



PLANNING COMMITTEE REPORT

TO: Planning Committee

BY: Head of Development and Building Control

DATE: 17 March 2026

DEVELOPMENT: Outline Planning Application with all matters reserved apart from access for 1no. 4-bedroom dwelling with associated private garden space, car parking and landscaping.

SITE: Abbots Leigh Washington Road Storrington West Sussex RH20 4AF

WARD: Storrington and Washington

APPLICATION: DC/25/1831

APPLICANT: **Name:** Mr David King **Address:** C/O ECE Planning 64-68 Brighton Road Worthing BN11 2EN

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 SITE

1.2 The application site is located within the residential curtilage of 'Abbots Leigh' on the Washington Road. The site is situated around 430 metres outside of the designated Built-Up -Area Boundary of Storrington, bordered on the east and west side by residential dwellings, on the south by the Washington Road and to the north by Sandgate Park Quarry/ Country Park.

DESCRIPTION OF THE APPLICATION

1.3 This application seeks outline planning permission with all matters reserved apart from access for 1no. 4-bedroom dwelling with associated private garden space, car parking and landscaping. The application is a resubmission of DC/24/1965 which was dismissed at Appeal on 06/10/2025.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

- 2.2 The following Policies are considered to be relevant to the assessment of this application:

National Planning Policy Framework:

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 30 - Protected Landscapes
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 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking

Storrington, Sullington and Washington Neighbourhood Plan (2018-2031):

Policy 1 – A Spatial Plan for the Parishes
Policy 8 – Countryside Protection
Policy 14 – Design
Policy 15 – Green Infrastructure & Biodiversity
Policy 17 – Traffic & Transport
Policy 18 – Car Parking

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. 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 must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 1 year. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

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 7: Appropriate Energy Use
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 10: Flooding
Strategic Policy 11: Environmental Protection
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 15: Settlement Coalescence
Strategic Policy 16: protected Landscapes
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 23: Infrastructure Provision
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Strategic Policy 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs
Policy 40: Improving Housing Standards in the District

Planning Advice Notes:

Facilitating Appropriate Development
Biodiversity and Green Infrastructure

2.3 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/24/1965	Outline Application for the erection of 1No. dwelling with associated private garden space, car parking and landscaping with all matters reserved apart from access.	Application Refused on 11.02.2025 Appeal Dismissed on 06/10/2025
DC/05/1614	Conversion of barn to provide one residential dwelling	Application Permitted on 27.01.2006
DC/04/0951	Conversion and extension of barn to provide one dwelling	Application Refused on 06.07.2004

3. OUTCOME OF CONSULTATIONS

- 3.1 Where consultation responses and representations 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.

If you are viewing online the specific application link is
https://iawpa.horsham.gov.uk/PublicAccess_LIVE/SearchResult/RunThirdPartySearch?FileSystemId=DH&FOLDER1_REF=DC/25/1831

INTERNAL CONSULTATIONS

3.2 **HDC Arboricultural Officer:** Comment:-

3.3 The submitted Arboricultural Impact Assessment (AIA), Preliminary Arboricultural Methods Statement (PAMS) and Tree Protection Plan (TPP) are a fair assessment of the tree stock at the site, in terms of form and condition, and of the potential impacts of the development proposals on trees. (Please see former Arb respond for DC/24/1965).

3.4 The scheme meets BS5837:2012 requirements, maintains tree viability, stays within the 20% RPA encroachment threshold and provides justification for the access route, addressing concerns raised in the original holding objection to DC/24/1965. Conditions recommended concerning driveway construction and tree protection measures.

3.5 **HDC Environmental Health:** Comment, as this is an outline applications conditions would be recommended.

