Date: 01 October 2025
Our ref: 526815
Your ref: DC/25/0837

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Robert Hermitage
Horsham District Council
Chart Way
Horsham
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BY EMAIL ONLY

Dear Mr. Hermitage,

Planning consultation: Removal of Conditions 1, 8, 13 and 14 of previously approved application DC/21/1689 (Outline application (all matters reserved) for the erection of 2x2 bed semi-detached dwellings, 3x2 bed terraced dwellings and 4x3 bed semi-detached dwellings (9 units in total), provision of parking for 24 vehicles) relating to water neutrality.
Location: Land North of 6 Montpelier Cottages, Old London Road, Washington, West Sussex.

Thank you for your consultation on the above dated 09 September 2025 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

Natural England considers that without appropriate mitigation the application would:

- have an adverse effect on the integrity of Arun Valley Special Area of Conservation, Special Protection Area and Ramsar site *https://designatedsites.naturalengland.org.uk/*.
- damage or destroy the interest features for which Amberley Wild Brooks and Pulborough Brooks Site of Special Scientific Interest has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- The delivery, management and maintenance of any measures identified and considered within your appropriate assessment.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

Habitats Regulations Assessment

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

Further Advice on Mitigation

The proposed development falls within the Sussex North Water Supply Zone (SNWSZ). As set out in Natural England's Advice Note regarding planning applications within the SNWSZ, the existing water supply in the zone cannot be ruled out as contributing to the declines in wildlife within the internationally protected Arun Valley SPA, SAC and Ramsar sites. Ensuring that there is no net increase in water consumption is recognised as a suitable method to rule out potential adverse effects on the integrity of these sites arising from development.

The applicant has undertaken a water neutrality assessment which demonstrates that the proposal will be water neutral and will therefore not result in an adverse effect on the integrity of the Arun Valley designated sites. The submitted documents state that there is no existing water use and the proposed water use will be 2,120 litres per day, following the implementation of water efficient fixtures and fittings.

While we concur with the conclusions of the water neutrality assessment that the proposal achieves neutrality, we have the following comments to make on certain aspects of the assessment.

Proposed Mitigation

Proposed Borehole

We note that the applicant is intending to supply water to the proposed development using a private borehole, which will abstract 3,017 litres of water per day.

As the proposed borehole will abstract less than $20m^3$ per day, there was no requirement for the applicant to engage with the Environment Agency (EA) regarding an abstraction licence. They have however undertaken a hydrogeological assessment and produced a report which contains sufficient information to demonstrate to the satisfaction of your authority that the abstraction can be delivered and secured in perpetuity. This report also demonstrates that the abstraction will not have a significant impact upon other nearby designated sites.

The submitted information confirms that the proposed borehole is not hydrogeologically connected to the Wealden Greensand Semi-Confined aquifer or impacted features of the Arun Valley designated sites. We are therefore satisfied that an adverse effect on the integrity of the Arun Valley sites can be ruled out. We do however advise that the monitoring, management and maintenance of the proposed borehole is secured in perpetuity and should a mains connection be required at any time, water neutrality should be considered appropriately.

Other Advice

In addition, Natural England offers the following advice:

Protected Landscapes

The proposed development is for a site close to a nationally designated landscape namely South Downs National Park.

Natural England has concluded that impacts on the nationally designated landscape and the delivery of its statutory purposes to conserve and enhance the area's natural beauty wildlife and cultural heritage of the park; and to promote opportunities for the understanding and enjoyment of the special qualities of the park by the public, can be determined locally by the local planning authority, with advice from its landscape or planning officers.

Natural England is not confirming that there would not be a significant adverse effect on landscape or visual resources or on the statutory purposes of the area, only that there are no landscape issues which, based on the information received, necessitate Natural England's involvement.

We advise that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below. Your decision should be guided by paragraph 189 and 190 of the National Planning Policy Framework, which requires great weight to be given to conserving and enhancing landscape and scenic beauty within National Landscapes, National Parks, and the Broads and states that the scale and extent of development within all these areas should be limited. Paragraph 190 requires exceptional circumstances to be demonstrated to justify major development within a designated landscape and sets out criteria which should be applied in considering this proposal.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

The relevant local authority landscape or planning officers should be able to advise you based on knowledge of the site and its wider landscape setting, together with the aims and objectives of the area's statutory management plan. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purposes of the National Park are to conserve and enhance the natural beauty wildlife and cultural heritage of the park; and to promote opportunities for the understanding and enjoyment of the special qualities of the park by the public. The Broads have additional purposes to promote their enjoyment by the public and protect the interests of navigation. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm those statutory purposes.

Furthermore, Section 245 (Protected Landscapes) of the Levelling Up and Regeneration Act 2023 places a duty on relevant authorities (which includes local authorities) in exercising or performing any functions in relation to, or so as to affect, land in a National Park, the Broads or a National Landscape (referred to in legislation as an Area of Outstanding Natural Beauty) in England, to seek to further the statutory purposes of the area. The duty applies to local planning authorities and other decision makers in preparing development plans, making planning decisions on development and infrastructure proposals, as well as to other public bodies and statutory undertakers in undertaking their functions. This duty also applies to proposals outside the designated area but impacting on its statutory purposes.

The National Park's planning or landscape officers may be able to offer advice in relation to the duty, including on how the proposed development aligns with and contributes to delivering the aims and objectives of the area's statutory management plan.

Final Comments

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

If you have any queries relating to the advice in this letter please contact me on Hannah.Lee@naturalengland.org.uk.

Should the proposal change, please consult us again.

Yours sincerely,

Hannah Lee
Sustainable Development
Sussex and Kent Area Team