



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0535

Bayley Paddock , Mill Lane, Partridge Green, West Sussex, RH13 8JU

DESCRIPTION:

Variation of conditions 2 and 7 and removal of conditions 12, 13, 14 and 15 of previously approved application reference DC/24/0481 (Erection of a dwelling, carport with store and greenhouse) relating to plans, tree protection and water neutrality.

RELEVANT PLANNING HISTORY:

DC/24/0481 Erection of a dwelling, carport with store and greenhouse. Allowed on Appeal 08.08.2025

DESCRIPTION OF THE SITE

The application site is located to the south of Mill Lane, outside of any designated built-up area boundary. The site is therefore located within the countryside in policy terms. The site is located approximately 0.6km to the north of the built-up area of Partridge Green.

The site comprises former paddock land that now contains grassland and is bound to the east by the access track serving the dwelling known as Pemberley. An Oak Tree is located along the southern boundary of the site which is subject of a Tree Preservation Order.

Linear residential development is located to the north and east of the application site, and this comprises the unclassified settlement of Littleworth. A mix of hedging, mature vegetation, and fencing separates these dwellings from the application site, with 2no. new dwellings known as Far Lea and Highdowns located to the south of the site.

DESCRIPTION OF THE APPLICATION

The application seeks permission to vary and remove conditions attached to an existing planning permission for the erection of a new dwellinghouse.

- A variation to condition 1 (the approved plans list) is sought to increase the size of a dormer and sunroom size, to add a chimney flu and alter fenestration.
- Vary condition 7 to update the tree protection plans and reflect the new plans under condition 1 (above).
- To remove conditions 12, 13, 14 and 15 which relate to water neutrality.

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 7 - Strategic Policy: Economic Growth

Policy 10 - Rural Economic Development
Policy 11 - Tourism and Cultural Facilities
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 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 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities
Policy 43 - Community Facilities, Leisure and Recreation

West Grinstead Neighbourhood Plan

Policy 1 – Retention of Local Gaps
Policy 4 – Green Infrastructure, Existing Trees, Hedgerows, Habitats and Wildlife
Policy 10 – Car Parking

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

Representations:

Three representations were received, objecting to the proposal for the following reasons: -

- Overdevelopment
- Privacy, light and noise
- Would disrupt the character of the countryside.
- Flooding issues

Parish Comments:

Support. WGPC's recommendation is that HDC should give permission for this application. The Council expect that there will be another condition requiring compliance with Building Regs Part G Optical Technical Standard. The Council would welcome the windows overlooking neighbouring gardens to be of obscured glass to allow for greater privacy

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

Condition 1

The minor material amendments to the dwellinghouse and outbuilding represent modest changes which would not fundamentally depart from the previously approved design approach. The nature of the changes are such that they would not give rise to any further impact on neighbouring amenity, and no unacceptable harm would arise. The variation of this condition is therefore considered acceptable.

Condition 7

The variation to condition 7 would secure the same level of protection as the original planning permission, with the updated plan solely to reflect changes to the outbuilding and dwelling which do not encroach into the identified root protection area. The variation of this condition is therefore considered acceptable.

Conditions 12, 13, 14 & 15

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 was secured through conditions 12, 13, 14 and 15.

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 removal of conditions 12, 13, 14 and 15 will not have an Adverse Effect on the Integrity of the Arun Valley Site, either alone or in combination with other plan and projects, thereby complying with Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF. A replacement condition is though recommended to limit water use within the dwelling to no more than 110 litres per person per day.

Other Considerations

A number of representations have been received, objecting to the proposal for reasons which go

beyond that subject to the condition variations and removal. The existing planning permission remains extant and the changes proposed by this current submission do not go beyond the established parameters. The representations do not raise any additional concerns which would not have been present at the time of the original decision, and no grounds have been raised which would justify a refusal of planning permission.

Conclusions:

The proposed variation and removal of conditions are considered acceptable and in accordance with relevant planning policies. The remaining conditions attached to the existing planning permission remain relevant and are therefore similarly included below. A further condition is recommended to ensure no adverse impacts on protected species (Great Crested Newts) arises from the development. This condition would allow the applicant to make use of the District licencing scheme (rather than Natural England's) and overcomes an omission of the appeal decision.

Recommendation: Application Permitted

Conditions:

- 2 **Standard Time Condition:** The development hereby permitted must be commenced by 8th August 2028.

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

- 3 No development shall commence until a Non-Licensed Precautionary Method Statement for Hazel Dormouse has been submitted to and approved in writing by the local planning authority. This shall include, but not be limited to, a presence/absence survey and assessment, mitigation measures, and enhancement measures where necessary. The approved details shall be implemented before first occupation of the development hereby permitted and shall be maintained thereafter.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

- 4 No development shall commence until a Presence/Absence Survey and Assessment for Reptiles has been submitted to and approved in writing by the local planning authority. This shall include, but not limited to, a presence/absence survey and assessment, mitigation measures, and enhancement measures where necessary. The approved details shall be implemented before first occupation of the development hereby permitted and shall be maintained thereafter.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

- 5 Any contamination that is found during the course of construction of the development hereby permitted that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended until a risk assessment has been carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found, the development shall not resume or continue

until remediation and verification schemes have been carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority.

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).

