



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0362

Land North West of Junipers, Harbolets Road, West Chiltington, West Sussex,

DESCRIPTION:

Removal of Conditions 5 and 6 of previously approved application DC/24/1409 (Change of use of land to a 2No. pitch Gypsy/Traveller site comprising the siting of 1No. Mobile Home, 1No. Touring Caravan, and 1No. Dayroom per pitch (Retrospective)) relating to water neutrality.

RELEVANT PLANNING HISTORY:

DC/23/1135	Change of use of land for the stationing caravans for residential purposes and the erection of dayrooms ancillary to that use (Retrospective).	Application 08.09.2023	Refused	on
DC/24/1409	Change of use of land to a 2No. pitch Gypsy/Traveller site comprising the siting of 1No. Mobile Home, 1No. Touring Caravan, and 1No. Dayroom per pitch (Retrospective).	Application 27.11.2025	Permitted	on

DESCRIPTION OF THE SITE

This site is situated on land to the north-west of a residential dwelling 'Junipers' and comprises a long narrow site fronting Harbolets Road, West Chiltington. It is situated outside of a built-up-area boundary within a countryside location.

DESCRIPTION OF THE APPLICATION

Application for the removal of Conditions 5 and 6 of planning permission DC/24/1409, which relate to water measures, associated with retrospective development for the change of use of land to a 2No. pitch Gypsy/Traveller site comprising the siting of 1No. Mobile Home, 1No. Touring Caravan, and 1No. Dayroom per pitch.

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 21 - Strategic Policy: Gypsy and Traveller Sites Allocations

Policy 22 - Gypsy and Traveller Sites

Policy 23 - Strategic Policy: Gypsy and Traveller Accommodation

Policy 24 - Strategic Policy: Environmental Protection

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 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities

West Chiltington Neighbourhood Plan (Regulation 16):

Policy H1: Spatial Strategy and Built Up Area Boundaries
Policy H3: Quality of Design
Policy H4: Windfall Sites
Policy EH2: Flooding, drainage and new development
Policy EH3: Protection of Trees and Hedgerows

Supplementary Planning Guidance:

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

Planning Advice Notes:

Facilitating Appropriate Development
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

Consultations:

None Received

PUBLIC CONSULTATIONS:

Representations:

None Received

Parish Comments:

West Chiltington Parish Council: No Comment

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

Removal of Conditions 5 and 6

The application seeks the removal of Conditions 5 and 6 attached to planning permission DC/24/1409, which required the development to demonstrate water neutrality in accordance with Natural England's Position Statement of September 2021. That condition was imposed to ensure compliance with the Conservation of Habitats and Species Regulations 2017, given uncertainty at that time regarding the potential effects of increased groundwater abstraction on the Arun Valley Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar sites.

Since the granting of the original permission, the policy and evidential context have materially changed. On 31 October 2025, Natural England formally withdrew its September 2021 Position Statement following the completion and scrutiny of Southern Water's Hardham Basin Environmental Study. Natural England confirmed that a package of agreed measures, including a reduction in the Hardham groundwater abstraction licence and additional eco-logical resilience measures, provides sufficient certainty that new development within the Sussex North Water Supply Zone will not have a likely significant effect on the Arun Valley designated sites. As a consequence, Natural England has advised that local planning authorities are no longer required to undertake Appropriate Assessment or secure water neutrality mitigation for new development on the basis of water scarcity alone.

Notwithstanding the forthcoming licence modification, Horsham District Council, as competent authority, has continued to apply a precautionary approach pending formal implementation of the licence changes. In agreement with Natural England, the Council is utilising verified water savings achieved by Southern Water during 2024/25 through leakage reduction and related measures. These savings amount to approximately 772,591 litres per day and can be attributed to new development without increasing abstraction pressure on the Arun Valley sites. Natural England's standing advice dated 10 November 2025 confirms that reliance on these savings raises no objection and constitutes Natural England's formal response under Regulation 63(3) of the Habitats Regulations.

In this case, Officers have undertaken an Appropriate Assessment which demonstrates that the additional water demand arising from the development permitted under DC/24/1409, when considered alone and in combination with other permissions granted since 31 October 2025, would not exceed the available Southern Water savings. It is therefore concluded that the development will not result in an adverse effect on the integrity of the Arun Valley SAC, SPA or Ramsar sites.

