



PLANNING COMMITTEE REPORT

TO: Planning Committee

BY: Head of Development and Building Control

DATE: 08th September 2026

DEVELOPMENT: Construction of dwelling and detached garage/store building. Creation of new vehicle access from Parthings Lane.

SITE: The Hermitage Tower Hill Horsham West Sussex RH13 0JS

WARD: Southwater North

APPLICATION: DC/25/0115

APPLICANT: **Name:** Mr J Smith **Address:** C/O Agent - NJA Town Planning Ltd, The Beehive, City Place, Gatwick RH6 0PA

REASON FOR INCLUSION ON THE AGENDA: Departure from the Development Plan

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

- 1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.2 Planning permission is sought for the construction of a chalet-style detached, three-bedroom dwelling situated to the west of The Hermitage, within its plot. The proposal includes the construction of a detached double garage building with a store section. A new vehicular access will be created to serve the new dwelling from Parthings Lane, leading to a block paved driveway in front of it.

DESCRIPTION OF THE SITE

- 1.3 The application site forms part of the plot of a large two-storey detached dwelling, named The Hermitage. The Hermitage occupies a large plot which is accessed from Parthings Lane. Butlers Cottage, a Grade II listed building, is located to the southeast of The Hermitage. The application site forms part of the lived in area of Tower Hill, just south of Horsham Town Centre. Tower Hill is not within the defined built-up area boundary, so the application site is within a countryside location.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

The following Policies are relevant to the assessment of this application:

National Planning Policy Framework (Aug 2026)

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 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 40 - Sustainable Transport
Policy 41 - Parking

Southwater Neighbourhood Plan (2019-2031):

SNP1 – Core Principles
SNP9 - Home Standards
SNP10 -Residential Space Standards
SNP14 – Adequate Provision of Car Parking
SNP15 – Driving in the 21st Century
SNP16 – Design
SNP18 – A Treed Landscape

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 are 'out of date' as the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, with the supply currently calculated as being 1.7 years. The presumption in favour of development within the NPPF therefore applies in the consideration of all applications for housing development within the district.

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 6: Climate Change
Strategic Policy 9: Water Neutrality
Strategic Policy 11: Environmental Protection
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Strategic Policy 24: Sustainable Transport

Policy 25: Parking
Strategic Policy 37: Housing Provision

Supplementary Planning Guidance:
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

Southwater Parish Design Statement

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/21/2542	Construction of a detached garage and garden store. Creation of a new driveway and access, installation of fences and entrance gates (Lawful Development Certificate - Proposed).	Application Permitted on 08.03.2022.
DC/21/0096	Retrospective planning for the erection of a double storey extension to southern elevation.	Application Permitted on 29.03.2021.

3. OUTCOME OF CONSULTATIONS

- 3.1 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.

INTERNAL CONSULTATIONS

- 3.2 **HDC Arboricultural Officer:** Advice

New access and insertion of culvert require direct removal of a hedging and associated trees within the ditch. Tree loss in rear of site to accommodate the dwelling will have limited landscape impact.

- 3.3 **HDC consultant Landscapes:** Advice

Landscape and visual impacts will be limited to the tree removals within the site and the impact on the character of Parthings Lane. Appropriate mitigation measures should be proposed to compensate for the loss of trees and to reduce the sense of urbanisation along Parthings Lane.

- 3.4 **HDC Conservation:** Comment

Will not impact setting of the listed building, Butlers Cottage

- 3.5 **HDC Environmental Health:** No Objection

OUTSIDE AGENCIES

- 3.6 **Ecology Consultant:** Recommend grant permission subject to conditions

[Summary]

Satisfied sufficient ecological information available to support. Agree no further surveys for bats required. Support non-licensed Precautionary Method Statement for Hazel Dormouse. Also support Precautionary Method Statement for reptiles and mobile protected species.

- 3.7 **Natural England:** No Objection

Concur with conclusion of your authority's HRA appropriate assessment.

- 3.8 **NatureSpace** (Newt Officer): Advice

Secure a Precautionary Working Methods statement

- 3.9 **Southern Water:** Advice

Condition drainage details

- 3.10 **WSCC Highways:** Comment
Not considered this proposal would have unacceptable impact on highway safety or result in 'severe' cumulative impacts on operation of the highway network, therefore is not contrary to National Planning Policy Framework, and no transport grounds to resist.

