



**DELEGATED APPLICATIONS - ASSESSMENT SHEET**

**APPLICATION NO./ADDRESS:**

DC/26/0097

15 Fairfield Cottages, Cowfold, Horsham, West Sussex, RH13 8BL

**DESCRIPTION:**

Removal of Condition 15 of previously approved application DC/22/2010 (Demolition of existing bungalows and erection of 4no 1 bed maisonettes and 4no 2 bed houses with associated external works and landscaping) Relating to water neutrality.

**RELEVANT PLANNING HISTORY:**

|              |                                                                                                                                                                                                                                                                                  |                                     |
|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| DISC/25/0015 | Application for Approval of Details Reserved by Condition 3 to approved application DC/22/2010                                                                                                                                                                                   | Application Permitted on 18.03.2025 |
| DISC/25/0045 | Application for Approval of Details Reserved by Condition 8 to approved application DC/22/2010                                                                                                                                                                                   | Application Permitted on 12.06.2025 |
| DISC/25/0046 | Application for Approval of Details Reserved by Condition 4, 5, 10, 11 and 17 to approved application DC/22/2010                                                                                                                                                                 | Application Permitted on 02.05.2025 |
| DISC/25/0047 | Approval of details reserved by condition 15 (Water Neutrality) relating to DC/22/2010 (for the Demolition of existing bungalows and erection of 4no 1 bed maisonettes and 4no 2 bed houses with associated external works and landscaping).                                     | Withdrawn Application on 22.04.2025 |
| DISC/25/0048 | Approval of details reserved by condition 7 to approved application DC/22/2010                                                                                                                                                                                                   | Application Permitted on 18.03.2025 |
| DISC/25/0155 | Approval of details reserved by condition 8 to approved application DC/22/2010                                                                                                                                                                                                   | Withdrawn Application on 01.07.2025 |
| DISC/25/0216 | Approval of details reserved by condition 9 (contamination) to approved application DC/22/2010 (Demolition of existing bungalows and erection of 4no 1 bed maisonettes and 4no 2 bed houses with associated external works).                                                     | Application Permitted on 24.09.2025 |
| DISC/25/0394 | Application for Approval of Details Reserved by Condition 14 (scheme of air quality mitigation) to approved application DC/22/2010 (Demolition of existing bungalows and erection of 4no 1 bed maisonettes and 4no 2 bed houses with associated external works and landscaping). | Application Permitted on 05.02.2026 |
| DISC/26/0006 | Application for Approval of Details Reserved by Condition 18 to approved application DC/22/2010                                                                                                                                                                                  | on                                  |
| DC/22/2010   | Demolition of existing bungalows and erection of 4no 1 bed maisonettes and 4no 2 bed houses with associated external works and landscaping.                                                                                                                                      | Application Permitted on 15.01.2025 |

**DESCRIPTION OF THE SITE**

The site extends to approximately 0.17 hectares and is located within the built-up area boundary of Cowfold. Cowfold is a settlement classified as a 'Medium Village' in Policy 3 of the Horsham District

Planning Framework (HDPF, 2015) meaning it has a moderate level of services and facilities, and some access to public transport.

The existing site comprises two pairs of semi-detached cottages, two of which are vacant and two are occupied by housing association tenants. The pairs of bungalows are separated by a large area of hard surfacing. The site is largely flat and has a small cluster of trees in the north-eastern corner. Due to subsidence issues to neighbouring properties, a large Oak tree located at the centre of the site was felled in 2021 (as approved under application DC/21/1108).

The site back onto Cowfold Recreation Ground (designated as Local Green Space LGS04), separated by an existing hedgerow and a footpath (PROW 1749). The wider area is characterised by pairs of 1940s semi-detached 2-storey housing, set back from the roadside with small front gardens. Existing properties mainly comprise red brick, with chimney features, arched doorways, and picket fencing/hedging. The site is located outside of (but close to) the Cowfold Conservation Area. No listed buildings are located within the immediate vicinity of the site.

Planning permission was granted under DC/22/0010 for 'Demolition of existing bungalows and erection of 4no 1 bed maisonettes and 4no 2 bed houses with associated external works and landscaping.'

### DESCRIPTION OF THE APPLICATION

This application seeks to remove the water neutrality requirements set under condition 15 of DC/22/0010. The condition is listed below:

**Pre-Occupation Condition:** The development hereby permitted shall be undertaken in full accordance with the details contained within the Water Neutrality Statement (by SRE, V2 revision B, received 12 January 2023). 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 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 to show that the water saving fixtures achieve the flow rates stated in the approved Water Neutrality Statement. 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).

