



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0536

Land at Badgers Hollow, Crays Lane, Goose Green, West Sussex, RH20 2LR

DESCRIPTION:

Variation of condition 1 and removal of condition 4 of previously approved application DC/24/1464 (Siting of three holiday lets, including a composting toilet, a storage container, ground mounted solar panels, reed bed treatment system, associated hardstanding and the creation of a lake (Part Retrospective)) relating to water neutrality.

RELEVANT PLANNING HISTORY:

DC/24/1464	Siting of three holiday lets, including a composting toilet, a storage container, ground mounted solar panels, reed bed treatment system, associated hardstanding and the creation of a lake. (Part Retrospective).	Application Permitted on 08.10.2025
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DESCRIPTION OF THE SITE

The application site is located at Badgers Hollow, Crays Lane, Goose Green, within a rural location in Thakeham Parish, outside any defined built-up area boundary. The site encompasses approximately 11 acres, consisting of a central former pasture field (the subject of this application), flanked by areas of woodland and scrubland. It was historically part of Thakeham Place Farm, a larger dairy farming enterprise, and is now being repurposed through a wider ecological and diversification strategy.

The site is bordered by hedgerows and mature trees, with Ancient Woodland to the east and agricultural fields surrounding the north, west, and south. Access is gained from Cray's Lane via an established entrance leading to an area of semi-permeable hardstanding used for parking. A Public Right of Way (PROW 2475) lies approximately 30 metres from the site's western boundary, offering potential connectivity for visitors. The setting is intrinsically rural and tranquil, with existing features including an existing pond and a variety of habitats.

DESCRIPTION OF THE APPLICATION

Application for the removal of Condition 4 of planning permission DC/24/1464, which relate to water neutrality measures.

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 7 - Strategic Policy: Economic Growth

Policy 9 - Employment Development
Policy 10 - Rural Economic Development
Policy 11 - Tourism and Cultural Facilities
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 28 - Replacement Dwellings and House Extensions in the Countryside
Policy 29 - Equestrian Development
Policy 30 - Protected Landscapes
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities
Policy 43 - Community Facilities, Leisure and Recreation

Neighbourhood Plan:

Thakeham Parish Neighbourhood Plan has been Made.

Thakeham6- Design

Thakeham9- Development in the countryside

Thakeham12- Community Facilities

Supplementary Planning Guidance:

Planning Obligations and Affordable Housing SPD (2017)

Community Infrastructure Levy (CIL) Charging Schedule (2017)

Planning Advice Notes:

Facilitating Appropriate Development

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:

None Received

PUBLIC CONSULTATIONS:

Representations:

None Received

Parish Comments:

None Received

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

Variation of Condition 1 and Removal of Condition 4

The application seeks the Variation of Condition 1 to remove all documents related to water neutrality and the removal of Condition 4 attached to planning permission DC/24/1464, which required the development to demonstrate water neutrality in accordance with Natural England's Position Statement of September 2021. That condition was imposed to ensure compliance with the Conservation of Habitats and Species Regulations 2017, given uncertainty at that time regarding the potential effects of increased groundwater abstraction on the Arun Valley Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar sites.

Since the granting of the original permission, the policy and evidential context have materially changed. On 31 October 2025, Natural England formally withdrew its September 2021 Position Statement following the completion and scrutiny of Southern Water's Hardham Basin Environmental Study. Natural England confirmed that a package of agreed measures, including a reduction in the Hardham groundwater abstraction licence and additional eco-logical resilience measures, provides sufficient certainty that new development within the Sussex North Water Supply Zone will not have a likely significant effect on the Arun Valley designated sites. As a consequence, Natural England has advised that local planning authorities are no longer required to undertake Appropriate Assessment or secure water neutrality mitigation for new development on the basis of water scarcity alone.

Notwithstanding the forthcoming licence modification, Horsham District Council, as competent authority, has continued to apply a precautionary approach pending formal implementation of the licence changes. In agreement with Natural England, the Council is utilising verified water savings achieved by Southern Water during 2024/25 through leakage reduction and related measures. These savings amount to approximately 772,591 litres per day and can be attributed to new development without increasing abstraction pressure on the Arun Valley sites. Natural England's standing advice dated 10 November 2025 confirms that reliance on these savings raises no objection and constitutes Natural England's formal response under Regulation 63(3) of the Habitats Regulations.