PUBLIC CONSULTATIONS

- 3.11 Representations:
1 letter for Support have been received from 1 address, content of which is to recommend permission.
- 3.12 Parish Comments:
Southwater Parish Council: Objection
The location is within the countryside and outside of the built-up area boundary as set out in the neighbourhood plan. Therefore, contrary to SNP 1.1, 2 and 3.
- 3.13 Member Comments:
None received.

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

- 4.1 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.
- 4.2 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.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

Principle of Development:

- 6.1 Policies 2 (Strategic Development), 3 (Development Hierarchy), and 4 (Settlement Expansion) of the Horsham District Planning Framework (HDPF, 2015) as well Policy 1 (Core Principles) of the Southwater Neighbourhood Plan (SNP 2021), collectively seek to ensure that development is appropriately sited to retain the district's distinctive settlement pattern and rural landscape character.
- 6.2 Policy 3 designates a series of built-up area boundaries (BUAB) where development is accepted in principle, with development on land outside of these boundaries more strictly controlled. In addition, Policy 1 (Core Principles) of the SNP confines growth beyond the BUAB to only when in accordance with development plan policies.
- 6.3 The proposal is not located within an existing BUAB and therefore Policy 4 is relevant. Policy 4 outlines the circumstances where development outside of a BUAB will be supported, however as the site is not allocated in the Local or Neighbourhood Plan, the requirements of

this policy are not met. As the proposed development would also not adjoin a settlement edge, it would equally not satisfy the facilitation of development as allowed by the 'Shaping Development in Horsham Planning Advice Note' (SDPAN), in the circumstance of the dated development plan.

- 6.4 HDPF Policy 26 does make allowances for a certain level of development in the countryside so long as it is essential to its location, for example it supports rural enterprise or provides recreational use. The proposal does not meet any of the criteria stated.
- 6.5 Considering the above, the proposal directly conflicts with the overarching hierarchy and locational strategy of the development plan. Whether this conflict with Policies 2, 4 and 26 of the HDPF and Policy 1 of the SNP is outweighed by other material planning considerations is discussed in the Planning Balance at the end of this report.

Heritage:

- 6.6 HDPF Policy 34 of the states that development should be reinforce the special character of the historic environment through appropriate siting, scale, form, and design; and should make a positive contribution to the character and distinctiveness of the area. Proposals should preserve and ensure clear legibility of locally distinctive vernacular building forms and their settings, features, fabric, and materials.
- 6.7 The HDC Conservation Officer does not dispute the conclusions of the heritage statement submitted with the application, that the application site would not be visible with the nearby Butlers Cottage, with the Grade II listed building 'barely visible' as it is screened by existing tree and hedgerow (even accounting for the tree/hedging removal proposed), and that as such, the proposals would not impact on its setting.

Landscape Character and Visual Impact: Design and Appearance

- 6.8 HDPF Policies 32 and 33 require all development in the district to be of high quality and complimentary to locally distinctive character. The policies also seek to ensure that the scale, massing and appearance of new development is appropriate as well as that a high standard of building materials, finishes and landscaping are used. In addition, HDPF Policy 25 seeks to protect the natural environment and landscape character of the district, taking account of locally distinctive features. SNP Policies 2 (Proposals for Residential Development) and 16 (Design) seek similar outcomes, informed by the Southwater Parish Design Statement.
- 6.9 The proposed buildings would be situated within the generous (oversized) plot of The Hermitage and therefore post-subdivision of this plot, the proposed and host dwellings would be easily accommodated with sufficient amenity and distance from boundaries in order for both dwelling houses and their ancillary outbuildings to sit comfortably alongside each other without the appearance of being cramped or a contrivance.
- 6.10 The proposed dwellinghouse building would have a ridge height of 7.25m at its highest and would utilise dormers and hipped roof form to ensure the building scale is in keeping with surrounding residential development. The new building is located next to existing residential development, and its design references these built forms and their sittings within their respective plots in the street scene, as well as the adjacency of The Hermitage, which also exhibits dormers, hipped roofs, and similar materials (including clay tiles and facing brick). The proposed garage would sit along the east boundary with The Hermitage. The garage would be of building form typical to storage of vehicles, of a modest footprint, height and overall scale subservient to the main dwellinghouse. Therefore, it is judged the scale, height, mass, and design of the proposals would be appropriate to the surroundings and not out of character.

