Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
HRA/25/0011
Moatfield Farm, Kings Lane, Cowfold, Horsham, West Sussex, RH13 8BD

DESCRIPTION:
Application under Regulation 77 of the Conservation of Habitats and Species Regulations 2017 relating to the submitted Prior Approval application DC/25/0307

RELEVANT PLANNING HISTORY:

DC/25/0307	Prior notification for the conversion of two agricultural buildings into two dwellings (Class Use C3).	Prior Approval Required and PERMITTED on 23.04.2025

STATUTORY BACKGROUND
The Conservation of Habitats and Species Regulations 2017
The Town and Country Planning Act 1990

CONSULTATION
Natural England: Standing Advice Issued.

PLANNING ASSESSMENT
Prior Approval (DC/25/0307) was granted on 23.04.2025 for the following:

"*Prior notification for the conversion of two agricultural buildings into two dwellings (Class Use C3)*."

Natural England's 2021 Position Statement 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.

An informative was therefore attached to the above prior approval advising the applicant that the decision relates solely to whether the Prior Approval of the Local Planning Authority was required. It did not confirm that the proposal represented Permitted Development. This HRA application was therefore submitted, seeking to demonstrate water neutrality through baselining existing water use and seeking to use efficient fixtures / fittings within the dwelling while also revising cattle drinking water arrangements.

In advance of the necessary legal agreement (to secure the mitigation) being completed, on 31.10.2025 Natural England formally withdrew their 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.

An Appropriate Assessment has been undertaken which demonstrates that the anticipated increase in mains water consumption from this development, alongside all other development granted since the 31.10.2025 will not exceed 3,240,000 litres per day. Natural England have been consulted on this Appropriate Assessment and have issued standing advice which raises no objection to this approach. Accordingly, the 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 s.70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

Recommendation: Application Permitted

DELEGATED

Case Officer sign/initial Shazia Penne Date: 18.11.2025

Authorising Officer sign/initial Guy Everest Date: 19.11.2025