



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0791

Wychwood, Faircox Lane, Henfield, West Sussex, BN5 9PD

DESCRIPTION:

Removal of Condition 7 of previously approved application DC/24/1734 (Demolition of existing dwelling, garage & physiotherapy pool room and erection of a replacement dwelling with physiotherapy pool building) relating to water neutrality. Variation of Condition 1 of DC/24/1734 for amendments to width, pool siting, fenestration and materials.

RELEVANT PLANNING HISTORY:

DISC/25/0238	Approval of details reserved by conditions 3, 4, 5 and 7 to approved application DC/24/1734	Application Permitted on 24.10.2025
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DESCRIPTION OF THE SITE

The application site is situated on the western side of Faircox Lane. The main property is a detached chalet bungalow with an attached single garage, a carport, a pool house to the front of the property and a lengthy driveway. The main dwelling has a rear dormer window and rooflights to the side as well as the front roof elevation. The site has a long front garden and a sunken rear garden at a lower level to the property. The site is well screened by hedgerows and mixed vegetation.

The application site is located within the built-up area boundary of Henfield. However, the site does not fall within a Conservation Area nor is the main property a listed building.

DESCRIPTION OF THE APPLICATION

The proposal seeks planning permission for the removal of Condition 7 of previously approved application DC/24/1734 (Demolition of existing dwelling, garage & physiotherapy pool room and erection of a replacement dwelling with physiotherapy pool building) relating to water neutrality. Variation of Condition 1 of DC/24/1734 for amendments to width, pool siting, fenestration and materials.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 25 - Strategic Policy: The Natural Environment and Landscape Character

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 41 – Parking

Henfield Neighbourhood Plan 2017 - 2031

Policy 12 – Design standards for new development

Horsham District Local Plan (2023-40) (Regulation 19):

Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
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 13: The Natural Environment and Landscape Character
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 25: Parking

Parish Design Statement:

Henfield Parish Design Statement Supplementary Planning Document – December 2008

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:

HDC Arboricultural officer: No Arboricultural concerns are raised with the Removal of Condition 7 or with the variation of Condition 1 of DC/24/1734.

Newt Officer: The proposed development is not considered to be relevant to the District Licensing Scheme in this case and we consider there would be no likely impact on great crested newts or their habitats. I therefore have no comments to make at this time. If the proposal changes, then please seek further advice from me as required.

HDC Environmental Health: We have reviewed the above application and have no objections to the removal of condition 7. As the water was to be imported from outside of the Sussex North Water Resource Zone, there is no active private water supply for Environmental Health to monitor or decommission.

Ecology Consultant:

Condition 1 - We have no comments on this condition as it does not relate to ecology.

Condition 7 - In Natural England's view the package of ecological resilience measures and proposed licence amendments provides certainty that development in the Sussex North Water Supply Zone (SNWSZ) will not have a likely significant effect on the Arun Valley sites in line with the Habitats Regulations. The long-term solution set out by Natural England and the assessment confirming that development in the SNWSZ will not have a likely significant effect on the Arun Valley Sites means that Natural England has decided to withdraw its September 2021 Position Statement.

Therefore, we support the removal of Condition 7 because it is no longer necessary.

Southern Water: Following a review of the documents submitted Southern Water has no objections to the removal of Condition 7(Water Neutrality) and the variation of Condition 1(Plans).

WSSC Highways: From inspection of the plans, the proposed amendments are not related to highways, with vehicle access and parking arrangements remaining as previously approved. As such, no highway safety or capacity concerns would be raised to the proposed amendments.

WSSC Rights of Way: I understand this application to be for the removal of Condition 7 and the variation of Condition 1 of the previously approved application DC/24/1734. Based on the documentation provided, there is no indication that this would impact Public Right of Way Footpath 2553. Therefore, I raise no objection.

PUBLIC CONSULTATIONS:

Representations:

None received.

Parish Comments:

Henfield Parish Council: Raised no objection.

