Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
HRA/24/0018
Freshwater Parade, Bishopric, Horsham, West Sussex,

DESCRIPTION:
Application under Regulation 77 of the Conservation of Habitats and Species Regulations 2017 in respect of Prior Approval consent DC/25/1445.

RELEVANT PLANNING HISTORY:

DC/25/1445	Prior Notification for Change of use of the first floor from retail (Class E) to 6 No. residential dwellings (Class C3).	Prior Approval Required and PERMITTED on 30.10.2025

STATUTORY BACKGROUND
The Conservation of Habitats and Species Regulations 2017
The Town and Country Planning Act 1990

CONSULTATIONS
Natural England: Standard Advice issued.

ASSESSMENT
Prior Approval was granted under ref: DC/25/1445 for the following:

> Change of Use of the first floor from retail area (Use Class E) to residential (Use Class C3) to form 6no dwellinghouses.

This decision related solely to whether the Prior Approval of the Local Planning Authority was required, it did not confirm that the proposal represented Permitted Development.

The site lies within the Sussex North Water Supply Zone. 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.

Regulation 75 of the 2017 Habitat Regulations requires that any planning permission granted by the GPDO which could have a likely significant effect on a European Site or European Offshore Marine Site and is not directly connected to the management of the site must not be begun until the developer has received written notification of the approval of the relevant local planning authority under Regulation 77 of the 2017 Regulations.

This HRA application was therefore submitted, seeking to demonstrate that the permitted development would achieve water neutrality through a combination of efficient fixtures and fittings and through water savings at other (third party) properties elsewhere within the water supply zone.

In advance of this strategy being considered, on 31 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.

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 31 October 2025, will not exceed 3,240,000 litres per day.

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.

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.

Recommendation: Application Permitted

DELEGATED

Case Officer sign/initial Halima Chowdhury Date: 20.11.2025

Authorising Officer sign/initial Guy Everest Date: 20.11.2025