OUTSIDE AGENCIES

3.6 **NatureSpace (Great Crested Newts):** Comment: -

3.7 The Applicant is advised to provide an updated walkover to confirm that habitats are the same as previously assessed by an ecological report carried out in 2024. If it is confirmed that habitats remain the same, then if the application looks to be approved then Provision of a precautionary working statement in the form of Reasonable Avoidance Measures (RAMs)/Non-Licensed Method Statement (NLMS) recommended. If the site conditions have changed then the authority may require the applicant to provide further information to confirm that the provision of Reasonable Avoidance Measures (RAMs)/Non-Licensed Method Statement (NLMS) is still adequate. A great crested newt Informative has been provided.

3.8 **Ecology Consultant:** Comment: -

3.9 There is sufficient ecological information to determine the application and confirm that: -

- No further bat surveys are required.
- One dead ash tree (T34) with low bat roost potential will be removed and will require precautionary felling under ecological supervision, together with appropriate compensatory bat roost provision.
- All other trees with bat roost potential will be retained.

3.10 The site lies within the 12km Wider Conservation Area of The Mens SAC, which supports Barbastelle bats. The ecologist advises that potential effects from lighting and habitat severance must be considered through the Council's project-level Habitats Regulations Assessment (HRA). However, with appropriate mitigation, no adverse effect on the integrity of the SAC is anticipated.

3.11 To address this, Place Services supports the implementation of a Wildlife Friendly Lighting Strategy, to be secured by condition, in accordance with Bat Conservation Trust and Institute of Lighting Professionals guidance. This will ensure light levels, spectrum, and orientation do not adversely affect foraging or commuting bats.

- 3.12 The ecologist also supports:
- The Non-Licensed Method Statements for bats, hazel dormouse, common amphibians, reptiles, hedgehog and other protected or priority species contained in the submitted Ecological Appraisal;
 - The proposed biodiversity enhancement measures, which should be secured by condition and delivered through a Biodiversity Enhancement Layout.
- 3.13 With the recommended mitigation and enhancement measures secured by condition, the proposal would not give rise to unacceptable impacts on designated sites, protected species or priority habitats, and would achieve biodiversity net gains, in accordance with national and local policy.
- 3.14 **South Downs National Park Authority (SDNPA):** The SDNPA makes no comment on the principle of development. The site is approximately 5m from the boundary of the National Park, which runs along the south side of Washington Road. The proposed development for outline permission for a dwelling with all matters reserved other than access, would be located in an area where there is pre-existing residential development, and as such the development would likely result in minor impacts on the setting of the National Park.
- 3.15 Development within the setting of a national park should be consistent with the section 245 duty, and Paragraph 189 of the NPPF, which includes specific reference to the setting of National Parks:
- 3.16 **Southern Water:** Comment. If it is the intention of the developer for Southern Water to adopt the proposed SuDS, the system shall be designed and constructed in line with the Design and Construction Guidance www.water.org.uk/sewerage-sector-guidance-approved-documents/.
- 3.17 **WSCC Highways:** Comment. For the current submission, access to the site will be via an existing private slip road that currently serves Abbots Leigh and Abbots Barn. From inspection of WSCC mapping, there are no apparent visibility concerns with the existing point of access onto Washington Road. In addition, the proposals would not be anticipated to give rise to a significant material intensification of use of this existing access point.
- 3.18 An inspection of collision data provided to WSCC by Sussex Police from a period of the last five years reveals no recorded injury accidents attributed to road layout within the vicinity of the site. Therefore, there is no evidence to suggest the existing access has been operating unsafely or that the proposals would exacerbate an existing safety concern.
- 3.19 Whilst approval is only being sought on matters relating to access, the applicant has submitted an indicative site plan, suggesting a driveway providing two parking bays and a double-bay garage is proposed. This would be in accordance with WSCC Parking Standards for a dwelling of this size and location, and full details of proposed car and cycle parking provision would be expected at reserved matters stage. On-site turning appears achievable, allowing cars to exit in a forward gear.
- 3.20 In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.
- 3.21 **WSCC Fire and Rescue Service:** Comment. No objections subject to conditions imposed regarding the installation of a fire hydrant or stored water supply to be approved in writing by WSCC Fire and Rescue Service.

PUBLIC CONSULTATIONS:

- 3.22 Representations:
None received.

