DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1974
Woodfords, Shipley Road, Southwater, West Sussex, RH13 9BQ

DESCRIPTION:
Non Material Amendment to previously approved application DC/21/2180 (Outline application for the erection of up to 73 new dwellings (up to 100% affordable housing) and retention of existing farmhouse building, associated public open space, landscaping, drainage and highway infrastructure works, including vehicular access from Shipley Road, with all matters reserved except for access.) Amendments to Water Neutrality condition 12.

RELEVANT PLANNING HISTORY:

DC/21/2180	Outline application for the erection of up to 73 new dwellings (up to 100% affordable housing) and retention of existing farmhouse building, associated public open space, landscaping, drainage and highway infrastructure works, including vehicular access from Shipley Road, with all matters reserved except for access.	Application Permitted on 11.07.2024
S106/25/0001	Deed of variation to legal agreement for approved application DC/21/2180 to allow alternative water neutrality solution.	Approved 22.09.2025

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 32- Strategic Policy: The Quality of New Development
Policy 33- Development Principles
Policy 37- Sustainable Construction

Neighbourhood Plan: Shipley Parish Neighbourhood Plan (2019-2031) – no relevant policies for this application.

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: No objection [summarised].

Parish Comments:
No comment.

Representations:
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
The main consideration of this application is whether the proposed alterations can be considered as non-material amendments to the approved scheme in accordance with Section 96A of the Town and Country Planning Act 1990 (as inserted by S190 of the Planning Act 2008). The discretion rests with the Council to decide to whether the revisions would constitute a non-material amendment to a planning permission, which would not take it outside the scope of the original permission.

The applicant is seeking to amend the wording of condition 12 to allow an alternative water neutrality off-setting solution for the outline consent at Woodfords (DC/21/2180). The approved water neutrality scheme, as secured under a legal agreement, is to off-set the water demand created by the Woodfords scheme via credits achieved through the Cenergist scheme. This involves fitting water saving measures to properties owned by Saxon Weald.

The proposed water neutrality scheme would instead off-set the water demand through measures to two sites at Woodsomes Farm and the Brickworks, Lynwick Street, Rudgwick, Horsham, RH12 3DL. These sites are located within the Sussex North Water Supply Zone. Woodsomes Farm and the Brickworks are to swap their current Southern Water connection point to a new Thames Water connection point to supply all onsite water. This will then give an allowance of mains water from within the SNWSZ that can be sold as part of an offsetting scheme. The water neutrality report confirms the following:

- The Southern Water supply is to be disconnected from the Woodsomes Farm and the Brickworks network (there will be an air break in the pipe connecting to the Southern Water meter and network to ensure no water can enter the Woodsomes Farm's and the Brickwork's water network, but also ensure no cross-contamination between Southern Water and Thames Water).

It is the view of the Council as the competent authority under the Habitat Regulations that these measures are considered to be sufficient to avoid adverse effects on the integrity of the interest features of the Arun Valley SPA, SAC & Ramsar site from the development either alone or in combination with other plans and projects. An HRA Appropriate Assessment has been undertaken by Officers and approved by Natural England for the proposed new water neutrality scheme. The assessment outlines that there will be sufficient capacity to off-set the water demand required under DC/21/2180.

A deed of variation has now been approved for the alternative off-setting scheme under S106/25/0001. To allow the amendment, a variation is required to the wording of condition 12 as follows:

'Pre-Occupation Condition: The development hereby permitted shall be undertaken in full accordance with the on-site measures of the ~~Motion Water Neutrality Statement 17/10/23~~ Motion Technical Note 4: Water Neutrality Statement dated 26 March 2025. No dwelling hereby permitted shall 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 for the on-site measures for that dwelling 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 evidence shall include the specification of fittings and appliances used, evidence of their installation evidence they

meet the required water consumption flow rates. The installed measures shall be retained as such thereafter.'

The proposed amendment to the wording is considered appropriate. The amendment does not alter the quantum of development or materially impact the consented scheme in anyway. The amendment allows an alternative way of off-setting the water demand for this development, which has been considered appropriate under a separate application to amend the legal agreement.

Fundamentally, condition 12 seeks to secure the onsite water efficiency measures within the Water Neutrality Statement. These remain of the same effect as those set out in the original Water Neutrality report. The amendment is therefore considered non-material under Section 96A of the Town and Country Planning Act 1990.

Recommendation: Application Permitted

Amended Wording Condition 12:

Pre-Occupation Condition*: The development hereby permitted shall be undertaken in full accordance with the on-site measures of the Motion Technical Note 4: Water Neutrality Statement dated 26 March 2025. No dwelling hereby permitted shall 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 for the on-site measures for that dwelling 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 evidence shall include the specification of fittings and appliances used, evidence of their installation evidence they meet the required water consumption flow rates. 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), Paragraph 193 of the National Planning Policy Framework (2024), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

NOTE TO APPLICANT

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/24/1974

(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		PL04 Rev B	19.12.2024
Supporting Docs	Motion Technical Note 4: Water Neutrality Statement dated 26 March 2025	N/a	22.09.2025

DELEGATED

Case Officer sign/initial Jason Hawkes Date: 22.09.2025

Authorising Officer sign/initial Adrian Smith Date: 22/09/2025