Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/25/0222
Phase 3H Kilnwood Vale Development Site, Crawley Road, Faygate, West Sussex,

DESCRIPTION:
Approval of Details Reserved by Condition 2 of approved application DC/23/1349

RELEVANT PLANNING HISTORY:

DC/23/1349	Reserved Matters Approval sought for Access, Appearance, Landscaping, Layout and Scale (in accordance with outline approval DC/15/2813) for sub-phase 3H of the Kilnwood Vale development, comprising 69 dwellings with associated landscaping and parking.	Application Permitted on 27.02.2025

PLANNING ASSESSMENT
Planning Application DC/23/1349 was granted consent on 27.02.2025. Consent is sought to discharge the details reserved by condition 2. The application originally included details reserved by condition 5. The applicant is no longer is seeking to approve the details of condition 5 (as confirmed by email). As such, reference to condition 5 has been removed from the description.

Condition 2:
Pre-Commencement Condition: No development shall commence until either:
i. Details have been submitted to and been approved in writing by the Local Planning Authority confirming that the necessary credits to achieve water neutrality have been secured via the Sussex North Offsetting Water Scheme; or
ii. A site-specific water neutrality mitigation scheme has been submitted to and been approved in writing by the Local Planning Authority. The site-specific water neutrality mitigation scheme shall include full details of the means of any and all onsite and offsite mitigation and any necessary agreements pursuant to S106 of the Town and Country Planning Act 1990 to deliver and secure the approved mitigation; and
iii. The development shall not be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority confirming that the approved site-specific water neutrality mitigation scheme has been fully implemented. The approved mitigation shall thereafter be retained, maintained and operated to the same or better water performance standard; or
iv. The Local Planning Authority have confirmed in writing that it is no longer necessary for the development to demonstrate water neutrality.

Reason: To ensure the development is water neutral 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), Paragraphs 193 and 194 of the National Planning Policy Framework (2024), its duties under the Conservation of Habitats and Species Regulations2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

The applicants are seeking to agree that part iv) of the condition is satisfied.

On 31st October 2025 Natural England formally withdrew its 2021 Position Statement which first introduced the requirement for water neutrality, citing a package of measures that they were satisfied would safeguard the affected 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 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.

The requirements of the condition 2(iv) have therefore been satisfied.

Recommendation: Application 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: DISC/25/0222
(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	Email from agents		28.02.2025

DELEGATED

Case Officer sign/initial Jason Hawkes Date: 01.12.2025

Authorising Officer sign/initial Adrian Smith Date: 01/12/2025