- 3.23 Parish Comments: Neutral - the Parish Council would like a response regarding the Golden Crested Newt and further information.

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

Background

- 6.1 A preceding outline application on the site for 'the erection of 1No. dwelling with associated private garden space, car parking and landscaping with all matters reserved apart from access' was refused under ref: DC/24/1965 for the following reasons: -
1. *The proposed development would be sited within an unsustainable location in the countryside, outside of a defined built-up area boundary, and on a site not allocated for housing development within the Horsham District Planning Framework, or a made Neighbourhood Plan. Furthermore, the proposed development is not essential to its countryside location. Notwithstanding the absence of a five-year land housing supply, and the provisions of the National Planning Policy Framework (2021) at paragraph 11(d), it is not considered that there are any material considerations in this instance which would outweigh harm arising from conflict with Policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework (2015) and Policy 1 of the Storrington, Sullington, and Washington Neighbourhood Plan.*
 2. *The proposed new access, due to its siting through the existing native tree belt and positioning within the Root Protection Areas of 5 trees is considered to have an unacceptable impact on the viability of these trees. This would have an unacceptable impact on the character of the street scene as well as an unacceptable impact on the health of these trees, contrary to policies 25, 31 and 33 of the HDPF.*
- 6.2 This decision was subject to an appeal where the Inspector did not agree with the first reason for refusal, with the second reason for refusal withdrawn following the submission of an

Arboricultural Assessment. The appeal was though dismissed solely due to water neutrality not being demonstrated. A copy of this decision is appended to this report and is referenced in the subsequent sections.

Principle of Development:

- 6.3 The site is located outside of the Built-Up-Area boundary and is therefore within a countryside location in policy terms. The proposal relates to the erection of 1no. detached two storey dwelling.
- 6.4 Section 38(6) of the Town and Country Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.5 Policy 1 of the Horsham District Planning Framework (HDPF) (2015) provides that the Council will work proactively with applicants to achieve development that secures socio-economic and environmental benefits. Reflecting the presumption in favour of sustainable development contained within the NPPF the Council will grant permission for development that accords with the relevant policies of the development plan, unless material considerations indicate otherwise.
- 6.6 Paragraph 83 of the NPPF states that "to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby."
- 6.7 The application seeks outline planning permission for one dwelling within the curtilage of Abbots Leigh on Washington Road, Storrington. The site lies outside the defined built-up area boundary and therefore falls within the countryside for the purposes of the Horsham District Planning Framework (HDPF) and the Storrington, Sullington and Washington Neighbourhood Plan.
- 6.8 In policy terms, residential development in such locations is generally restricted by Policies 2, 3, 4 and 26 of the HDPF and Policy 1 of the Neighbourhood Plan, which seek to focus new housing within built-up area boundaries, allocated sites, or other locations specifically identified in the development plan. The proposal does not meet the exceptions set out in Policy 26, and the site does not adjoin a defined settlement edge for the purposes of Policy 4. Accordingly, the proposal constitutes a departure from the spatial strategy of the development plan.
- 6.9 This conflict was considered by the Planning Inspectorate in respect of the same site and proposal under DC/24/1965. This appeal was dismissed solely on the basis of failure to deliver water neutrality. The Inspector expressly found in terms of principle that: -
- The site is not isolated, being located amongst a small cluster of dwellings;
 - It is accessible to services and public transport;
 - It is well contained by existing development and designated land;
 - It makes effective use of previously developed land; and
 - Would not result in unacceptable countryside or settlement character harm.
- 6.10 Critically, the Inspector stated:

"I do not find the site's position outside of the settlement boundary, and thus at odds with the Council's spatial strategy, to be decisive to the outcome of this appeal."

6.11 And:

“When considered in the round, the site is Previously Developed Land and located where occupants would be able to access local services and facilities... this along with the small but important boost in housing supply... weighs heavily in favour of the scheme.”