Member Comments:

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

Background

Planning permission was granted in 2025 for the demolition of existing dwelling, garage & physiotherapy pool room and erection of a replacement dwelling with physiotherapy pool building under application reference DC/24/1734.

The current application proposes to vary condition 1 to substitute the plans with new plans that show the following amendments to the approved scheme:

- Removal of the physio swimming pool from the front of the house and its relocation to the side of the house;
- Reduction in the width of the house by 1m to the front part of the southern wall adjacent to the hall / stairway;
- Alteration to the front door / porch arrangement;
- Alteration to the number and size of windows in the southern side elevation from three windows to two high level windows; and
- A change of materials to the southern and northern side elevations from render to brick .

Furthermore, the proposal seeks to remove condition 7 attached to approved planning permission reference DC/24/1734 relating to water neutrality restrictions:

- 7. *Pre-Occupation Condition:*** *The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (dated June 2024). The swimming pool hereby permitted shall not be first used (through its filling with water) until details setting out how water*

will be provided to the site have been submitted to and approved in writing by the Local Planning Authority. The details shall set out measures to ensure the swimming pool sources water by way of delivery without placing additional demand on the mains water supply. The swimming pool shall thereafter be filled in accordance with the agreed details, which shall be adhered to thereafter.

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 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

There have been no material changes in circumstances since the planning application was originally approved and the principle of development remains acceptable. The key considerations raised by the proposed amendments are set out below.

Design and Appearance:

Policies 25, 32 and 33 of the HDPF promote development that is of a high-quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. The landscape character of the area should be protected, conserved and enhanced, with proposals contributing to a sense of place through appropriate scale, massing and appearance.

Policy 12 of Henfield Neighbourhood Plan aims to maintain that the design standards for new development that are of appropriate to their scale, nature and location development proposals will be supported where their design and detailing meet the relevant requirements in the Henfield Parish Design Statement. In addition, as appropriate to the site concerned, development proposals should comply with the following criteria:-

- a. The design respects the amenities of occupiers/users of nearby property and land.
- b. The design achieves satisfactory access without harming the amenities of neighbouring properties and residents.
- c. The scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing buildings, are of a high quality and reflect the architectural and historic character and the scale of the surrounding buildings and street-scene/landscape.
- d. The design preserves or enhances the character or appearance of the Henfield Conservation Area and/or preserves any adjacent listed buildings and its setting.

The proposed amendments to the approved scheme are considered to be modest in nature and would not seek to significantly alter the scale, form or design of the previously approved scheme. The re-location of the front pool building to the side of the main dwelling would be an improvement and the resultant dwelling would be better positioned in the site. The proposed alterations are considered to be appropriate and would not have an adverse impact on either the character of the site or wider surrounding area. The visual impact of the proposal is therefore considered acceptable and in accordance with the above policies.

Residential Amenity:

Policy 33 states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.

It is considered that the proposed amendments to the approved scheme would not have a detrimental impact on neighbouring amenity beyond that of the previous approval. In fact, the proposed amendment would improve the built form relationship with the immediate neighbouring properties. The amenity impacts are therefore considered acceptable and in accordance with the above policy.

Water Neutrality:

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.

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.

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 considers by removing condition 7 of the approved planning permission DC/24/1734 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. It is however considered reasonable and necessary to impose a condition limiting water consumption at the development to 110 litres per person per day. This would be subject of a regulatory condition.

Biodiversity Net Gain (BNG):

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) and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

The Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool, and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains (on unregistered sites) and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

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:

The proposal is considered to comply with relevant local and national planning policies and is therefore recommended for approval.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

It is considered that this development constitutes CIL liable development.

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	253.7	126.6	127.1
	Total Gain		127.1
	Total Demolition		126.6

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

Recommendation: Application Permitted

Conditions:

2 Not Used

3 **Regulatory Condition:** The development hereby approved shall be implemented in accordance with the tree protection measures approved under application ref: DISC/25/0238. Such protective measures shall remain in place throughout the duration of the development to the satisfaction of the Local Planning Authority.

