Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/1869
Land At 509467 125933 , Hilland Road, Billingshurst, West Sussex, RH14 9ZP

DESCRIPTION:

Removal of Condition 5 of previously approved application DC/24/1999 (Erection of 6 no. dwellings) Relating to water neutrality.

RELEVANT PLANNING HISTORY:

DC/22/2190	Erection of 4no detached four-bed dwellings and 4no detached single garages with access road, parking and associated landscape works.	Application Refused on 14.12.2023
DC/24/1999	Erection of 6 no. dwellings.	Application Permitted on 03.04.2025
DISC/25/0261	Approval of details reserved by condition 3 to approved application DC/24/1999.	Application Permitted on 26.11.2025
DISC/25/0360	Approval of details reserved by conditions 4 and 6 to approved application DC/24/1999.	Application Permitted on 09.01.2026

DESCRIPTION OF THE SITE

The application site comprises a sloping parcel of land on the eastern edge of Billingshurst, within the wider East of Billingshurst development area, where up to 475 houses were permitted under outline consent DC/13/0735 and varied under DC/15/0059. Under the Outline permission, parcel H9 was designated as a Hamlet / Farmstead type of development, similar to parcels H1, H5 and H8a. The indicative parameter plan under DC/13/0735 indicated a low-density parcel for up to 5 units set behind vegetated boundaries, with an extensive area to the south of parcel H9 specified as 'Strategic structural planting', and linked through to areas on each side of the roundabout. With the exception of parcel H9, all other designated parcels H1 to H11 have all commenced and largely completed.

DESCRIPTION OF THE APPLICATION

The application seeks to remove condition 5 of DC/24/1999 which required the applicant to join into the Southern Water SNWCS agreement or submit a Water Neutrality Statement demonstrating a water neutral proposal. The scope of the application would be limited to this proposal and would not seek to alter any other material planning consideration under DC/24/1999. The details of DISC/25/0261 and DISC/25/0360 which were approved on 26.11.2025 and 09.01.2026 respectively, are accepted as part of the current application.

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 16 – Strategic Policy: Meeting Local Housing Needs Policy 31 – Green Infrastructure and Biodiversity
Policy 32 – Strategic Policy – The Quality of New
Policy 33 – Development Principles
Policy 34 – Cultural and Heritage Assets Policy 38 – Strategic Policy: Flooding Policy 40 – Sustainable Transport
Policy 41 – Parking
Policy 42 – Inclusive Communities
Policy 43 – Community Facilities, Leisure and Recreation

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Billingshurst Neighbourhood Plan 2019-2031
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
Policy BILL 16: Multi-Value Sustainable Drainage Systems

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):
Policy 1: Sustainable Development Policy 6: Climate Change
Policy 7: Appropriate Energy Use
Policy 8: Sustainable Design and Construction Policy 9: Water Neutrality
Policy 13: The Natural Environment and Landscape Character Policy 17: Green Infrastructure and Biodiversity
Policy 19: Development Quality Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment 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:
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:

Natural England: Standing advice

PUBLIC CONSULTATIONS:

Representations:

None received.

Parish Comments:

Parish Council: No objection 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:

Whilst there is extensive planning history for the application site, the most relevant and recent is from DC/24/1999 which sought 6 dwellinghouses. The application was permitted subject to condition 5 and stated as follows:-

*"**Pre-Commencement Condition**: No development shall commence until either:*

i) Details have been submitted to and been approved in writing by the Local Planning Authority confirming that the necessary credits to achieve water neutrality have been secured via the Sussex North Offsetting Water Scheme; or

ii) Confirmation has been submitted to and been approved in writing by the Local Planning Authority that the water demand from the proposed development has been offset in accordance with the terms of the s106 legal agreement completed to accompany the grant of this planning permission.

Reason: To ensure that the approved development is water neutral, thus avoiding contribution to the possible adverse effect upon the integrity of the Arun Valley Special Area of Conservation, Special Protection Area and Ramsar designations addressed by the Natural England Position Statement of September 2021 and to satisfy the Authority's duties pursuant to the Protection of Habitats and Species Regulations 2017 (as amended) at Regulation 63."

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. The above conditions were imposed to ensure water neutrality. This current application seeks to remove this condition.