In this case, Officers have undertaken an Appropriate Assessment which demonstrates that the additional water demand arising from the development permitted under DC/24/1464, when considered alone and in combination with other permissions granted since 31 October 2025, would not exceed the available Southern Water savings. It is therefore concluded that the development will not result in an adverse effect on the integrity of the Arun Valley SAC, SPA or Ramsar sites.

Given the withdrawal of Natural England's 2021 Position Statement, the availability of confirmed water savings, and the conclusions of the Appropriate Assessment, it is considered that Condition 4 are no longer necessary to make the development acceptable in planning terms. The condition no longer meets the tests set out in paragraph 56 of the NPPF, as it is not required to mitigate any identified harm. Its removal would not conflict with Policy 31 of the Horsham District Planning Framework or the Council's duties under Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017.

Accordingly, the removal of Condition 4 are considered acceptable, and the development permitted under DC/24/1464 can proceed without further water neutrality restrictions, without giving rise to harm to protected European sites.

Recommendation: Application Permitted

Conditions:

- 2 **Standard Time Condition:** The development hereby permitted must be commenced by the 08.10.2028

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 3 **Pre-commencement Condition:** No development shall begin until detailed plans showing the existing and proposed ground levels, including the height and location of bunds, have been submitted to and approved in writing by the Local Planning Authority. These plans must show levels in relation to fixed datum points on or near the site. The development shall be carried out in strict accordance with the agreed details.

Reason: To ensure the development sits appropriately within the landscape and does not harm the visual character or amenity of the area, in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 **Not Used**

- 5 **Pre-occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, full details of all landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Tree survey, including trees RPAs to identify vegetation to be removed and retained.
- Plant schedule specifying plant numbers, sizes, densities and species in Latin names
- Written specifications (NBS compliant) including ground preparation, cultivation and other operations associated with plant and grass establishment
- Supplier information for plant stock - only locally-sourced planting stock should be used in proximity to Ancient Woodland and only certain tree nurseries are suppliers of accredited UK Sourced and Grown stock
- Tree pit details, including details for sloping ground

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed planting, which within a period of 5 years, dies, is removed, or becomes seriously

damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 6 **Pre-occupation Condition:** No part of the development hereby permitted shall be occupied until a Landscape Management and Maintenance Plan (LMMP) has been submitted to and approved in writing by the Local Planning Authority. The details shall include:

- Long term design objectives
- Management responsibilities
- A description of landscape components
- Management prescriptions
- Maintenance schedules
- Accompanying plan delineating areas of responsibility

The landscape areas shall thereafter be managed and maintained in accordance with the approved details unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 7 **Regulatory Condition:** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Charlotte Dwight Ecology, August 2024).

This may 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..

- 8 **Regulatory Condition:** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Great Crested Newts, Non License Method Statment (Charlotte Dwight Ecology, August 2025). This may 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).

- 9 **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).

- 10 **Regulatory Condition:** No additional external lighting or floodlighting shall be installed other than with the permission of the Local Planning Authority by way of formal application.

Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 11 **Regulatory Condition:** The lake hereby permitted, as shown on the approved plans, shall not be used for any commercial purpose(s) without the prior written consent of the Local Planning Authority, by way of a formal application.

Reason: To safeguard the amenities of the local area and in accordance with Policies 26 and 33 of the Horsham District Planning Framework (2015).

- 12 **Regulatory Condition:** The use hereby permitted shall be managed in accordance with the following:
- i) The accommodation shall be occupied for holiday and short-term let purposes only;
 - ii) The accommodation shall not be occupied as a person's sole, or main place of residence;
 - iii) The accommodation shall not be occupied by any one person for a period exceeding 28 days in any calendar year;
 - iv) The owners / operators shall maintain an up-to-date register of the names of all owners / occupiers of the accommodation on the site, and of their main home addresses, and shall make this information available to the Local Planning Authority upon request.

Reason: To maintain the availability of the site as short term holiday tourist accommodation in accordance with Policies 10, 11 and 26 of the Horsham District Planning Framework (2015).

- 13 **Regulatory Condition:** The holiday lets 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 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).

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/26/0536

Schedule of plans/documents **approved:**

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	DECISION NOTICE DC/24/1464	NONE	27.03.2026
Supporting Docs	LETTER FROM RURAL PLANNING GROUP	NONE	27.03.2026

DELEGATED

Case Officer sign/initial Shazia Penne Date: 20.05.2026

Authorising Officer sign/initial RHERMITAGE Date: 20.05.2026