Planning Statement

Section 73 application – variation of conditions on DC/19/1690

11 East Street, Rusper

Horsham, West Sussex RH12 4RB

prepared by

WPS Planning

Planning Statement
11 East Street

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Date:	October 2026
Reference:	207/2026

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1.0 INTRODUCTION

1.1 This statement supports a Section 73 application to vary conditions 1 & 3 attached to planning permission DC/19/1690 for a detached dwelling at land at 11 East Street, Rusper, Horsham, West Sussex.

1.2 The application seeks approval for roof-mounted photovoltaic panels, changes to fenestration and replacement of the southern surface water attenuation arrangement with a soakaway north of the dwelling. Conditions 1 and 3 are the principal conditions engaged.

1.3 The purpose of the application is to reconcile the planning drawings with the detailed design now intended for construction. Preparation of Building Regulations information has prompted the proposed refinements, but technical design development does not itself amend planning permission. The Council is therefore being asked to determine the planning effects of the changes and to identify the drawings and drainage arrangements that may be implemented.

1.4 The proposed renewable energy provision has a clear planning benefit. The changes are capable of support in principle, provided that the detailed design protects neighbouring amenity and the historic environment, and technical evidence establishes that the revised drainage system will operate effectively.

1.5 The planning case focuses on how the proposed additions and alterations relate to the authorised development, the surrounding residential properties and the character of East Street.

2.0 SITE AND PLANNING HISTORY

2.1 Horsham District Council granted permission on 12 December 2019 for "Erection of a detached two storey dwelling with associated parking." The permission contains 16 conditions. Condition 1 identifies the approved drawings; condition 3 requires approval of foul and surface water drainage details and implementation in accordance with the approved scheme.

2.2 On 27 May 2025 the Council approved details pursuant to conditions 5 and 6 under reference DISC/25/0110. The decision lists materials and a Part G Compliance Report received on 1 April 2025. It confirms those approvals only; it does not itself vary the approved plans, waive other conditions or establish a fresh commencement period.

2.3 On 24 November 2022, Horsham District Council approved details pursuant to conditions 3 and 4 of planning permission DC/19/1690 under application DISC/22/0287. The approval addressed foul and surface water drainage and construction management arrangements. This decision establishes the approved drainage strategy against which the proposed replacement of the southern attenuation arrangement with a northern soakaway should be assessed. The present Section 73 application therefore seeks to revise previously approved drainage details, with the replacement strategy requiring technical justification and appropriate approval.

3.0 PLANNING POLICY CONTEXT

3.1 The relevant adopted local planning framework comprises the Horsham District Planning Framework 2015 and the Rusper Neighbourhood Plan. The Section 73 application should be considered against the relevant development plan policies, taking account of the National Planning Policy Framework and other material considerations. The assessment focuses on the proposed solar panels, fenestration amendments and revised surface water drainage arrangements.

3.2 HDC Policy 32 (The Quality of New Development) seeks development of a high design standard that responds appropriately to its surroundings. Policy 33 (Development Principles) addresses the relationship between development, local character and neighbouring amenity. These policies are relevant to the appearance of the photovoltaic panels, the composition and detailing of the revised fenestration, and the protection of neighbouring privacy.

3.3 Policy 34 (Heritage Assets and Managing Change within the Historic Environment) requires appropriate consideration of heritage significance and the effects of development within the historic environment. The proposed external alterations should therefore respect the dwelling's traditional architectural treatment and its contribution to the surrounding townscape. Rusper Neighbourhood Plan Policy RUS3 provides further local design guidance, supporting development that responds positively to the character of the village.

3.4 Policy 35 (Climate Change) supports measures that mitigate and adapt to climate change. Policy 36 (Appropriate Energy Use) promotes appropriate energy use and renewable and low-carbon energy provision, while Policy 37 (Sustainable Construction) seeks improvements in the sustainability of development. These policies provide support for incorporating photovoltaic

panels into the permitted dwelling.

3.5 Policy 38 (Flooding) requires development to address flood risk and provide appropriate drainage arrangements. Read alongside Policies 35 and 37, it supports sustainable surface water management that responds to site conditions and avoids increasing flood risk elsewhere. These policies are relevant to the proposed replacement of the approved attenuation arrangement with a northern soakaway.

3.6 The National Planning Policy Framework supports well-designed development, renewable and low-carbon energy, the conservation of the historic environment and effective management of flood risk. The proposed amendments should be assessed against these objectives together, recognising the benefits of renewable energy while ensuring that design, amenity and drainage requirements are satisfactorily addressed.

4.0 ASSESSMENT

Solar panels and fenestration

4.1 The photovoltaic panels and fenestration changes are considered acceptable refinements to the permitted dwelling. The panels support HDC Policies 35, 36 and 37 through the provision of renewable electricity, while their appearance and the fenestration amendments fall to be considered under Policies 32, 33 and 34 and Rusper Neighbourhood Plan Policy RUS3. These policies provide a positive basis for accommodating sustainable technology and sympathetic changes to the detailed design of the approved residential development.

