



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0836

Land North Of The Rise, Partridge Green, West Sussex, RH13 8JB

DESCRIPTION:

Removal of Condition 14 of previously approved application DC/22/0301 (Outline Application for redevelopment of the site to provide up to 55 dwellings, ancillary parking and associated infrastructure with all matters reserved except access) relating to water neutrality.

RELEVANT PLANNING HISTORY:

DC/22/0301	Outline Application for redevelopment of the site to provide up to 55 dwellings, ancillary parking and associated infrastructure with all matters reserved except access	Application Refused on 28.02.2023 Appeal allowed 27.05.2025
DC/26/0835	Reserved matters approval for appearance, landscaping, layout and scale for 55 residential dwellings and associated infrastructure pursuant to outline planning permission ref DC/22/0301 for redevelopment of the site to provide up to 55 dwellings, ancillary parking and associated infrastructure with all matters reserved except access *Not an Environmental Impact Assessment Application.	Pending

DESCRIPTION OF THE SITE

The site currently comprises some 2.3 hectares of agricultural pastureland but gained Outline planning permission on 27 May 2025 (ref. APP/Z3825/W/23/3324144) for 55 dwellings, ancillary parking and associated infrastructure. There is currently a Reserved Matters application being considered by the Council under reference DC/26/0835 however this remains undecided.

DESCRIPTION OF THE APPLICATION

Following the formal withdrawal of the Natural England Position Statement on 31st October 2025, the applicant seeks the removal of Condition 14 which requires either the submission of a site-specific water neutrality mitigation scheme or confirmation that credits have been secured via the Sussex North Offsetting Water Scheme.

The proposal therefore forms a s73 amendment to remove Condition 14 of permission DC/22/0301. Currently, this condition reads:

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.*

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 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
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 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding

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 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 11: Environmental Protection
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

Supplementary Planning Guidance:

Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Planning Advice Notes:

Shaping Development in Horsham District
Biodiversity and Green Infrastructure

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:

Representations:

4 letters of Objection have been received from 3 addresses, objecting to the application on the following grounds:

- There is insufficient water to supply the proposed dwellings.
- Condition 14 should remain in place until such time that a new reservoir is built otherwise likely pressure on supply leading to hosepipe bans and dependence on bottled water.
- Current weather patterns leads to a higher water use per capita.

No letters of support have been received.

Parish Comments:

West Grinstead Parish Council: No comment

No comment although the Council are disappointed to note these conditions have been withdrawn.

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

Water Neutrality:

The 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 site. 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. Condition 14 of consent DC/22/0301 was applied to ensure this development would be water neutral. An appropriate assessment was undertaken at the time to ensure compliance with the Habitats Regulations.

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 10th 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.

Although it is noted that objections have been received from members of the public relating to matters of water availability, the Council is unable to pursue water saving measures beyond that required to achieve 110 litres/person/day as dictated by local policy now that Natural England's Position Statement has been withdrawn. To ensure compliance with Local Policy, a new condition has been added below (no. 29) requiring the development to achieve the optional requirement of building regulations G2 (110 litres per person per day).

Officers have undertaken a new Appropriate Assessment which demonstrates that the anticipated increase in mains water consumption from this development, alongside all other development granted since 1st November 2025, will not exceed the above capacity.

Accordingly, Officers consider that the removal of Condition 14 will not result in the development having an Adverse Effect on the Integrity of the Arun Valley sites, either alone or in combination with other plans 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 regulatory condition limiting water consumption at the development to 110 litres per person per day.

Conclusions:

As set out above, consent is sought under Section 73 of the Town and Country Planning Act to remove Condition 14 of the previously approved application DC/22/0301, as the requirements of Water Neutrality are no longer necessary given the formal withdrawal of the Natural England Position Statement on October 31st, 2025.

Whilst a consent under s73 creates a new planning permission for the site, government guidance set out in the PPG is clear that only the matters being amended are to be considered. It is not the purpose or function of a s73 consent to revisit the principle of development on the site. Accordingly, the principle of development on this site remains settled and acceptable, along with all other matters not subject to these proposed amendments.

The conditions attached to the planning permission are otherwise repeated in their entirety, except where details have subsequently been submitted and agreed under separate applications.