### 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 24 - Strategic Policy: Environmental Protection
- 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 34 - Cultural and Heritage Assets
- Policy 35 - Strategic Policy: Climate Change
- Policy 36 - Strategic Policy: Appropriate Energy Use
- Policy 37 - Sustainable Construction
- Policy 38 - Strategic Policy: Flooding

Policy 39 - Strategic Policy: Infrastructure Provision  
Policy 40 - Sustainable Transport  
Policy 41 - Parking

### **Cowfold Neighbourhood Plan**

Policy 1: Groundwater and Surface Water Flood Risk Policy  
2: Green Infrastructure Policy  
4: Conservation Area Policy  
9: Residential development Principles Policy  
10: Windfall Housing Policy  
13: Housing Mix Policy  
15: Communications Policy  
16: Car Parking Provision

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):**

Strategic Policy 1: Sustainable Development  
Strategic Policy 2: Development Hierarchy  
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 10: Flooding  
Strategic Policy 11: Environmental Protection  
Strategic Policy 19: Development Quality  
Strategic Policy 20: Development Principles  
Policy 25: Parking  
Strategic Policy 37: Housing Provision  
Strategic Policy 38: Meeting Local Housing Needs  
Policy 39: Affordable Housing  
Policy 40: Improving Housing Standards in the District

### **Supplementary Planning Guidance:**

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

### **Parish Design Statement:**

### **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](http://www.horsham.gov.uk)

Consultations:

None Received

PUBLIC CONSULTATIONS:

Representations:

None received

Parish Comments:

None 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

This application seeks to remove the Water Neutrality condition listed in full below. The condition listed relates to the requirement to comply with the submitted water neutrality statement, which involves installation of water efficient fixtures and fittings. It also includes off-site off-setting which was confirmed under a legal agreement. This would need to be discharged from the legal agreement separately to this S73 application, under an application to modify/ remove the Section 106 agreement .

**Pre-Occupation Condition:** The development hereby permitted shall be undertaken in full accordance with the details contained within the Water Neutrality Statement (by SRE, V2 revision B, received 12 January 2023). 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 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 to show that the water saving fixtures achieve the flow rates stated in the approved Water Neutrality Statement. 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).

**Justification for the removal of conditions**

Horsham District is situated in an area of serious water stress, as identified by the Environment Agency. In September 2021, Natural England released a Position Statement which advised all local authorities within the Sussex North Water Supply Zone that it cannot be concluded that existing water abstraction

within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites near Pulborough. The Position Statement advised the affected local authorities that developments within the Sussex North Supply Zone must not therefore add to this impact, and to achieve this, all proposals must demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.

On 31<sup>st</sup> 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'. 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. It is though recognised that Southern Water have separately made significant water savings in 2024/25 through a programme of leakage reduction which 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.

Officers have undertaken a new Appropriate Assessment which demonstrates that the anticipated mains water consumption from this development (some 1,408 litres per day based on 12.8 occupants at 110lppd), alongside all other development granted since the 31<sup>st</sup> October 2025, will not exceed 3,240,000 litres per day. This is based on all new residential development achieving the Building Regulations Part G Optional Technical Standard of 110 litres per person per day, as required under Policy 37 of the HDPF. An additional condition as listed below, is required to secure this restriction.

27. The dwellings hereby permitted shall not be occupied until optional requirement G2 to the Building Regulations 2010 (as amended) to limit water usage of that dwelling to 110 litres per person per day has been achieved. Water limiting measures to meet this standard shall thereafter be retained.

Natural England has been consulted on this approach of using the 2024/25 Southern Water efficiency savings to offset new development. In response, Natural England have provided standing advice which confirms that they consider the 3,240,000 litres per day of water savings made by Southern Water to be reliable such that they have no objection to his capacity being used to offset development proposals.

Accordingly, 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. The conditions relating to water neutrality and the borehole in particular can now be removed.

## **Conclusions:**

As water neutrality can now be addressed through the strategic measures above, it is acceptable and appropriate to remove the condition relating to the original method of meeting water neutrality. Most of the other conditions attached to DC/22/2010 have been discharged. The conditions below have been amended to reflect this where relevant.

## **Recommendation: Application Permitted**

### **Conditions:**

- 1 Plans list
- 2 **Regulatory (Time) Condition:** The development hereby permitted shall be begun before 15/01/2028.

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

- 3 **Regulatory Condition:** The development hereby approved shall be carried out in accordance with the details and measures approved in the CEMP for the related phase with the details approved under DISC/25/0015

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 hereby approved shall be implemented in accordance with the finished floor levels and external ground levels of the development as approved under DISC/25/0046.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 5 **Regulatory Condition:** The development hereby approved shall be implemented in accordance with the details of underground services, including locations, dimensions and depths of all service facilities and required ground excavations, as approved under DISC/25/0046.

Reason: As this matter is fundamental to the acceptable delivery of this permission, to ensure the underground services do not conflict with satisfactory landscaping in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 6 **Pre-Commencement Condition:** No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until the following preliminaries have been completed in the sequence set out below:

- All trees on the site shown for retention on the approved Tree Protection Plan [drawing number J62.24/02], as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).
- Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.
- Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.
- 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 development hereby approved shall be implemented in accordance with the lighting design scheme for biodiversity approved under DISC/25/0048.