Trees

- 6.11 The proposals do involve the removal of several trees within the site, including category C and fronting Parthings Lane. All remaining retained trees on and adjacent to the site would be protected in accordance with best practise. The Arboricultural report submitted with the application mitigates the loss with a commitment made to 2:1 replacement planting within enhanced landscaping. The proposed plot is of a size that would allow for suitable replanting to satisfy the requirements of Policy SNP 18. This policy requires replacement trees of greater environmental value on site to that lost, with trees planted to be suitable mature and, as a minimum, confirm to British Standard BS 3936-1 / Standard 10-12cm girth.
- 6.12 The Council's landscape consultant identifies a degree of harm to the rural character of the lane and contribution to its urbanisation because of the tree loss. Nonetheless, the landscape consultant accepts the effects on landscape character will be highly localised, being limited to those tree removals and impacts on the immediate character of the lane. Also accepted are the details of the replanting scheme to demonstrate how appropriate mitigation measures will be implemented, in line with Policy SNP18, can be secured by condition. Additionally, a soft landscaped boundary treatment is necessary along the west site edge.
- 6.13 The tree replanting and enhanced landscaping once matured, will compensate for the loss of trees and to reduce the sense of urbanisation along Parthings Lane. The Council's landscape consultant confirms the surrounding well treed landscape assists to contain the development and reduce wider visual impacts, including from the public right of way which runs parallel to the site.

Settlement Coalescence

- 6.14 Because the additional dwelling would be achieved by a sympathetic plan form subdivision of the existing plot confines, involving a replacement building of appropriate scale and form and position on the site, the development would not result in significant reduction in the openness and break between settlements and, in that sense, satisfies HDPF Policy 27 as it avoids settlement coalescence between the lived in area of Tower Hill and other settlements as required by Policy SNP 1.3.

Summary on Landscape and Design matters

- 6.15 For the reasons set out above, the proposals would very much appear as a continuation of the existing built form along Parthings Lane, with the ability to delivery compensation and mitigations to address the very localised urbanising effect to landscape character and visual impact so that those harms are not judged substantial, whilst also offering potential for green infrastructure enhancement (as required by HDPF Policies 25 and 26 and 27 and WGNP Policies 1 and 4). For these reasons, it is also concluded that the proposal would conform with HDPF Policies 32 and 33 and Policy 16 of the SNP.

Residential Amenity:

- 6.16 HDPF Policy 33 seeks to ensure that new development is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land, for example from overlooking, noise, loss of privacy, odour or general disturbance. In addition, the NPPF requires a high standard of amenity for both existing and future users of development. Relevant policies of the Southwater Neighbourhood Plan do so similarly, as well as requiring adherence to certain build standards.
- 6.17 The proposed residential dwelling would be some 26m distant from the nearest residential property to the east, The Hermitage. There would be sufficient screening via intervening vegetation to ensure overlooking or overbearing impacts would not be adverse onto this neighbour (but for additional privacy, the first-floor east side window would be obscure-

glazed). Distances to other neighbours is greater still, with consequentially lesser resultant harms.

- 6.18 In accordance with SNP policies, post plot subdivision, the respective plots to both dwellings would allow for private outdoor space to serve occupier needs, with the new dwelling to exceed nationally described space standards and to be built to M4(2) standard (the latter secured by condition). The district Environmental Health Officer has requested rainwater harvesting details but this is no longer being pursued due to the changed circumstance of water neutrality.

Highways Impacts:

- 6.19 HDPF Policies 40 and 41 promote development that provides safe and adequate access, suitable for all users. Policy SNP14 sets local parking standards.
- 6.20 Vehicular visibility splays of 2.4m x 43m have been demonstrated to the new vehicular access from Parthings Lane, which accord with Manual for Streets (MfS) parameters for a 30-mph restriction. Parthings Lane that takes very light traffic and at the point of the proposed access is adopted highway. The Local Highway Authority is satisfied the new access will operate safely.
- 6.21 The West Sussex County Council Car Parking Demand Calculator indicates that for dwellings with three bedrooms within Southwater, a minimum of 2.1 car parking spaces is required. This accords with the SNP14 standards. The site plan indicates sufficient driveway area for at least two parking spaces, as well as two spaces within the detached double-bay garage. Whilst the garage falls short of MfS internal specifications, the driveway space alone satisfies the parking demands of both WSCC and SNP standards. A cycle store is also proposed within the site. There is future capacity for EV charging provision delivered under Building Regulations as required by policy SNP15.
- 6.22 Overall, the Local Highways Authority does not consider the proposal to have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the highway network. Yours Officers have no evidenced reason not to concur.