Recommendation: Application Permitted

Conditions:

- 1 Details of the appearance, landscaping, layout and scale ("the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2 Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
- 3 The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.
- 4 The development hereby permitted shall be carried out in accordance with drawing nos. 1031-OA-100 (Location Plan), JNY10529-01 Rev B (Proposed Access Arrangement) and JNY11188-RPS-0100-006 Rev A (Proposed Access Arrangement - Potential Table Top Ramp arrangement).

- 5 The submission of reserved matters applications pursuant to the outline application hereby approved shall demonstrate substantial compliance with the following parameter plans to fix the development principles, unless otherwise agreed to and approved in writing by the Local Planning Authority:

Drawing No.	Description
1031-OA-110 REV C	Parameters Plan
1031-OA-108 REV A	Community Facilities and Recreation
1031-OA-101 REV E	Illustrative Layout 55 Units
1031-OA-112 REV A	Pedestrian/Cycleway Parameters Plan
1031-OA-109 REV A	Heights Plan
1031-OA-102	Tree Removal Plan
1031-OA-103	Parking Allocation Plan
1031-OA-104	Refuse and Recycling Plan
1031-OA-105	Fire Tender Tracking Plan

- 6 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The Statement shall provide for:

- i) an introduction consisting of construction phase environmental management plan, definitions and abbreviations and project description and location; the anticipated number, frequency and types of vehicles used during construction;
- ii) details of public engagement both prior to and during construction works and communication procedures with the local community regarding key construction issues;
- iii) a description of management responsibilities;
- iv) a description of the construction programme which identifies activities likely to cause high levels of noise or dust;
- v) details of traffic construction routing to and from the site;
- vi) delivery, demolition and construction working hours;
- vii) the parking of vehicles of site operatives and visitors;
- viii) detailed site logistics arrangements and loading and unloading of plant, materials and waste;
- ix) storage of plant and materials used in constructing the development;
- x) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- xi) wheel washing facilities;
- xii) measures to control the emission of dust and dirt during construction;
- xiii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

- 7 No development, including demolition pursuant to the permission granted, shall commence unless a Great Crested Newt Mitigation Method Statement has been submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to Great Crested Newts during the construction phase. The measures and/or works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.
- 8 No development shall take place (including any demolition, ground works, site clearance) until a further badger survey and updated mitigation statement has been submitted to and approved in writing by the local planning authority. This further survey shall be undertaken to identify whether any Badger activity has changed since the previous surveys were undertaken and whether further mitigation and/or works are required for badgers during the construction phase. The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

- 9 No development above ground floor slab level shall commence until a Biodiversity Enhancement Strategy for Protected and Priority species has been submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:
- a) Purpose and conservation objectives for the proposed enhancement measures;
 - b) detailed designs to achieve stated objectives;
 - c) locations of proposed enhancement measures by appropriate maps and plans;
 - d) persons responsible for implementing the enhancement measures;
 - e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

- 10 No development, including demolition pursuant to the permission granted, shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site has been submitted to and approved in writing by the Local Planning Authority:
- i) A preliminary risk assessment which has identified:
 - . all previous uses
 - . potential contaminants associated with those uses
 - . a conceptual model of the site indicating sources, pathways and receptors
 - . potentially unacceptable risks arising from contamination at the site.The following aspects ii) and iii) shall be undertaken, if required, in accordance with the preliminary risk assessment i):
 - ii) An intrusive site investigation scheme to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.
 - iii) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation ii) and an options appraisal.

The development shall be completed in accordance with the requirements of i), ii) and iii) above.

- 11 No part of the development hereby permitted shall be occupied until there has been submitted to the Local Planning Authority verification that the remediation scheme required and approved under the provisions of condition 10) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 10), unless otherwise agreed in writing by the Local Planning Authority.
- 12 No development or preliminary groundworks shall commence until a programme of archaeological work secured in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be commenced until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under this condition and that provision for analysis, publication and dissemination of results and archive deposition has been secured and approved by the Local Planning Authority in writing.
- 13 No development shall commence until a detailed foul and surface water drainage scheme including a foul and Surface Water Drainage Statement, informed by Flood Risk Assessment and Drainage Statement Doc Issue 05 by Stuart Michael Associates SMA Ref: 6338.FRA&DS Jan 2022 based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall be fully coordinated with the landscape

scheme. The development shall subsequently be implemented prior to first occupation in accordance with the approved details and thereafter retained as such.