4.2 The photovoltaic panels would improve the dwelling's environmental performance by generating renewable electricity at the point of use. This would make a practical contribution towards reducing reliance on electricity generated from fossil fuels and supporting lower-carbon housing. Although no specific electricity output or carbon saving is claimed, domestic renewable generation

represents a clear planning benefit consistent with local and national energy and climate change objectives.

4.3 The panels would be incorporated into the pitched roof slopes and remain visually associated with the dwelling. The traditional brickwork, tile hanging, gables and chimneys would continue to define the building's architectural character. The installation would introduce a functional contemporary element into that composition while retaining the principal materials and features that establish the dwelling's appearance.

4.4 A restrained panel and frame finish, limited projection above the roof covering and discreet routing of associated cabling would reinforce the visual acceptability of the installation. These details would help the panels sit comfortably within the roofscape and respect the surrounding historic environment. With suitable detailing secured, the panels are considered a proportionate addition that balances renewable energy benefits with the design and heritage objectives of Policies 32, 33 and 34.

4.5 The fenestration amendments retain a traditional approach through Georgian-style window divisions and openings related to the composition of the elevations. The revised arrangement is considered compatible with the dwelling's architectural treatment and provides an opportunity to coordinate its external appearance with the internal layout. Consistent window detailing would maintain a coherent appearance across the elevations and complement the brickwork and tile hanging.

4.6 Residential amenity safeguards can be maintained through the existing requirements for obscure glazing and restricted opening of the relevant first-floor side windows. The requirement for flush casements should also be retained to preserve the intended architectural quality. The relationship of altered openings and rooflights to neighbouring windows and gardens should be confirmed so that the privacy safeguards remain effective. With these

controls secured, the fenestration changes are considered acceptable in design and amenity terms.

4.7 Taken together, the solar panels and fenestration amendments would improve the sustainability and refine the detailed appearance of the permitted dwelling. Subject to appropriate installation details and the retention of architectural and privacy safeguards, these elements are considered in line with the relevant local and national planning policies.

Drainage

4.8 The proposed drainage amendment should be assessed against HDC Policy 38, supported by the climate adaptation and sustainable construction objectives of Policies 35 and 37. These policies, together with national planning policy, seek effective surface water management without increasing flood risk elsewhere. The principal consideration is whether the northern soakaway can provide a satisfactory replacement for the approved southern attenuation arrangement.

4.9 On 24 November 2022, Horsham District Council approved details pursuant to conditions 3 and 4 of planning permission DC/19/1690 under application DISC/22/0287. The approved document schedule includes the Environmental Assessment Services Ltd Drainage Strategy dated June 2022 and site plan 1917/03 revision A. This decision establishes the approved drainage solution against which the proposed amendment should be assessed.

4.10 The approved strategy provides for approximately 5.2 cubic metres of attenuation storage, with discharge controlled to 2 litres per second to the public surface water sewer. Its calculations considered a 1-in-100-year rainfall event with a 40 per cent climate change allowance. The northern soakaway would change the means of disposal from controlled discharge to infiltration into the ground. It therefore requires assessment as a different drainage solution, rather

than simply a relocation of the approved storage chamber.

4.11 The proposed surface water drainage arrangement accords with the amended details provided to HDC Building Control, which has confirmed that the proposed soakaway and its location are acceptable. This confirmation provides positive support for the drainage amendment sought through the Section 73 application.

4.12 The revised site plan identifies separation distances from the dwelling and surrounding boundaries, providing a basis for further design. Site-specific infiltration testing, groundwater information and drainage calculations are nevertheless required to establish adequate capacity and reliable operation. The design should also demonstrate appropriate levels, safe exceedance routes and maintenance access. The approved attenuation calculations cannot validate the soakaway because the two systems discharge water differently.

4.13 The drainage amendment can be supported where this evidence demonstrates that the northern soakaway would operate effectively without increasing flood risk on or off the site. An acceptable replacement strategy would accord with Policies 35, 37 and 38 and national sustainable drainage objectives. Until that evidence is available, the June 2022 report supports the approved attenuation solution and does not establish the suitability of the proposed soakaway.

5.0 CONCLUSION

5.1 The application seeks targeted amendments to the permitted dwelling through photovoltaic panels, revised fenestration and a change to the surface water drainage arrangements. The policy framework set out in Section 3 supports sustainable development and sympathetic design changes, subject to protection of local character, neighbouring amenity and effective management of flood risk.

5.2 As assessed in Section 4, the photovoltaic panels would deliver renewable

electricity and improve the dwelling's environmental performance. The fenestration amendments would retain a traditional architectural approach, with appropriate detailing and privacy safeguards capable of being secured through the planning conditions. These elements are considered acceptable and in line with the relevant local and national planning policies.

5.3 The proposed northern soakaway requires further technical evidence to demonstrate that it can satisfactorily replace the drainage strategy approved under DISC/22/0287. The principle of sustainable surface water management is supported, but the revised design must address the ground conditions identified in the June 2022 report and demonstrate that flood risk would not increase.

5.4 A favourable determination is therefore sought, subject to satisfactory resolution of the drainage evidence and the detailed design controls identified in Section 4. Once these matters are secured, the amendments would provide an acceptable basis for varying the relevant conditions while retaining the necessary design, amenity and drainage safeguards.