Given the withdrawal of Natural England's 2021 Position Statement, the availability of confirmed water savings, and the conclusions of the Appropriate Assessment, it is considered that Conditions 5, 6, 11 and 12 are no longer necessary to make the development acceptable in planning terms. The condition no longer meets the tests set out in paragraph 56 of the NPPF, as it is not required to mitigate any identified harm. Its removal would not conflict with Policy 31 of the Horsham District Planning Framework or the Council's duties under Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017.

Accordingly, the removal of Conditions 5 and 6 are considered acceptable, and the development permitted under DC/24/1409 can proceed without further water neutrality restrictions, without giving rise to harm to protected European sites.

Recommendation: Application Permitted

Conditions:

- 2 **Regulatory Condition:** Within three months of the date of this decision, a drainage strategy detailing the proposed means of foul water disposal shall be submitted to and approved in writing by the Local Planning Authority. Within three months of the scheme being approved, the approved scheme shall be implemented and thereafter retained as such.

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).

- 3 **Regulatory Condition:** Within three months of the date of this decision a detailed surface water drainage scheme including a Surface Water Drainage Statement, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall be fully coordinated with the landscape scheme. Within three months of the scheme being approved, the approved scheme shall be implemented and thereafter retained as such.

Reason: As this matter is fundamental to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015).

- 4 **Regulatory Condition:** Within three months of the date of this decision full details of all hard and soft landscaping works shall have been submitted to and been approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:
- (a) Details of all existing trees and planting to be removed and retained
 - (b) Appropriate and additional native hedgerow and tree planting along the less vegetated boundaries with Harbolets Road - planted in double staggered rows at 5 plants per linear metre
 - (c) Additional soft landscaping within the site including wildflowers, flowering lawns and trees
 - (d) Details of all hard surfacing materials and finishes
 - (e) Details of all external lighting
 - (f) Details of Ecological and Biodiversity Enhancements

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the approval of the details. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed or retained planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 5 Not Used

- 6 Not Used

- 7 **Regulatory Condition:** Within three months of the date of this decision, details for the provision for the storage of refuse and recycling facilities shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided within three months of the approval of these details and 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).

- 8 **Regulatory Condition:** Within three months of the date of this decision a fire hydrant(s) to BS 750 standards or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) shall be installed, connected to a water supply with appropriate pressure and volume for firefighting, and made ready for use in consultation with the WSCC Fire and Rescue Service. The hydrant(s) or stored water supply shall thereafter be retained as such.

Reason: In accordance with fire and safety regulations in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 9 **Regulatory Condition:** This permission does not authorise use of the land as a caravan site by any persons other than Gypsies and Travellers, as defined in Annex 1 of Planning Policy for Traveller Sites (Department for Communities and Local Government 2024).

Reason: To enable the Local Planning Authority to control the use of the site and in accordance with Policy 21, Policy 22 and Policy 23 of the Horsham District Planning Framework (2015).

- 10 **Regulatory Condition:** There shall be no more than two pitches on the site with no more than one mobile home/static caravan (as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968) stationed on each pitch at any time. There shall be no more than one touring caravans stationed on each pitch at any time and these shall not be occupied by any person at any time whilst stationed on the application site.

Reason: To avoid an overcrowded appearance and to secure satisfactory standards of space and amenity and to enable the Local Planning Authority to control the use of the site, in accordance with Policy 21, 22, 23 and 26 of the Horsham District Planning Framework (2015).

- 11 **Regulatory Condition:** No external lighting or floodlighting shall be installed other than with the permission of the Local Planning Authority by way of formal application.

Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015) and 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).

- 12 **Regulatory Condition:** No industrial, commercial or business activity shall be carried out on from the site, including the storage of materials.

Reason: In the interests of amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 13 **Regulatory Condition:** No Heavy Goods Vehicles (defined as any vehicle having 3 axles or more and with a weight exceeding 3,500kg) shall operate to or from the site or be stationed, parked or stored on the site at any time.

Reason: In the interest of highway safety and amenity in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

- 14 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or Orders amending or revoking and re-enacting the same, no additional gates, fences, walls, or other means of enclosure shall be erected or constructed on the site.

Reason: In the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework 2015.

- 15 **Regulatory Condition:** The pitches 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).

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/26/0362

Schedule of plans/documents **approved:**

Plan Type	Description	Drawing Number	Received Date
Supporting Statement		NONE	27.02.2026
Location plan		J004997-DD-01	27.02.2026

DELEGATED

Case Officer sign/initial Shazia Penne Date: 20.04.2026

Authorising Officer sign/initial RHERMITAGE Date: 24.04.2026