6.12 The Inspector therefore found that, notwithstanding the conflict with the spatial strategy of the development plan, the site represents a sustainable and acceptable location for housing, particularly in the context of Horsham District’s housing land supply shortfall.

6.13 In this circumstance it is considered there are no reasons to reach a different view on principle to the previous Inspector, and a dwellinghouse on this site in this location is therefore acceptable.

Design and Appearance:

6.14 Policies 25, 32, and 33 of the HDPF promote development that protects, conserves and enhances the landscape character from inappropriate development. Proposal should take into account landscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings.

6.15 Paragraph 135 of the NPPF states that planning decisions should ensure that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting; establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and create places that are safe, inclusive and accessible.

6.16 This is an outline planning application with all matters reserved apart from access. The detailed design and appearance of the new dwelling would be considered at reserved matters stage. However, there is mature boundary screening with limited views in and out of the site and no reasons to believe an appropriate siting, design and layout could not be achieved at reserved matters stage.

Residential Amenity:

6.17 Policy 33 of the HDPF seeks to ensure that development proposals do not result in unacceptable harm to the amenity of nearby occupiers or users of the surrounding land. In this instance, the proposed four-bedroom, two-storey detached dwelling at Wealden Barn has been reviewed in the context of neighbouring amenity.

6.18 This is an outline application with all matters reserved apart from access. The proposed dwelling would be situated on an existing residential garden, set away from neighbouring properties, which limits its potential to cause direct harm to privacy or light. The placement of the building is likely to ensure sufficient separation distances, mitigating concerns about overlooking or overshadowing. The scale and two-storey design of the dwelling, while prominent, are unlikely to result in any adverse impact on neighbouring properties given the spatial relationship between the proposed house and the closest residences.

Access and Highways Impacts:

- 6.19 Policy 40 of the Horsham District Planning Framework states that transport access and ease of movement is a key factor in the performance of the local economy. The need for sustainable transport and safe access is vital to improve development across the district. Policy 41 of the Horsham District Planning Framework states that development that involved the loss of existing parking spaces will only be allowed if suitable alternative provision has been secured elsewhere. Adequate parking facilities must be provided within the developments to meet the needs of the anticipated users.
- 6.20 This application seeks to secure the access point as part of the outline permission. Given the limited scale of the development (one additional dwelling), the use of an existing access, and the absence of any technical objection from the Local Highway Authority, the proposal would not result in a material increase in traffic movements that would prejudice highway safety, the free flow of traffic, or the operation of the local highway network. This view is consistent with the preceding appeal decision on the site.
- 6.21 The development therefore complies with Policies 40 and 41 of the Horsham District Planning Framework and with paragraph 111 of the National Planning Policy Framework

Trees:

- 6.22 The site contains a number of mature trees of amenity value, including trees adjacent to the proposed access and driveway. These matters were previously raised as a reason for refusal by the Council but were addressed during the appeal process through the submission of a detailed Arboricultural Appeal Statement prepared by PJC Consultancy Ltd (Ref: PJC/6801/25-01 Rev –, dated 21 March 2025).
- 6.23 The Inspector confirmed that, subject to conditions, the arboricultural impacts had been satisfactorily resolved and that it was not necessary to consider the matter further. For the current application, the Council's Tree Officer has reviewed the same arboricultural evidence base and has confirmed that the development is acceptable subject to conditions securing:
- A detailed Arboricultural Method Statement (AMS);
 - A no-dig, multi-layer Cellweb TRP driveway construction within root protection areas;
 - Controlled build-up of levels;
 - Approved edging solutions; and
 - Full tree protection and supervision measures.
- 6.24 The recommended conditions require that all works are carried out strictly in accordance with the approved AMS and prohibit any excavation or ground alteration within Root Protection Areas except as expressly permitted by the AMS. These measures ensure that:
- Root systems are protected;
 - Soil structure and aeration are maintained;
 - Construction impacts are fully controlled; and
 - The long-term health and retention of the trees is secured.
- 6.25 With these conditions in place, the proposal would preserve and protect important trees on the site in accordance with Policies 30 and 33 of the Horsham District Planning Framework and BS 5837:2012. There is therefore no arboricultural reason to withhold planning permission.

