

3 September 2026

FAO Bethan Tinning
Planning Department
Horsham District Council
Albery House
Springfield Road
Horsham,
RH12 2GB

SL/Let/P1903

Dear Bethan,

Section 73 application for the variation of Condition 1 (approved plans) of planning permission (reference DC/26/0158) at Nash Manor, Lower Nash, Nutbourne Lane, Nutbourne, West Sussex, RH20 2HS.

We write on behalf of our client, Mr and Mrs Goosens, in support of an application pursuant to Section 73 of the Town and Country Planning Act 1990 to vary Condition 1, relating to the approved plans, of planning permission DC/26/0158 at Nash Manor, Lower Nash, Nutbourne Lane, Nutbourne, West Sussex.

Planning permission DC/26/0158 was granted on 8 June 2026 for:

“Demolition of agricultural barns and the erection of a 3no. bedroom dwelling with the retention of existing access arrangements, parking and landscaping.”

The present application seeks a limited variation to the approved scheme to incorporate a basement beneath the approved dwelling, together with a swimming pool and associated patio area to the south. The amendments also necessitate a small number of consequential changes to the approved plans and elevations.

The application has been submitted to Horsham District Council via the Planning Portal under reference **PP-15198200** and is accompanied by the following documents:

- Application Forms;
- this Covering Letter; and
- the amended Proposed Plans and Elevations.

Agreed Section 73 Route

Prior to submission, the applicant sought advice from the Local Planning Authority as to the appropriate procedural route for securing the proposed amendments.

In correspondence dated 18 August 2026, Bethan Tinning, Planning Officer at Horsham District Council, considered the proposed basement and associated amendments and advised that, based on the information provided, the works would constitute a material amendment to the approved scheme. Importantly, the Officer expressly recommended the submission of a Section 73 application to vary Condition 1 (approved plans) to incorporate the proposed amendments into the approved development.

The present application has therefore been submitted expressly in accordance with that pre-application advice and follows the procedural route recommended by the Council's Planning Officer. Please refer to Appendix A.

Status of Existing Conditions

It is important to emphasise that this application does not seek to remove, relax or circumvent the substantive planning controls imposed under DC/26/0158.

None of the pre-commencement conditions relevant to this application have at this stage been submitted for discharge. Those conditions therefore remain live and will be addressed in the normal manner prior to the relevant stages of development.

The applicant is content for the conditions attached to DC/26/0158, other than the approved plans condition which is the subject of this application, to be carried across and restated on any Section 73 permission, subject only to any necessary consequential updating of drawing numbers or references.

Proposed Amendments

The amendments have arisen through the continued detailed development of the approved dwelling and are intended to improve the quality and functionality of the accommodation without materially changing the character of the approved development.

The principal amendments comprise:

- the introduction of a basement beneath the approved dwelling;
- the provision of a swimming pool and associated patio area to the south of the dwelling;
- a minor alteration to the internal ground-floor staircase to provide access to the basement; and
- minor amendments to the approved drawings and elevations.



An architectural elevation drawing of a building facade. The building features a dark, vertically-slatted upper section and large blue-tinted glass windows below. Two stylized trees are positioned on either side of the building. The background consists of a light blue sky with white clouds. Handwritten annotations include "10' x 20'" above the building and "20' x 20'" to the right.

[illegible]

T 01903 248777

Design, Landscape and Visual Impact

The design principles established through DC/26/0158 remain fundamentally unchanged.

The principal above-ground form of the dwelling, including its rural architectural character, remains consistent with that found acceptable by the Local Planning Authority. The basement is predominantly concealed below ground and therefore does not materially increase the perceived mass or visual prominence of the dwelling.

Likewise, the swimming pool is a low-level landscape feature surrounded by grass and wildflower associated with the domestic use of the property rather than a substantial new built element. The amendments should therefore be considered in the context of the Council's previous findings that the approved dwelling:

- is of a scale and layout proportionate to the site;
- responds positively to its rural surroundings;
- represents an improvement over the extant fallback position;
- relates sympathetically to the character and built form of the wider surroundings; and
- does not cause unacceptable landscape harm.