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.

It is however considered necessary and reasonable to impose a condition limiting water consumption to 110 litres per person per day in line with Policy 37 of the HDPF.

Conclusions:

The proposal is considered to comply with relevant local and national planning policies and is therefore recommended for approval.

Recommendation: Application Permitted

Conditions:

2 **Standard Time Condition**: The development hereby permitted must be commenced by the 03.04.2025.

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

3 **Regulatory Condition:** The development shall be carried out in accordance with the details of construction outlined and approved under DISC/25/0261.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4 **Regulatory Condition**: The development shall be carried out in accordance to the Reasonable Avoidance Method Statement submitted and approved under DISC/25/0360.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (as amended) and Policy 31 of the Horsham Development Framework.

5 **NOT USED**

6 **Regulatory Condition**: The development will be carried out in accordance with the Arboricultural Method Statement submitted and approved under DISC/25/0360.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

7 **Regulatory Condition:** The dwellings shall be constructed in accordance to the materials, finishes and colours detailed within the Materials schedule submitted in support of DISC/26/0001. The external walls, windows and roofs of the development hereby permitted shall conform to those approved.

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).

8 **Regulatory Condition:** The development shall be carried out in accordance to the hard and soft landscaping plan approved under DISC/26/0001.

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. 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).

9 **Pre-Occupation Condition**: No part of the development shall be first occupied until a lighting design scheme for biodiversity has been submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (as amended) and Policy 31 of the Horsham Development Framework.

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 of 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 **Pre-Occupation Condition**: No part of the development shall be first occupied until the access and car parking has been constructed in accordance with the approved site plan and visibility splays plan. The access and spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide safe access and car-parking space for the use in accordance with Policies 40 and 41 of the Horsham District Planning Framework.

12 **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 or rear garden for that dwelling (or use). 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).

13 **Regulatory Condition**: The dwelling hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage 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/25/1869
(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
Elevation & Floor plan	Proposed Plot 6	240023-A-PL-015 REV A	23.12.2024
Section plan	Proposed Site	240023-A-PL-016 REV A	23.12.2024
Plans	Street Scene	240023-A-PL-017 REV A	23.12.2024
Plans	Refuse Vehicle Tracking Plan	240023-A-PL-018 REV A	23.12.2024
Plans	Sightlines Plan	240023-A-PL-019 REV A	23.12.2024
Plans	Wider Context Plan	240023-A-PL-020 REV A	23.12.2024
Plans	Landscape Plan	M454-200 REV P1	23.12.2024
Location plan		240023-A-PL-001 REV A	23.12.2024
Block plan		240023-A-PL-002 REV A	23.12.2024
Layout plan	Proposed Site	240023-A-PL-010 REV A	23.12.2024
Layout plan	Proposed Site	240023-A-PL-011 REV A	23.12.2024
Elevation & Floor plan	Proposed Plot 1	240023-A-PL-012 REV A	23.12.2024
Elevation & Floor plan	Proposed Plots 2 and 3	240023-A-PL-013 REV A	23.12.2024
Supporting Statement	Proposed Plots 4 and 5	240023-A-PL-014 REV A	23.12.2024
Supporting Docs	Planning	J005080	23.12.2024
Supporting Docs	Ecological Assessment	DFA24094V2	23.12.2024
Supporting Statement	Transport	NONE	23.12.2024
Supporting Docs	Drainage Strategy	NONE	23.12.2024
Supporting Docs	Reasonable Avoidance Method Statement by Derek Finnie Associates Consultant Ecologists dated October 2025	DFA25080	14.11.2025
Supporting Docs	BS 5837:2012 TRee Schedule: Hilland Road, Billinsghurst by Aspect Arboriculture dated	12663 TS 01	14.11.2025

	September 2025		
Supporting Docs	Construction Environmental Management Plan (CEMP) by Roddy New Homes Construction Limited dated 07.08.2025	NONE	25.09.2025
Supporting Docs	Schedule of External Materials by Clague Architects dated 16.12.2025	31417A Version A	05.01.2026

DELEGATED

Case Officer sign/initial Hannah Darley Date: 20th February 2026

Authorising Officer sign/initial Tamara Dale Date: 23.02.2026