Ecology

- 6.26 Policy 31 of the Horsham District Planning Framework seeks to ensure that development protects, enhances and where possible creates habitats for biodiversity and contributes

positively to green infrastructure. Paragraphs 180 and 186 of the National Planning Policy Framework (2024) require development to avoid significant harm to biodiversity, mitigate unavoidable impacts, and secure measurable net gains for biodiversity.

- 6.27 The application is supported by a Preliminary Ecological Appraisal (PJC Consultancy Ltd., October 2024) which has been reviewed by the Council's ecological adviser. The site comprises approximately 0.3ha of residential gardens, scattered mature trees, hedgerow and a small area of woodland on the southern boundary. One dead ash tree (T34) and approximately 0.1ha of woodland and hedgerow would be removed, with all other trees and habitat features retained. Replacement native hedgerows, fruit and nut trees and buffer planting are proposed.
- 6.28 The survey confirmed that the outbuilding has negligible bat roost potential and that the only tree to be removed has low bat roost potential (PRF-I). Subject to a precautionary bat working method statement and advance roost compensation, no further bat surveys are required. The Council's ecologist has confirmed that this approach accords with current Bat Conservation Trust and CIEEM guidance.
- 6.29 The site lies within the 12km Barbastelle bat consultation zone for The Mens Special Area of Conservation (SAC) and therefore potential impacts on bat flight lines and functionally linked land must be considered under the Habitats Regulations. Records confirm Barbastelle and other bat species within 2km of the site. While no roosts are affected, light spill could affect bat commuting and foraging routes. Accordingly, a wildlife-sensitive lighting strategy is required, and this matter has been screened into the Stage 2 Appropriate Assessment of the Council's project-level Habitats Regulations Assessment.
- 6.30 With the imposition of conditions requiring a sensitive lighting scheme, bat mitigation, habitat retention and enhancement, the Council's ecologist has confirmed that the development will not give rise to an adverse effect on the integrity of The Mens SAC, either alone or in combination with other plans and projects.
- 6.31 The submitted Ecological Appraisal also identifies the potential presence of Hazel Dormouse, reptiles, amphibians and other Priority species. Appropriate non-licensed precautionary working method statements and the appointment of an Ecological Clerk of Works (ECoW) are proposed to ensure that harm is avoided during construction. These measures will be secured by condition.
- 6.32 In addition, a Biodiversity Enhancement Layout will be required at Reserved Matters stage to secure delivery of the proposed habitat creation and species-specific enhancements in accordance with the NPPF and Policy 31.
- 6.33 On this basis, the Local Planning Authority is satisfied that there is sufficient ecological information to determine the application and that, subject to conditions, the proposal would comply with Policy 31 of the HDPF, paragraphs 180 and 186 of the NPPF (2024), and the Council's statutory duties under the Conservation of Habitats and Species Regulations 2017 and Section 40 of the Natural Environment and Rural Communities Act 2006.

Water Neutrality:

- 6.34 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.

- 6.35 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.
- 6.36 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.
- 6.37 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 of October 2025, will not exceed 3,240,000 litres per day.
- 6.38 It is considered that the water consumption at the site can be controlled by condition limiting water to 110 litres per person per day. As such, a s106 Legal Agreement is no longer required to secure water neutrality.
- 6.39 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 paragraph 193 of the NPPF.