None of the amendments now proposed undermine those conclusions.

Veteran Tree and Arboricultural Considerations

Particular care has been taken to ensure that the proposed amendments continue to respect and safeguard the veteran ash coppice identified during the consideration of DC/26/0158.

The importance of this tree was fully recognised during the determination of the original application. Following consultation with the Council's Arboricultural Officer, the approved scheme was developed around the requirement to maintain an appropriate 13 metre buffer to the veteran tree.

The original scheme was specifically amended so that the dwelling was positioned away from this buffer. The Council ultimately accepted an approach whereby development would be excluded from the relevant buffer, the land within it would remain appropriately managed, and protective measures would be secured during construction.

The current Section 73 proposals do not alter those conclusions.

Residential Amenity

There is no material basis upon which the proposed amendments could alter the Council's previous conclusion in respect of residential amenity.

The Officer's assessment of DC/26/0158 concluded that the development would not cause unacceptable harm to neighbouring amenity, having particular regard to the separation from neighbouring properties, the scale and height of the development and the established landscape context.

The basement would have no meaningful visual relationship with neighbouring properties because it is below ground.

The swimming pool is low-level, ancillary to the dwelling and substantially screened by the existing and proposed landscape structure. It does not introduce any elevated viewing platform or additional residential accommodation from which overlooking could arise.

The amendments would consequently maintain an appropriate standard of amenity for both neighbouring occupiers and future residents.

Overall Planning Assessment

The starting point for consideration of this application is the extant planning permission DC/26/0158. That permission has already established the acceptability of:

- the principle of a single dwelling on the site;
- its relationship with the countryside location;
- the architectural approach;
- its relationship with neighbouring properties;
- the access and parking arrangements;
- the broad landscaping strategy; and
- the arboricultural and ecological mitigation framework.

The present application does not seek to revisit those fundamental elements.

Instead, it proposes two ancillary improvements, a predominantly subterranean basement and a low-level swimming pool, together with limited consequential changes to the approved drawings.

The basement provides a substantial improvement in residential amenity with negligible additional visual impact. The swimming pool provides a further recreational amenity for future occupiers without causing material landscape, neighbour amenity or highway effects.

The proposed amendments are therefore entirely compatible with the planning principles which led the Local Planning Authority to approve DC/26/0158.

Superseded and Proposed Drawings

For the avoidance of doubt, the application seeks to substitute the relevant plans approved under DC/26/0158 with the amended plans accompanying this Section 73 application.

The drawing schedule is as follows:

Originally approved drawings under ref: DC/26/0158 to be superseded	Proposed Drawings
Existing Location & Proposed Site 001 REVISION E	Existing Site Location & Proposed Block Plan 001 REVISION F
Proposed Site Plan 002 REVISION A	Existing Site Location & Proposed Block Plan 001 REVISION F
Proposed Elevations 1 005	Proposed Elevations 1 005 REVISION B
Proposed Elevations 2 006	Proposed Elevations 2 006 REVISION A
Proposed GF and FF Plans 004	Proposed GF and FF Plans 003 REVISION A
	Proposed Basement Floor Plan 002 REVISION A
	Proposed Roof Plan 004 REVISION A

Conclusion

This Section 73 application represents the continued refinement of an already approved high-quality residential scheme.

The proposed basement and swimming pool would significantly enhance the quality, functionality and amenity of the approved three-bedroom dwelling while having very limited consequences in planning terms.

The amendments do not undermine any of the conclusions reached by the Council when granting DC/26/0158.

The proposal also does not seek any relaxation of the substantive safeguards imposed through the original planning permission. The applicant is content for the relevant conditions attached to DC/26/0158 to be carried forward onto the Section 73 permission, including the drainage, landscape, ecological, biodiversity and arboricultural conditions, with only such consequential amendments to plan references as are required.

Particular emphasis should be placed on the fact that the veteran tree continues to be fully respected. The development remains outside its agreed protection buffer, the proposed amendments do not encroach towards the tree, and the existing arboricultural safeguards can remain in force.