Ecology:

- 6.23 HDPF Policy 31 states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate.
- 6.24 The applicant submitted an Ecologist's email (Ecology and Habitat Management Ltd., 26th March 2025) and Preliminary Ecological Appraisal (PEA, Ecology & Habitat Management Ltd., January 2025) relating to the likely impacts of development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures.
- 6.25 The Council's ecologist supports the precautionary measures by condition to mitigate for Hazel Dormouse (there is scrub on site, which is suitable for supporting Hazel Dormouse, but no evidence of this species was found on site) and reptiles and mobile protected species (habitats on site to have moderate potential to support reptiles and small mammals).

Newts

- 6.26 As highlighted by the applicant's PEA, there are several ponds within 500m of the development site, including one located 130m north of site. Although the PEA identifies roads separate the ponds from site, Parthings Lane itself is not a major barrier. The development

is small scale and recently the pond 130m north did return a negative eDNA result, however proposals will require removal of suitable habitat. Therefore, whilst it is not proportional to request further survey work, the Newt Officer advice is the PEA avoidance measures are not robust enough and a Precautionary Working Methods statement be conditioned.

Bats

- 6.27 From the Ecologist's submitted evidence, the trees to be removed do not have any Potential Roost Features for bats, and the shed on site has negligible bat roost potential. Therefore, the Council's consultant Ecologist is satisfied no further bat surveys are required and with the recommendation that a Wildlife Friendly Lighting Strategy is implemented (Preliminary Ecological Assessment (Sylvatica Ecology, Oct 2024)) to avoid light disturbance impacts, the Council's Ecologist is satisfied the proposals can be screened out for Habitat Regulations Appropriate Assessment purposes (the site falling just outside the 12km wider conservation area for The Mens Special Area of Conservation for significance impacts or severance of flightlines).

Water Neutrality:

- 6.28 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. Therefore, 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.
- 6.29 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.
- 6.30 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.
- 6.3 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 31 October 2025, will not exceed 3,240,000 litres per day.
- 6.32 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 the NPPF.

Other Matters:

Climate Change:

- 6.33 HDPF Policies 35, 36 and 37 require development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. Recommended conditions secure measures proportionate to the development proposals, including water consumption limited to 110 litres per person per day; biodiversity mitigation and enhancement; and cycle and EV parking. Subject to these conditions, the application will suitably reduce the impact of the development on climate change in accordance with local and national policy.

Biodiversity Net Gain (BNG):

- 6.34 The Applicant has demonstrated the development is exempt from the requirement to achieve a minimum 10% BNG by reason it qualifying as 'de minimis' under Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 6.35 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

It is considered that this development constitutes CIL liable development.

Use Description	Proposed	Existing	Net Gain
Residential C3	312.11		312.11
		Total Gain	312.11
		Total Demolition	

- 6.36 Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change. Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development. If planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

Conclusions and Planning Balance:

- 6.37 The application seeks the introduction of a single dwelling outside the defined built-up area boundary, on a site which has not been allocated for development within the adopted development plan, and without an essential need for a countryside location. The development is, therefore, contrary to HDPF Policies 2, 4, and 26 and SNP 1.
- 6.38 However, it is a material planning consideration of very significant weight that the Council is unable to demonstrate a 5-year supply of deliverable housing sites and scores below 75% in the most recent Housing Delivery Test.
- 6.39 In such circumstance, updated national policy in the NPPF (Aug 2026) instructs decisions on development proposals should apply a presumption in favour of sustainable development (Policy S3) including outside of settlements, where that development would address an evidenced unmet need (including the provision of housing) and where the development be physically well-related to an existing settlement and of scale which can accommodated taking into account of infrastructure (Policy S5(1)(j)). It is recognised by Officers that Tower Hill is not a settlement by NPPF definition (and it is uncategorised in the current and emerging development plans), so this proposal does not meet category (1)(j) of Policy S5.

