Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/0195
Land Parcel at 509640 126158, Wooddale Lane, Billingshurst, West Sussex,

DESCRIPTION:
Non Material Amendment to previously approved application DC/20/2607 (Outline Application for the development of 83 residential units and associated infrastructure on land at Duckmoor, East Billingshurst with all matters reserved except access) to change the wording of Condition 21 to make reference to updated approved water neutrality report.

DETAILED DESCRIPTION:

The proposed Non-Material Amendment (NMA) is sought to ensure that the water neutrality report by Motion dated 13th September 2024 approved under the Reserved Matters permission DC/24/0768 and that cited in condition 21 attached to the outline planning permission DC/20/2607 align.

A separate application (S106/25/0003 refers) has been submitted to the Council to ensure the relevant legal agreement obligation allied to the outline permission also aligns.

RELEVANT PLANNING HISTORY:

DC/20/2607	Outline Application for the development of 83 residential units, landscaping, access, parking and associated infrastructure on land at Duckmoor, East Billingshurst with all matters reserved except access	Refused 04.04.2021 Appeal allowed 18th January 2023
DC/22/1947 Dedisham Farm	Erection of an agricultural barn, associated storage tank and infrastructure.	Permitted 09.02.2023
DISC/23/0147 Dedisham Farm	Approval of details reserved by condition 3 (finished floor levels and external ground levels) to planning permission DC/22/1947 (agricultural barn, storage tank and infrastructure).	Permitted 08-08-2023
DC/23/1764 Dedisham Farm	Prior Notification for the installation of a 1No. water tank, pump house, and 2No. underground water tanks	Prior Notification Not Required 18.10.2023
DC/23/1820	Non Material Amendment to previously approved application DC/20/2607 (Outline Application for the development of 83 residential units, landscaping, access, parking and associated infrastructure on land at Duckmoor, East Billingshurst with all matters reserved except access) to Change the wording of Condition 21 to the following: No development approved pursuant to the outline planning permission hereby permitted shall commence until planning permission for the works required to deliver the off-site water neutrality measures at Dedisham Farm as set out in the Motion Technical Note TN03 dated 29 September 2023 (subject of planning application DC/22/1947 and DC/23/1764) have been permitted.	Permitted 19/10/2023

DISC/24/0165 Dedisham Farm	Application for Approval of Details Reserved by Condition 4 to approved application DC/22/1947	Permitted 24-07-2024
DC/24/0768	Reserved matters application for the erection of 83No. dwellings, open space and child play provision, residential parking facilities and associated infrastructure, including access arrangements following outline application DC/20/2607, relating to layout, scale, appearance and landscaping.	Permitted 29.11.2024
DC/24/0948 Dedisham Farm	Variation of Condition 1 of previously approved application DC/22/1947 (Erection of an agricultural barn, associated storage tank and infrastructure) Relating to the design of the barn.	Permitted 01-08-2024
S106/24/0016	Discharge of planning obligation (DC/20/2607) pursuant to Schedule 1, Paragraph 5.1 relating to water neutrality, and to amend the Water Neutrality Statement secured pursuant to the definition of Water Neutrality Scheme	Permitted 16-09-2024
S106/25/0003	Discharge of planning obligation (DC/20/2607) pursuant to Schedule 1, Paragraph 5.1 relating to water neutrality, and to amend the Water Neutrality Statement secured pursuant to the definition of Water Neutrality Scheme	Pending Consideration

RELEVANT PLANNING POLICIES

Horsham District Planning Framework (2015):
Policy 31 Green Infrastructure and Biodiversity

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:
None received.

Parish Comments:
Billinghurst Parish Council: No Objection

Representations:
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
The main consideration of this application is whether the proposed alterations can be considered as non-material amendment to the approved scheme in accordance with Section 96A of the Town and

Country Planning Act 1990 (as inserted by S190 of the Planning Act 2008). The discretion rests with the Council to decide to whether the revisions would constitute a non-material amendment to a planning permission, which would not take it outside the scope of the original permission.

The current proposed amendment to Condition 21 of planning permission DC/20/2607 is to ensure consistency across the multi-stage consent (outline, Reserved Matters, legal agreement discharge) in terms of reference to the water neutrality strategy report approved at Reserved Matters (this being dated 13th September 2024). As the stages are all approved to deliver the same development (which has passed the Habitat Regulations and subject to a favourable Appropriate Assessment dated 04/10/2024), and the current approved water neutrality strategies at each stage are the essentially same with the version originally approved at outline substantially unchanged once those stages are aligned, securing this consistency is non-material and within the scope of the original permission.

It is noted that the mechanism of using an NMA for this purpose has already been accepted by the Council in that wording of condition 21 of DC/20/2607 has already been subject of update so that it aligned with an amended version of the Water Neutrality report by Motion dated 29 September 2023 (DC/23/1820 refers).

Recommendation: Application Permitted

Amended Condition 21:

No development approved pursuant to the outline planning permission hereby permitted shall commence until planning permission for the works required to deliver the off-site water neutrality measures at Dedisham Farm as set out in the Motion Technical Note 1: Water Neutrality Statement Site: Duckmoor, Billingshurst Dated: 13th September 2024 have been permitted.

NOTE TO APPLICANT

POSITIVE AND PROACTIVE STATEMENT
Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/25/0195
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	Technical Note 1: Water Neutrality Statement Site: Duckmoor, Billingshurst by Motion Date: 13th September 2024	NONE	07.02.2025

DELEGATED

Case Officer sign/initial Matthew Porter Date: 30-03-2025

Authorising Officer sign/initial J Hawkes Date: 01.04.2025