Biodiversity Net Gain (BNG)

- 6.40 Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG) unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024).
- 6.41 The Applicant has demonstrated that the development is exempt from the requirement to achieve a minimum 10% BNG by reason of:
- The development qualifies as 'self-build or custom housing' under Regulation 8 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024

Conclusions and Planning Balance

- 6.42 The proposed development comprises a single four-bedroom detached dwelling within the curtilage of Abbots Leigh. The proposal has been assessed against the Horsham District Planning Framework (HDPF), the Storrington, Sullington and Washington Neighbourhood Plan, national planning policy, consultee responses, and the material consideration of the Planning Inspectorate's decision for a preceding application on the site.
- 6.43 It is acknowledged that the site lies outside the defined Built-Up Area Boundary and therefore conflicts in principle with Policies 2, 3, 4 and 26 of the HDPF and Policy 1 of the

Neighbourhood Plan, which seek to focus new housing within settlement boundaries, allocated sites, or specific countryside exceptions. The proposal therefore represents a departure from the spatial strategy of the development plan.

- 6.44 However, Horsham District Council is unable to demonstrate a five-year supply of deliverable housing land, with the most recent evidence confirming a supply of only 1.7 years. In these circumstances, paragraph 11(d) of the National Planning Policy Framework is engaged, and the presumption in favour of sustainable development applies unless there is a strong reason for refusal.
- 6.45 The principle of development on this site has already been comprehensively assessed by the Planning Inspectorate in respect of the same proposal. The Inspector found that, notwithstanding the conflict with settlement boundary policies, the site represents a sustainable and acceptable location for housing, having regard to:
- The site's containment between existing dwellings and designated land;
 - Its previously developed status;
 - Its accessibility to services and public transport;
 - The absence of countryside, landscape or settlement character harm; and
 - The contribution to housing supply in a severe shortfall context.
- 6.46 The Inspector expressly concluded that the site's position outside the built-up area boundary was not decisive, and that the proposal performed well in planning terms. The appeal was dismissed solely because water neutrality mitigation was not legally secured.
- 6.47 Following the withdrawal of Natural England's Position Statement, that deficiency has now been resolved through a condition requiring the dwelling to achieve a maximum internal water consumption of 110 litres per person per day, ensuring compliance with the Council/Natural England's updated water neutrality methodology and the Habitats Regulations. As a result, the proposal no longer gives rise to any adverse effect on the Arun Valley SPA, SAC or Ramsar site.
- 6.48 There are no outstanding technical objections. The Local Highway Authority raises no concerns in respect of access or highway safety, and the Council's Tree Officer confirms that the development is acceptable subject to detailed Arboricultural Method Statement and tree protection conditions, securing the long-term health and retention of important trees on the site.
- 6.49 The development would deliver an additional dwelling in a District experiencing a significant housing shortfall. While small in scale, such windfall sites are expressly recognised by national policy as an important and effective means of boosting housing delivery, particularly where they can be delivered quickly and without strategic infrastructure.
- 6.50 In the absence of any technical harm, environmental harm, highway harm, arboricultural harm or Habitats Regulations conflict, there is no longer any strong reason to disapply the presumption in favour of sustainable development.
- 6.51 When the development is considered in the round, and in light of the Inspector's findings on the same proposal, the benefits of the scheme — including the contribution to housing supply, efficient use of land, and sustainable location — outweigh the identified policy conflict arising from its position outside the built-up area boundary.
- 6.52 Accordingly, the proposal is considered acceptable in planning terms and should be granted planning permission, subject to appropriate conditions.

7. RECOMMENDATIONS

7.1 To approve the application subject to the following conditions:

1. A list of the approved plans

2. **Standard Time Condition:**

- a) Approval of the details of the layout of the development, the scale of each building, the appearance of each building and the landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
- b) Plans and particulars of the reserved matters referred to in condition (a) above, relating to the layout of the development, the scale of each building, the appearance of each building, and the landscaping of the development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved. C
- c) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.
- d) The development hereby permitted shall begin either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development

3. **Pre-Commencement Condition:** No development shall commence until a scheme for the disposal of foul and surface water has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented 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 until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:

- site access arrangements,
- parking and loading for contractors,
- dust, noise and vibration control measures,
- site contact details.

Construction shall be carried out in accordance with the approved CEMP.

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).

5. **Pre-Commencement Condition:** Prior to the commencement of the development a fire hydrant or alternative fire-fighting water supply shall be provided in accordance with West Sussex Fire and Rescue Service guidance.