- 6.40 Policy S5(4) does however, go on to allow for circumstance where development proposals which not fall within the categories of development that should be approved outside of settlements, could be approved; in circumstance where the benefits of the proposal would substantially outweigh the adverse effects including to the character of the countryside. As set out in preceding paragraphs, and detailed below, your Officers judge this proposal, based on its own individual merits, would bring about substantial benefits to outweigh the conflict with a dated development plan, subject of out-of-date policies that constrain housing supply. The emerging local plan has not reach adoption and so the district will remain with such policies devised on a deficit housing requirement figure for some time yet; therefore, the weight to be afforded to the proposal's conflict with those policies that constrain housing supply is diminished.
- 6.41 It is also a material consideration that the NPPF does not place a firm bar against development going ahead even if counter to a neighbourhood plan that meets Policy S6 (Neighbourhood Plans and the presumption). It remains for the decision-maker to exercise judgement as to whether conflict with the neighbourhood plan is likely to be substantial to outweigh the benefits of such development. This is the case with this development proposal, as reasoned below.
- 6.42 On matters relating to water neutrality, highways, ecology and neighbour amenity, building design standards, there is policy compliance with the HDPF/SNP or what impacts that arise, are evidenced to be mitigated, so these matters are weighted neutral in the balance. The scale of impact on infrastructure arising from occupation of one additional dwelling is judged commensurate with existing infrastructure provision in the locality.
- 6.43 The application site sits amongst other built development (the entire lived in area of Tower Hill being in countryside). In this context, the addition of a single dwelling to the area, would be delivered by means of a sensitive site subdivision in a comparable plot layout to its neighbours, positioned on which would be a building of a design and scale and form that responds to existing character without substantial urbanising visual or landscape character harms at the site arising (subject to the delivery of appropriate compensatory and mitigating tree replanting and landscaping which is evidence to be feasible with final details subject to agreement with the Council by condition), and nor does it result in settlement coalescence.
- 6.44 An additional important material consideration to be afforded weight in the overall balance is the site locale proximity and accessibility to Horsham town. The site is located only some 0.2km, or 190m from the southern settlement boundary of Horsham Town Centre, the settlement of Horsham town being the highest tier settlement to accommodating growth in the Council's adopted spatial strategy. Policy 3 of the HDPF classifies Horsham as a main town settlement, *with a large range of employment services and facilities and leisure opportunities. Strong social networks, with good rail and bus accessibility. The settlement meets the majority of its own needs and many of those in smaller settlements.* The Local Highway Authority (LHA) has identified that the site is located within walking/cycling distance of local services, amenities and public transport links within Horsham Town Centre (including Hop Oast park and ride). Cycling is also identified by the LHA as a viable option in the area and represents a viable alternative to the private car.
- 6.45 The proposal would also contribute, albeit minimally, to the district's much needed housing supply of family homes. This, and the preceding proximity consideration to reduced car trip dependency, are judged as substantial benefits for the additional housing provision that are considered to outweigh the limited harm derived from, in this instance, non-compliance with the spatial strategy of a dated development plan when applying the NPPF presumption in favour of sustainable development outside of settlement (Policy S5). The application is therefore recommended by Officers for approval.

7. RECOMMENDATIONS

- 7.1 It is recommended that planning permission is granted subject to appropriate conditions as detailed below.

Conditions:

1 **Approved Plans**

- 2 **Standard Time Condition:** The development hereby permitted shall begin before the expiration of three years from the date of this permission.

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

- 3 **Pre-Commencement Condition:** No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

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).

- 4 **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:

- (a) All trees on the site shown for retention on approved drawing number [Tree Protection Plan: 06542 / 2024], 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).
- (b) Once installed, the fencing shall be maintained during the development works and until all machinery and surplus materials have been removed from the site.
- (c) 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 Policies 25 and 33 of the Horsham District Planning Framework (2015) and Policy 18 of the Southwater Neighbourhood Plan (2021).

5. **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 a Precautionary Working Methods Statement (PWMS) for Great Crested Newts is provided by a suitable qualified ecology. The PWMS so approved shall be implemented prior to development and strictly adhered to during the construction phase.

Reason: To 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 and s40 of the NERC Act 2006 (as amended) and Policy 31 of the Horsham District Planning Framework (2015).