- 14 N/A
- 15 Prior to the first occupation (or use) of any part of the development hereby permitted, a written verification report shall be submitted which demonstrates only soils suitable for the proposed use have been placed within the development site. The verification report shall be submitted and approved, in writing, by the Local Planning Authority.
- 16 No part of the development hereby permitted shall be occupied until an air quality mitigation plan has been submitted to and approved in writing by the Local Planning Authority. The air quality mitigation plan should contain measures equal in value to the calculated environmental damage cost of £30,838. The air quality mitigation plan shall be implemented as approved.
- 17 Prior to the installation of external lighting full details including height, design, location and intensity shall be submitted to and approved in writing by the local planning authority. The lighting installation shall then be carried out in accordance with the approved details.
- 18 No part of the development hereby permitted shall be occupied until a Landscape and Ecological Management and Maintenance Plan (LEMMP) has been submitted to, and be approved in writing by, the local planning authority. The content of the LEMMP shall include the following:
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions (including long term design objectives, management responsibilities, landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility) for all communal landscape areas.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organisation responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.

The LEMMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body or bodies responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

- 19 No part of the development hereby permitted shall be occupied until such time as the site access arrangement has been provided in accordance with the approved planning drawings detailed in the documents as listed below, and maintained as such thereafter:
- TECHNICAL NOTE Response to WSCC comments dated 22 Dec 2022 by RPS Dated 30 Jan 2023 Ref JNY1188-03a;
TECHNICAL NOTE by RPS Report Reference JNY11188 - 02 Project Title: Land at Partridge Green Date: 15th November 2022; and
TRANSPORT STATEMENT by rpsgroup Version 01 Date 04 November 2020 JNY10529.
- 20 No part of the development hereby permitted shall be occupied until such time as details of the Travel Pack have been submitted to and approved in writing by the Local Planning Authority. The approved Travel Pack shall thereafter be distributed to all dwellings prior to them being first occupied.

- 21 No part of the development hereby permitted shall be occupied until a verification report demonstrating that the SuDS drainage system has been constructed in accordance with the approved design drawings and that report has been submitted to and approved by the Local Planning Authority. The development shall be maintained in accordance with the approved report.
- 22 No part of the development hereby permitted shall be occupied until a scheme of landscaping has been submitted to and approved in writing by the local planning authority. The scheme shall include details of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.
- 23 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 24 No part of the development hereby permitted shall be occupied until the necessary infrastructure (ducting or conduit) to facilitate the installation of high-speed broadband internet (defined as having speeds greater than 24 megabits per second) shall be provided.
- 25 No part of the development hereby permitted shall be occupied until details of the proposed location of fire hydrant(s) to ensure all dwellings hereby permitted are within 150 metres of a fire hydrant for the supply of water for firefighting, have been submitted to and approved in writing by the Local Planning Authority. The approved fire hydrant(s) shall be installed, connected to a water supply with appropriate pressure and volume for firefighting, and made ready for use prior to the first or in a phased occupation of the development hereby permitted and shall thereafter be retained as such.
- 26 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Technical Note (RSK ADAS Ltd., May 2023) in Appendix B of the Statement Case (DMH Stallard, May 2023), Preliminary Ecological Appraisal (ADAS, May 2019), the Reptile Survey Report (ADAS, July 2019), the Great Crested Newt eDNA Survey Report (ADAS, May 2019), the Tree Removal Plan (September 2021) and the Ecology Update Letter (ADAS, 29 September 2020). 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.
- 27 Any contamination that is found during the course of construction of the development hereby permitted that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended until a risk assessment has been carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found, the development or relevant phase of development shall not resume or continue until remediation and verification schemes have been carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority.
- 28 All works shall be executed in full accordance with the approved Arboricultural Impact Assessment/Method Statements titled: Technical Note: Arboriculture by FLAC Instruction ref. CC42-1054 Partridge Green, Land North Of The Rise - Site Access Provision And Arboricultural Implications Assessment by Broad Oak Tree Consultants Limited Ref: J46.82 11 January 2022.
- 29 The dwelling(s) 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.

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: DC/26/0836

(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

Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date

DELEGATED

Case Officer sign/initial Sophie Moore Date: 28/08/2026

Authorising Officer sign/initial Adrian Smith Date: 28/08/2026