Finally, the application has been made under Section 73 following prior correspondence with the Council and the express agreement of Bethan Tinning by email dated 18 August that Section 73 represents the appropriate route by which these amendments should be considered.

In view of the limited nature and effects of the changes, their compatibility with the approved development, and the continued operation of the conditions and environmental safeguards secured through DC/26/0158, we respectfully request that the Local Planning Authority approve the application and issue a new planning permission under Section 73 incorporating the amended plans.

We trust that the information submitted provides the Council with everything necessary to determine the application favourably.

If you have any further queries or require further information, please contact me on 01903 248777.

Yours sincerely
ECE Planning



Chris Barker MATP MRTPI
Managing Director

Appendix A – Correspondence with Officer on proposed Application Route

Saskia Lower

From: Saskia Lower
Sent: 03 September 2026 08:14
To: Saskia Lower
Subject: RE: DC/26/0158 - Minor amendment ?

Kind Regards,

Saskia Lower
Senior Planner, AssocRTPI

T 01903 248777

Planning committee decision-making is about to change significantly. [Find out how the National Scheme of Delegation could affect the way planning applications are determined from October 2026.](#)



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From: Bethan.Tinning <Bethan.Tinning@horsham.gov.uk>
Sent: 18 August 2026 13:49
To: Lee Goossens <lg@thehuntergroup.co.uk>
Subject: RE: DC/26/0158 - Minor amendment ?

Dear Lee,

Thank you for your email.

Based on the information provided, it is my informal opinion that the proposed works would constitute a material amendment to the approved scheme. Whilst the basement would be located entirely below ground level, it would create additional habitable floorspace that has not been assessed as part of the extant permission.

Therefore, I would recommend the submission of a Section 73 application to vary Condition 1 (approved plans) to incorporate the proposed amendments to the approved development. Alternatively, you can resubmit the full application.

<https://www.horsham.gov.uk/planning/planning-applications/types-of-planning-application/applications/removal-or-variation-of-conditions>

Kind regards,

Bethan

Bethan Tinning
Planning Officer

Telephone: 01403 215429
Email: Bethan.Tinning@horsham.gov.uk





Horsham District Council, Albery House, Springfield Road, Horsham, West Sussex RH12 2GB

Telephone: 01403 215100 (calls may be recorded) www.horsham.gov.uk Chief Executive: Jane Eaton

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From: Lee Goossens <lg@thehuntergroup.co.uk>

Sent: 11 August 2026 13:53

To: Bethan.Tinning <Bethan.Tinning@horsham.gov.uk>

Subject: DC/26/0158 - Minor amendment ?

Dear Bethan,

I hope you are well.

You may recall the recent planning permission you kindly dealt with under reference **DC/26/0158**.

As you may remember, the intention has always been for this to become our long-term family home. As our family continues to grow with what seems to be an ever-increasing number of grandchildren, my wife and I have been spending time refining the detailed design now that planning permission has been secured.

As part of that process, we are wondering whether the Council might consider it acceptable to amend the consent to include a basement beneath the approved dwelling together with a ground-level outdoor rainwater harvest fed swimming pool.

The basement would be **entirely below ground** and would not alter the approved ridge height, scale or external appearance of the house. It would simply provide additional family space, principally as a games room and play area for the grandchildren.

The excavated material would be reused on site to shape the disused sunken sand school in front of the dwelling and create a series of natural wildlife ponds further enhancing the renaturing of the land, which has always been an important objective for us.

The swimming pool would be set into the ground with its finish flush with the surrounding garden, making it a discreet domestic feature that would have no wider visual impact beyond our own private enjoyment of the property.

The pool would be well located on the far southern elevation well away from the veteran ash tree and all other trees

We would provide details regarding drainage as part of the drainage strategy condition

Before progressing any further, I would be grateful for your advice on the most appropriate way to seek approval for these amendments. In particular, I wondered or rather I,m hoping, given the proposed in entirely below ground it might be able to be considered as non-material amendment.

Many thanks for your guidance, and I look forward to hearing from you.

I have attached an indicative elevation and site plan in case this might be of help.

Kind Regards

Lee Goossens

Managing Director

Tel: 07710908088

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