Reason: To ensure adequate fire-fighting infrastructure in accordance with HDPF Policies 33 and 39 and paragraph 135 of the NPPF (2024).

6. **Pre-Commencement Condition:** No development above ground floor slab level shall take place until an environmental noise survey has been submitted to and approved in writing by the Local Planning Authority.

If noise levels are calculated to result in internal noise levels exceeding those quoted in BS8233:2014, then a scheme of noise and vibration attenuation and ventilation sufficient to prevent overheating and maintain thermal comfort shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include acoustic performance details of the building facades and glazing and shall achieve the habitable room standards as detailed in BS8233:2014 with no relaxation for exceptional circumstances and appropriate consideration of L_{Amax}. Any mechanical ventilation shall be designed and installed in accordance with the ANC Acoustics Ventilation and Overheating: Residential Design Guide 2020.

The development shall be carried out in accordance with the agreed details and shall be retained as such thereafter.

Reason: To ensure an acceptable standard of accommodation for future occupants and to accord with Policies 32 and 33 of the Horsham District Planning Framework (2015).

7. **Pre-Occupation Condition:** The development hereby permitted shall not be first occupied until a scheme demonstrating that outdoor amenity space will achieve ≤55dB LA_{eq} (16hr) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details prior to first occupation and shall be retained as such thereafter.

Reason: To ensure an acceptable standard of accommodation for future occupants and to accord with Policies 32 and 33 of the Horsham District Planning Framework (2015).

8. **Regulatory Condition:** All works shall be executed in full accordance with the Arboricultural Impact Assessment / Method Statement (prepared by PJC Consultancy and dated October 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).

9. **Regulatory Condition:** The construction of the new access and driveway shall be carried out strictly in accordance with the Arboricultural Method Statement (AMS) and technical details set out within the Arboricultural Appeal Statement (PJC Consultancy, Ref: PJC/6801/25-01 Rev –, dated 21 March 2025). The approved AMS shall be adhered to in full and shall include, but not be limited to:

- (a) the no-dig, multi-layer Cellweb TRP construction;
- (b) the specified build-up above existing ground levels and prohibition of excavation within RPAs;
- (c) the method of raising the existing driveway to tie into the no-dig surface;
- (d) the agreed edging solutions; and
- (e) all tree protection measures, and any soil improvement works.

No variation, excavation, or ground alteration within the RPAs of retained trees shall take place other than as expressly set out in the AMS.

Reason: To ensure the protection and long-term health of retained trees, in accordance with Policy 33 of the Horsham District Planning Framework (2015) and BS 5837:2012.

10. **Regulatory Condition:** All mitigation and precautionary measures set out in the Preliminary Ecological Appraisal (PJC, October 2024) shall be implemented in full. This includes the non-licensed Precautionary Method Statement for Hazel Dormouse, common amphibians and reptiles in Appendix VI and the Precautionary Method Statement for mobile protected and Priority species in Sections 4.6.39 to 4.3.79 of the Preliminary Ecological Appraisal (PJC Consultancy Ltd., October 2024).

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (as amended) and Policy 31 of the Horsham Development Framework.

11. **Regulatory Condition:** The dwellings 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 and to ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policies 31 and 37 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2024), 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

Statutory Biodiversity Net Gain Requirement

In accordance with Schedule 7A of the Town and Country Planning Act 1990, this planning permission is subject to the statutory biodiversity gain condition. Development must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the Local Planning Authority, and
- (b) the Local Planning Authority has approved the Plan.

For outline permissions, the Biodiversity Gain Plan will normally be prepared and submitted at or prior to commencement following approval of the Reserved Matters, when the site layout, landscaping and areas of habitat loss and creation have been finalised.

Guidance on the content of a Biodiversity Gain Plan can be found at: [Submit a biodiversity gain plan – GOV.UK](#). Statutory exemptions and transitional arrangements are set out in the Planning Practice Guidance (Paragraph 003, Reference ID 74-003-20240214).