The Local Planning Authority Tree Officer shall be informed of the proposed date of commencement, at least one working week in advance, to allow inspection of protection measures.

Reason: To ensure the successful and satisfactory protection of important trees on the site in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).

4 **Regulatory Condition:** The development hereby approved shall be implemented in accordance with the Biodiversity Enhancement Layout details approved under application ref: DISC/25/0238. All features shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under paragraph 187d of the NPPF 2024 and s40 of the NERC Act 2006 (as amended).

5 **Regulatory Condition:** The development hereby permitted shall take place in accordance with the specifications and locations set out in the lighting design scheme approved under application ref: DISC/25/0238. All approved external lighting shall be maintained thereafter in

accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (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.

- 6 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the cycle parking facilities serving it have been provided either on the side or rear garden for that dwelling. The facilities shall thereafter be retained for use at all times. The cycle parking facilities shall thereafter be retained as such for their designated use.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 7 Not Used.

- 8 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling has been provided within the garage or side or rear garden for that dwelling (or use). The facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of refuse and recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 9 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a fast charge electric vehicle charging point for that dwelling has been installed. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

- 10 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabits per second through full fibre broadband connection has been provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

- 11 **Regulatory Condition:** The dwelling hereby permitted shall meet the requirement of Policy 37 of the Horsham District Planning Framework 2015 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 in accordance with Policy 37 of the Horsham District Planning Framework (2015), and 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), Paragraph 193 of the National Planning Policy Framework (2024), and to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

- 12 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 13 **Regulatory Condition:** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Bat Emergence and Activity Survey Report (CT Ecology, September 2024) and Preliminary Ecological Appraisal & Preliminary Bat Roost Assessment (CT Ecology, September 2024), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the non-licensed Precautionary Method Statement for bats in Section 5.3 of the Bat Emergence and Activity Survey Report (CT Ecology, September 2024), which avoids impacts on European Protected Species.

This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

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 2017 (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.

- 14 **Regulatory Condition:** All works of demolition, construction and ancillary activities, including deliveries and dispatch, shall be restricted to 08:00-18:00 hours on Monday to Friday, from 08:00 to 13:00 hours on Saturdays and at no time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 15 **Regulatory Condition:** All site clearance waste and construction waste shall be removed from site by an appropriately licensed waste removal contractor including all asbestos waste. No burning of demolition, construction, site clearance or other materials shall be undertaken on site

Reason: To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

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/26/0791

Schedule of plans/documents **approved:**

Plan Type	Description	Drawing Number	Received Date
Floor plan	Proposed ground	2.03 REV B	15.05.2026
Site plan	Proposed	2.02 REV A	15.05.2026
Location & Block plan		2.02	15.05.2026

Supporting Statement	Planning	NONE	15.05.2026
Elevation plan	Proposed	2.05 REV B	15.05.2026
Floor plan	Proposed first and roof	2.04 REV A	15.05.2026
Floor plan	Proposed ground	2.03	15.05.2026
Site plan	Proposed	2.02	15.05.2026
Elevation plan	Proposed	2.05	15.05.2026
Floor plan	Proposed first and roof	2.04	15.05.2026
Supporting Docs	Biodiversity Enhancement Layout		29.07.2025
Supporting Docs	Hedge Planting Detail	PD6 4	29.07.2025
Supporting Docs	Pool Water Supplier Letter		24.09.2025
Supporting Statement	Bat Emergence and Activity Survey Report by CT Ecology dated 16.09.2024	24033	07.11.2024
Supporting Statement	Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment by CT Ecology dated 01.09.2024	24033	07.11.2024

DELEGATED

Case Officer sign/initial Halima Chowdhury Date: 03.07.2026

Authorising Officer sign/initial RHERMITAGE Date: 06.07.2026