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 (Priority habitats & species) and Policy 31 of the Horsham Development Framework.

- 8 **Regulatory Condition:** The development hereby approved shall be implemented in accordance with the drainage details as approved under DISC/25/0045.

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).

- 9 **Regulatory Condition:** The development hereby approved shall be implemented in accordance with contamination mitigation details as approved under DISC/25/0216.

The scheme shall be implemented as approved. Any changes to these components require the consent of the local planning authority.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 10 **Regulatory Condition:** The development hereby approved shall be implemented in accordance the Biodiversity Enhancement as approved under DISC/25/0046. The enhancement measures shall be implemented in accordance with the approved details prior to the first occupation of the site, and all features shall be retained in that manner thereafter.

Reason: 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).

- 11 **Regulatory Condition:** The development hereby approved shall be implemented in accordance with the schedule of materials and finishes and colours as approved under DISC/25/0046. All materials used in the construction 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).

- 12 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until there has been submitted to the Local Planning Authority verification that the remediation scheme required and approved under the provisions of condition 9(b) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 8(b), unless otherwise agreed in writing by the Local Planning Authority.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 13 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a verification report demonstrating that the SuDS drainage system has been constructed in accordance with the approved design drawings has been submitted to and approved by the Local Planning Authority. The development shall be maintained in accordance with the approved report.

Reason: To ensure a SuDS drainage system has been provided to an acceptable standard to the reduce 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).

- 14 **Regulatory Condition:** The development hereby approved shall be implemented in accordance with the air quality mitigation scheme as approved under DISC/25/0394.

The approved scheme of air quality mitigation shall be installed prior to first occupation of the development and shall thereafter remain as such.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

- 15 **N/A**

- 16 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the first-floor side window at Plot 3 shown on plan reference [0103 P03] has been fitted with obscured glazing. No part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing and non-openable parts of that window shall be retained permanently thereafter.

Reason: To protect the privacy of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 17 **Regulatory Condition:** The development hereby approved shall be implemented in accordance with the details of all hard and soft landscaping works approved under DISC/25/0046.

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. 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).

- 18 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until details for the provision for the storage of refuse and recycling facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided prior to first occupation of the development hereby permitted 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).

- 19 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved drawing number [0101 P06]. The cycle parking facilities shall thereafter be retained as such for their designated use.

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).

- 20 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the car parking spaces necessary to serve it have been constructed and made available for use in accordance with approved drawing number [0101 P06]. The car parking spaces permitted shall thereafter be retained as such for their designated use.

Reason: To provide car-parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 21 **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 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).

- 22 **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 23 **Regulatory Condition:** All works shall be executed in full accordance with the submitted Arboricultural Implications Assessment [ref: J62.24, by Broad Oak Tree Consultants Ltd, dated 15 September 2022].

Reason: To ensure the successful and satisfactory protection of important trees, shrubs and hedges on the site in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).

- 24 **Regulatory Condition:** The development hereby permitted shall be undertaken in strict accordance with the ecological mitigation and enhancement measures set out in the Bat Survey Report (The Ecology Co-op, October 2022) and Bat Scoping Report and Preliminary Ecological Appraisal (The Ecology Co-op, July 2022) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: 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).

- 25 **Regulatory Condition:** If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy has been submitted to and approved by the local planning authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 26 **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 gate, fence, wall or other means of enclosure shall be erected or constructed in front of the forward most part of any proposed building which fronts onto a highway without express planning consent from the Local Planning Authority first being obtained.

Reason: In order to safeguard the character and visual amenities of the locality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 27 **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.

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#### **Plans list for: DC/26/0097**

(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

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|------|
| None |
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#### **Plans List for: DC/22/2010**

| Plan Type     | Description                                                 | Drawing Number | Received Date |
|---------------|-------------------------------------------------------------|----------------|---------------|
| Plans         | Utility Mapping and Topographical Survey                    | Sheet 01       | 21.10.2022    |
| Plans         | Topographical Survey                                        | Sheet 01       | 21.10.2022    |
| Plans         | Topographical Survey                                        | Sheet 02       | 21.10.2022    |
| Location plan | Location Plan                                               | 0100 REV P03   | 21.10.2022    |
| Plans         | Proposed Site Plan                                          | 0101 REV P06   | 21.10.2022    |
| Plans         | Proposed Elevations, Floor, Roof, Materials (Plots 1 and 2) | 0102 REV P03   | 21.10.2022    |
| Plans         | Proposed Elevations, Floor, Roof, Materials (Plots 3-6)     | 0103 REV P03   | 21.10.2022    |
| Plans         | Proposed Elevations, Floor, Roof, Materials (Plots 7 and 8) | 0104 REV P03   | 21.10.2022    |
| Plans         | Proposed Section Plan                                       | 0105 REV P03   | 21.10.2022    |
| Plans         | Proposed Model Images (Sheet 1)                             | 0106 REV P02   | 21.10.2022    |

