



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0225

26 Amberley Road, Horsham, West Sussex, RH12 4LN

DESCRIPTION:

Removal of Conditions 4 and 6 of previously approved application DC/24/1893 (Demolition of existing garages and erection of a three bed dwelling) relating to water neutrality.

RELEVANT PLANNING HISTORY:

DC/24/1893	Demolition of existing garages and erection of a three bed dwelling.	Application Permitted on 05.02.2025
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DESCRIPTION OF THE SITE AND APPLICATION

The application site consists of two single storey garages to the east of Amberley Road and forms part of the side/rear garden of a two-storey semi-detached dwelling. The application site is located within the built-up area boundary of Horsham. The wider area is residential in character with a mix of detached and semi-detached dwellings.

The application seeks permission for a two storey 3 bedroom detached dwelling with approximate dimensions of 6 metres in width, depth of 13 metres and 10 metres at first floor with a gable roof with a ridge height of 7.9 metres. Two off road parking spaces would be provided to the frontage of the site, with private amenity space extending to the south-east. The proposed materials would be render at the ground floor, timber to the first floor and concrete roof tiles.

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 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 40 - Sustainable Transport
Policy 41 - Parking

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

Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy

Strategic Policy 3: Settlement Expansion
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 11: Environmental Protection
Strategic Policy 15: Settlement Coalescence
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
Strategic Policy 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs
Policy 40: Improving Housing Standards in the District

Parish Design Statement:

None

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:

1 no. letters of Objection have been received from 1 address, objecting to the application on the following grounds:

- Highway Access and Parking
- The garden access is very narrow, will the use of a skip, as the owner of no 26 has a van and one is often used be permitted? The parking already causes me problems getting off my drive.
- The original design stated there would be wheelchair access and suitable ground floor WC for wheelchair users I believe this has been forgotten now.
- It should never have been permitted, the space is not big enough.

Parish Comments:

North Horsham Parish Council: No objection but NHPC Members would like the Developer to continue with water conservation.

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

Planning permission was previously granted for the demolition of existing garages and erection of a three bed dwelling under application reference DC/24/1893. This current application seeks to remove Conditions 4 and 6 of approved application DC/24/1893 relating to water neutrality restrictions.

4. ***Pre-Commencement (Slab Level) Condition:*** No new-build development above ground floor slab level shall commence until full details of the water efficiency measures and rainwater/greywater harvesting system required by the approved water neutrality strategy (Water Neutrality Statement received 25.11.2024) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is water neutral 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), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

6. ***Pre-Occupation Condition:*** The dwelling hereby permitted shall not be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.

Reason: To ensure the development is water neutral 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), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

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 considers by removing conditions 4 and 6 of the approved planning permission DC/24/1893 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. It is however considered reasonable and necessary to impose a condition limiting water consumption at the development to 110 litres per person per day. This would be subject of a regulatory condition.

Recommendation: Application Permitted

Conditions:

2 NOT USED

3 **Regulatory Condition:** The development hereby permitted shall be implemented in accordance with the drainage strategy approved under application reference DISC/25/0351.

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).

4 NOT USED.

5 **Regulatory Condition:** The development hereby permitted shall take place in accordance with the schedule of materials and finishes and colours approved under application ref: DISC/25/0351.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

6 NOT USED.

7 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the parking, turning and access facilities have been implemented in accordance with the approved Block Plan, drawing no. 1221/4, 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).

8 **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 rear garden. The facilities shall thereafter be retained for use at all times.

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).

9 **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 provide electric vehicle car charging space for the use in accordance with Policies 35 and 41 of the Horsham District Planning Framework (2015) and the WSCC Parking Standards (2019).

- 10 **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).

- 11 **Regulatory Condition:** The dwelling(s) 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/26/0225

Schedule of plans/documents **approved:**

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	Planning	NONE	03.03.2026
Block plan		NONE	25.11.2024
Elevation plan	Existing Elevations	1221/2	25.11.2024
Block plan	Block Plan	1221/4	25.11.2024
Elevation & Floor plan	Proposed Plans & Elevations New House	1221/1	25.11.2024
Location plan		NONE	25.11.2024
Elevation plan	Proposed Street Scene Side Elevation	1221/3	25.11.2024
Design & Access Statement	Planning	NONE	25.11.2024

DELEGATED

Case Officer sign/initial Halima Chowdhury Date: 21.04.2026

Authorising Officer sign/initial RHERMITAGE Date: 28.04.2026