



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/1040

Fir Trees, Westward Lane, West Chiltington, Pulborough, West Sussex, RH20 2PA

DESCRIPTION:

Removal of Condition 3 to previously approved application DC/24/1905 (Relandscaping of rear garden to include but not limited to installation of swimming pool, shed and pump house, outdoor kitchen terrace and seating area and hottub together with associated hard and soft landscaping) relating to water neutrality.

RELEVANT PLANNING HISTORY:

DC/24/1905	Relandscaping of rear garden to include but not limited to installation of swimming pool, shed and pump house, outdoor kitchen terrace and seating area and hottub together with associated hard and soft landscaping.	Application Permitted on 18.06.2025
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DESCRIPTION OF THE APPLICATION

The application seeks to remove the condition 3 of the previous permission (DC/24/1905) granted 18.06.2025. This condition related to the development being in accordance to the mitigation methods outlined within the Water Neutrality Strategy.

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 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 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking

West Chiltington Neighbourhood plan

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 4: Horsham Town
Strategic Policy 6: Climate Change
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 11: Environmental Protection
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 16: protected Landscapes
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 25: Parking
Strategic Policy 35: Town Centre Hierarchy and Sequential Approach
Strategic Policy 36: Town Centre Uses
Policy 40: Improving Housing Standards in the District
Policy 45: Replacement Dwellings and House Extensions in the Countryside
Policy 46: Ancillary Accommodation

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 issued.

PUBLIC CONSULTATIONS:

Representations:

None received at the time of drafting the report.

Parish Comments:

West Chiltington Parish Council: Made comments neither supporting or objecting to the proposal

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.

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 policy N6 of the NPPF.

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 18/06/2028.

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

- 3 **NOT USED**

- 4 **Regulatory Condition:** All mitigation measures, enhancement measures, and/or works shall be carried out in accordance with the details contained in the Precautionary Method Statement for Mobile Protected Species (Arun Ecology, March 2025) and the Biodiversity Enhancement Strategy (Arun Ecology, March 2025) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This will 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 protected and Priority species and 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).

- 5 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved proposed pump room and shed plan drawing numbered VERSION 2 REV A received 19.12.2024 and the Design and Access Statement received 9.12.2024.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 6 **Regulatory Condition:** The swimming pool hereby permitted shall be used solely for private incidental purposes to the occupation and enjoyment of Fir Trees, Westward Lane, West Chiltington, and shall not be used for any business or commercial purposes.

Reason: The establishment of a commercial use would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent units of living accommodation and neighbouring properties, contrary to Policy 26 and 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/26/1040

DELEGATED

Case Officer sign/initial Hannah Darley Date: 24th August 2026

Authorising Officer sign/initial Tamara Dale Date: 24 August 2026