- 6 **Pre-Commencement (Slab Level) Condition:** A Biodiversity Enhancement Layout for the biodiversity enhancements listed in the Preliminary Ecological Appraisal (Ecology & Habitat Management Ltd., January 2025) shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Layout shall include the detailed designs or product descriptions for biodiversity enhancements and locations, orientations, and heights for biodiversity enhancements on appropriate drawings. The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species & habitats and allow the Local Planning Authority to discharge its duties under paragraph 187d of the NPPF 2024 and s40 of the NERC Act 2006 (as amended) in accordance with Policy 31 of the Horsham District Planning Framework (2015).

- 7 **Pre-Occupation Condition:** A lighting design scheme for biodiversity based on Guidance Note: 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

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 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 and s40 of the NERC Act 2006 (as amended) and Policy 31 of the Horsham District Planning Framework (2015).

- 8 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until visibility splays of 2.4 metres by 43 metres have been provided at the proposed site vehicular access onto Parthings Lane in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metres above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 9 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the parking, turning and access facilities, cycling storage, and electrical vehicle charging point necessary to serve that dwelling have been implemented in accordance with the approved details as shown on plans HER/ORC/02 REV A and HER/ORC/06 and shall be retained for those purposes as such thereafter.

Reason: To ensure adequate parking, turning and access, the parking of cycles, and provision of electric vehicle car charging space for use on site to serve the development in accordance with Policies 35, 40, and 41 of the Horsham District Planning Framework (2015) and Policies 14, 15, and 16 of the Southwater Neighbourhood Plan (2021).

- 10 **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 a minimum 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).

- 11 **Pre-Occupation Condition:** No part of the development hereby permitted shall be first occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:
- (a) Details of all existing trees and planting to be removed and retained
 - (b) Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details. This shall include a commitment to 2:1 tree replanting with all replanting to satisfy the standards as set out in Policy 18 of the Southwater Neighbourhood Plan (2021) and enhanced landscaping to the west site boundary.
 - (c) Details of all hard surfacing materials and finishes
 - (d) Details of all boundary treatments

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 (other than those within private gardens) shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 30 years after completion of the development. Any proposed or retained planting outside of private gardens, which 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 character of the surroundings, and in the interests of visual amenity in accordance with Policies 25 and 33 of the Horsham District Planning Framework (2015) and Policies 16 and 18 of the Southwater Neighbourhood Plan (2021).

- 12 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and approved plans unless details of alternative materials have been submitted to and approved in writing by the Local Planning Authority prior to development above ground floor slab level commencing.

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) and Policy 16 of the Southwater Neighbourhood Plan.

- 13 **Regulatory Condition:** All works shall be executed in full accordance with the submitted Arboricultural Impact Assessment/Method Statement [Duckworths Arboriculture Ltd. AIA/AMS 06542 / 2024 0.2 2024]

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) and Policy 18 of the Southwater Neighbourhood Plan (2021).

- 14 **Regulatory Condition:** All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Ecology & Habitat Management Ltd Jan 2025). This includes the non-licensed Precautionary Method Statement for Hazel Dormouse in Section 4.4 and the Precautionary Method Statement for reptiles and mobile protected species in Section 4.4 of the Preliminary Ecological Appraisal (Ecology & Habitat Management Ltd Jan 2025).

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 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) and s40 of the NERC Act 2006 (as amended).

- 15 **Regulatory Condition:** The garage building hereby permitted shall be used only as private domestic garage for the parking of vehicles and domestic storage incidental to the use of the new dwelling and for no other purposes.

Reason: To ensure adequate off-street provision of parking in the interests of amenity and highway safety, and in accordance with Policy 40 of the Horsham District Planning Framework (2015) and Policy 14 of the Southwater Neighbourhood Plan.

- 16 **Regulatory Condition:** All works of demolition, construction, and ancillary activities, including deliveries and dispatch, shall be restricted to 08:00 - 18:00 hours on Monday to Friday, from 08:00 to 13:00 hours on Saturdays and at no time on Sundays or Bank Holidays.

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

- 17 **Regulatory Condition:** The dwellinghouse building hereby permitted shall meet the national technical standard for M4(2) Building Regulations.

Reason: To delivery on an accessibility baseline so the dwelling can be easily adopted for older or disabled occupants over time in accordance with Policies 9 and 16 of the Southwater Neighbourhood Plan.

- 18 **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), 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).

8. USE OF AI

- 8.1 This report has not been prepared with the support of artificial intelligence tools.

Background Papers: DC/25/0115