement	Access appraisal	none	11.09.2023
Design & Access Statement	Design and Access Statement by Lee Evans Partnership dated November 2021	VER 001	11.09.2023
Supporting Statement	Heritage Statement	none	11.09.2023

Supporting Statement	Planning statement	none	11.09.2023
Supporting Statement	Preliminary Ecological Appraisal Report by Corylus Ecology dated 01.02.2022	none	11.09.2023

DELEGATED

Case Officer sign/initial Halima Chowdhury Date: 07.10.2026

Authorising Officer sign/initial Guy Everest Date: 19.10.2026