Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/0837
Land North of 6 Montpelier Cottages, Old London Road, Washington, West Sussex,

DESCRIPTION:

Removal of Conditions 8, 13 and 14 of previously approved application DC/21/1689 (Outline application (all matters reserved) for the erection of 2x2 bed semi-detached dwellings, 3x2 bed terraced dwellings and 4x3 bed semi-detached dwellings (9 units in total), provision of parking for 24 vehicles) relating to water neutrality.

RELEVANT PLANNING HISTORY:

DC/21/1689	Outline application (all matters reserved) for the erection of 2x2 bed semi-detached dwellings, 3x2 bed terraced dwellings and 4x3 bed semi detached dwellings (9 units in total), provision of parking for 24 vehicles.	Application Permitted on 07.05.2024

DESCRIPTION OF THE SITE

The application relates to an existing vacant parcel of land on the eastern side of Old London Road, Washington. The rear of the site backs on to the A24, and its boundary comprises a line of established tree planting. The site itself is overgrown with self-seeded scrubland with interspersed boundary planting to the southern and northern boundaries.

The site is located outside of the built-up area, though lies within a suburban area composed of a mix of detached, semi-detached and terraced dwellings of varying ages, styles, and sizes. Most notably, the site is located directly opposite the Vineyards development site, which represents an allocated site within the made Storrington, Sullington & Washington Neighbourhood Plan.

DESCRIPTION OF THE APPLICATION

A section 73 consent is sought to remove conditions 8 (water efficiency measures), 13 (details of water efficiency measures) and 14 (works undertaken in accordance with the water neutrality statement) to an outline consent (DC/21/1689) for the erection of 9x dwellings.

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 4 - Strategic Policy: Settlement Expansion
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 26 - Strategic Policy: Countryside Protection
Policy 27 - Settlement Coalescence
Policy 28 - Replacement Dwellings and House Extensions in the Countryside
Policy 29 - Equestrian Development
Policy 30 - Protected Landscapes
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
Policy 42 - Strategic Policy: Inclusive Communities
Policy 43 - Community Facilities, Leisure and Recreation

Storrington, Sullington & Washington Neighbourhood Plan (made)
Policy 1 – A Spatial Plan for the Parish
Policy 2 – Site Allocations for Development
Policy 8 – Countryside Protection
Policy 9 – Green Gap
Policy 14 – Design
Policy 15 – Green Infrastructure & Biodiversity
Policy 17 – Traffic & Transport

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 2.9 years. 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.

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:

HDC Environmental Health: No Objection.

Natural England: Standing Advice issued.

Southern Water: No Objection.

WSCC Highways: No Comment.

Representations:
2 letters of Objection have been received from 2 separate addresses, objecting to the application on the following grounds:

- Removal of water neutrality conditions undermines water stress in the area
- Overdevelopment
- Parking concerns
- Insufficient infrastructure to accommodate the site
- Privacy, light and noise

Parish Comments:
Washington Parish Council resolved to comment that although it made an objection to the original development proposals, it could see no reason to object to the current application.

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
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.

This section 73 application sought to remove conditions relating to the approved water neutrality strategy proposed on the site, regarding an outline consent for the erection of 9x dwelling. The existing outline consent (ref: DC/21/1689) incorporated a combination of onsite water efficiencies in addition to offsite offsetting at Pythingdean Manor, Coomblands Lane, Pulborough and Charity Farm, Pulborough Road, Cootham. In these instances, water harvesting schemes were proposed from existing commercial and equestrian buildings to provide for non-potable water needs at both sites. This off-site offsetting was secured by way of a legal agreement, with conditions 8, 13 and 14 securing the on-site measures.

This current application originally sought to revise the approach to achieving water neutrality through the formation of a borehole from which the water needs of the approved development would be met without impacting upon water extraction in the Sussex North Water Supply Zone. However, in advance of this solution being considered on 31 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.

As a result of the above, conditions 8, 13 and 14 are no longer necessary and their removal would 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. Following the removal of these conditions, a new condition (no. 14) is recommended to ensure the approved development meets the optional G2 requirements of the building regulations (to limit the water usage of each dwelling to no more than 110 litres per person per day).

It is noted that representations have been received which raise issues relating to the principle of development and the ensuring impacts established by the existing outline consent. These issues are not considered to be related to the removal of conditions 8, 13 and 14, with the current application not altering the scope or nature of the approved development.

The application is therefore recommended for approval. The conditions attached to the original outline consent remain relevant and again form part of the recommendation, subject to the changes set out above.

Recommendation: Application Permitted

Conditions:

1 **A List of the Approved Plans**

2 **Outline Permission**

(a) Approval of the details of the layout of the development, the scale of each building, the appearance of each building, access to and within the site and the landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

(b) Plans and particulars of the reserved matters referred to in condition (a) above, relating to the layout of the development, the scale of each building, the appearance of each building, access to and within the site and the landscaping of the development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

(c) Application for approval of the first reserved matters shall be made to the Local Planning Authority before 07.05.2027.

(d) The development hereby permitted shall be begun either before 07.05.2027, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.