- 6 No development shall commence until construction details, including the following measures, have been submitted to and approved in writing by the local planning authority.
- i. Details of site management contact details and responsibilities;
 - ii. A plan detailing the site logistics arrangements on a phase-by-phase basis (as applicable), including:
 - a. location of site compound,
 - b. location for the loading, unloading and storage of plant and materials (including any stripped topsoil),
 - c. site offices (including location, height, size and appearance),
 - d. location of site access points for construction vehicles,
 - e. location of on-site parking,
 - f. locations and details for the provision of wheel washing facilities and dust suppression facilities,
 - iii. The arrangements for public consultation and liaison prior to and during the demolition and construction works - newsletters, fliers etc, to include site management contact details for residents;
 - iv. Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination.

The development shall thereafter be carried out in accordance with the approved details and measures.

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).

- 7 All the trees shown on the approved drawing number 0939.88/02, as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012). The fencing shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made. No mixing of cement, or use of other contaminated 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.

Reason: To ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 8 Any trees or hedges on the site which die or become damaged during the construction process shall be replaced in the next planting season with trees or hedging plants of a type, size and in positions agreed by the local planning authority.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 9 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).

- 10 No development shall commence until a Biodiversity Enhancement Strategy for Protected and Priority species has been submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

- a) purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance (where relevant).

The approved details shall be implemented prior to first occupation of the development hereby approved and shall be retained thereafter.

Reason: To enhance the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

- 11 No development above ground level shall take place until a schedule of materials, finishes and colours to be used for external walls, windows and roofs of the approved buildings has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

- 12 NOT USED

- 13 NOT USED

- 14 NOT USED

- 15 NOT USED

- 16 The development hereby permitted shall not be occupied until full details of all hard and soft landscaping works have been submitted to and approved in writing by the local planning authority. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details

- Details of all hard surfacing materials and finishes
- 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. No trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the local planning authority until 5 years after completion of the development. Any proposed or retained planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 17 The development hereby permitted shall not be occupied until the parking, turning and access facilities necessary to serve that development have been implemented in accordance with the approved details as shown on plan reference 0939.88/02 and shall thereafter be retained as such.

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

- 18 The development hereby permitted shall not be occupied until the cycle parking facilities serving it have been provided within the store and car port or the side or rear garden for that dwelling. The facilities shall thereafter be retained for their designated use.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 19 The development hereby permitted shall not be occupied until provision for the storage of refuse and recycling has been provided within the store and car port or side or rear garden for that dwelling. The facilities shall thereafter be retained for their designated use.

Reason: To ensure the adequate provision of refuse and recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 20 The development hereby permitted shall not be occupied until a fast charge electric vehicle charging point for that dwelling has been installed. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall thereafter be retained as such.

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

- 21 The development hereby permitted shall not 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. The infrastructure shall thereafter be retained as such.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

- 22 The development hereby permitted shall be undertaken in strict accordance with the ecological mitigation and enhancement measures set out in the Preliminary Ecological Appraisal by Environmental Assessment Services Ltd dated March 2024 and Phase 1 Bat Survey by Batscan Ltd dated 21 March 2024.

Reason: To safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

- 23 No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML OR177, or a 'Further Licence') and with the proposals detailed on plan "3 Bayley Paddock: Impact plan for great crested newt District Licensing (Version 1)" dated 14th March 2024.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence (WML-OR177, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

- 24 The development hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to no more than 110 litres per person per day. The subsequently installed water limiting measures shall thereafter be retained.

Reason: To limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015), and to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2024), and to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

NOTE TO APPLICANT

It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority which permits the development to proceed under the District Licence (WML-OR177, or a 'Further Licence') are not licensed under the great crested newt District Licence. Any such works or activities have no legal protection under the great crested newt District Licence and if offences against great crested newt are thereby committed then criminal investigation and prosecution by the police may follow.

It is recommended that the NatureSpace Best Practice Principles are taken into account and implemented where possible and appropriate.

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/26/0535

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

Plan Type	Description	Drawing Number	Received Date
Block plan		0939.88/02	27.03.2026
Floor plan	PROPOSED	0939.88/03	27.03.2026
Elevation plan	PROPOSED	0939.88/04	27.03.2026
Plans	CARPORT AND GREENHOUSE	0939.88/05	27.03.2026
Section plan	CROSS SECTION NORTH-SOUTH THROUGH SITE	0939.88/06	27.03.2026
Plans	LANDSCAPE/ECOLOGY PLAN	0939.88/07	27.03.2026
Supporting Statement	PLANNING STATEMENT	0939.88	27.03.2026
Supporting Statement	NatureSpace Best practice principles		02.06.2026
Supporting Statement	NSP Certificate 3 Bayley paddock		02.06.2026
Supporting Statement	Impact plan		02.06.2026
Supporting Statement	Impact plan		02.06.2026
Location plan	Location Plan	0939.84/01	27.03.2024
Supporting Statement	Preliminary Ecological Appraisal by Enivironmental Assessment Services Ltd dated March 2024	NONE	27.03.2024
Supporting Statement	Phase 1 Bat Survey by Batscan Ltd dated 21 March 2024	NONE	27.03.2024

DELEGATED

Case Officer sign/initial Hannah Darley Date: 1st June 2026

Authorising Officer sign/initial Guy Everest Date: 02.06.2026