3 **Pre-Commencement Condition**: No development shall take place, including any works of demolition, until the following construction site set-up details have been submitted to, and approved in writing by, the Local Planning Authority.

i. the location for the loading and unloading of plant and materials, site offices, and storage of plant and materials (including any stripped topsoil)
ii. the provision of wheel washing facilities (if necessary) and dust suppression facilities

The approved details shall be adhered to throughout the construction period.

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 **Pre-Commencement Condition**: No development shall commence until precise details (to include details shown on a plan) of the existing and proposed finished floor levels and external ground levels of the development in relation to nearby datum points adjoining the application site have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details.

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 **Pre-Commencement Condition**: No development shall commence until 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. The development shall subsequently be implemented prior to first occupation in accordance with the approved details 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).

6 **Pre-Commencement Condition**: No development shall commence until a Non-licensed Great Crested Newt Method Statement (Recommendation R2 of the Preliminary Ecological Appraisal (Urban Edge Environmental Consulting, April 2021)) shall be submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to Great Crested Newt during the construction phase. The measures and/works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To conserve protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended, s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham District Development Framework (2015).

7 **Pre-Commencement (Slab Level) Condition**: No development above ground floor slab level shall take place until a Biodiversity Enhancement Layout, providing the finalised details and

locations of the enhancement measures contained in the Recommendations R12-R17 of the Preliminary Ecological Appraisal (Urban Edge Environmental Consulting, April 2021), has been submitted to and approved in writing by the Local Planning Authority. The enhancement measures shall be implemented in accordance with the approved details prior to the first occupation of any part of the development and all features shall be retained in that manner thereafter.

Reason: To enhance protected and Priority Species and allow the Local Planning Authority to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham District Development Framework (2015).

8 Not used

9 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until a scheme of works to reduce the intrusion of noise to all habitable rooms has been submitted to and approved in writing by the Local Planning Authority. The scheme shall have regard to the requirements of BS8233:2014 and shall include provision of adequate alternative ventilation sufficient to prevent overheating without reliance on openable windows.

The scheme shall be fully installed in accordance with the approved details prior to the first occupation of any part of the development. Within 3 months of first occupation, a noise assessment shall be carried out to confirm the noise target for habitable rooms have been met for both day and night-time periods. Any additional steps required to mitigate noise shall be detailed and implemented, as necessary. The post completion noise assessment shall be submitted to and approved in writing by the local planning authority. The details as approved shall thereafter be permanently retained.

Reason: As this matter is fundamental in the interests of residential amenities by ensuring an acceptable noise level for the occupants of the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

10 **Pre-Commencement Condition**: No part of the development hereby permitted shall be occupied until a scheme of measures to ensure that all residential units have access to amenity space within the development where noise levels do not exceed 55dB LAEQ(16 hour) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of post construction validation. Thereafter the development shall be carried out in accordance with the approved details and a separate validation report shall be submitted to and approved in writing by the Local Planning Authority 3 months prior to occupation.

Reason: As this matter is fundamental in the interests of residential amenities by ensuring an acceptable noise level for the occupants of the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

11 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until a scheme for the provision of electrical vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed prior to first occupation of the development and shall thereafter remain 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).

12 **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).

13 Not used.

14 **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 and to ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policies 31 and 37 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).

15 **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).

16 **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).

17 **Regulatory Condition**: All mitigation measures and/or works shall be carried out in accordance with the details contained in Recommendations R2-R11 in Section 6 of the Preliminary Ecological Appraisal (Urban Edge Environmental Consulting, April 2021) 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: To conserve and enhance protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended, s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham District Development Framework (2015).

18 **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).

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/25/0837

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	Planning	NONE	20.05.2025
Details plan	DRAINAGE STRATEGY SHEET 1 OF 2	100 P1	21.12.2021
Details plan	DRAINAGE STRATEGY SHEET 2 OF 2	101 P1	21.12.2021
Location & Site plan		1622/20/P/01 B	27.01.2022
Supporting Statement	PLANNING STATEMENT	NONE	20.07.2021
Elevation plan	PROPOSED	1622/20/P/05	20.07.2021
Floor plan	PROPOSED	1622/20/P/02	20.07.2021
Floor plan	PROPOSED	1622/20/P/03	20.07.2021
Supporting Statement	ROAD TRAFFIC NOISE ASSESSMENT (A24)	NONE	20.07.2021
Supporting Statement	ECOLOGICAL REPORT	NONE	20.07.2021
Floor plan	FLOOR PLANS PLOTS 1 AND 2	1622/20/P/08 A	27.01.2022
Elevation plan	ELEVATIONS PLOTS 3 4 8 9	1622/20/P/04 A	27.01.2022
Details plan	SITE SECTIONS (ventilation)		14.01.2022
Supporting Statement	VENTILATION DESIGN UPDATE		14.01.2022
Details plan	VISIBILITY SPLAYS	1622/20/SK/09	15.10.2021
Supporting Statement	DRAINAGE DESIGN DETAILS		28.09.2021
Supporting Statement	AIR QUALITY REPORT		27.09.2021

DELEGATED

Case Officer sign/initial RHERMITAGE Date: 19.11.2025

Authorising Officer sign/initial	Guy Everest	Date:	24.11.2025