DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/0407
Cobweb Cottage, Emms Lane, Brooks Green, West Sussex, RH13 0TR

DESCRIPTION:

Variation of condition 6 of previously approved application reference DC/23/1667 (Demolition of existing cottage and erection of single storey replacement dwelling and associated outbuilding) to refer to revised water neutrality report incorporating updated internal water fixtures and fittings.

RELEVANT PLANNING HISTORY:

DC/23/1667	Demolition of existing cottage and erection of single storey replacement dwelling and associated outbuilding.	Application Permitted on 12.02.2024.
DISC/25/0012	Application for Approval of Details Reserved by Condition 5, 6 and 8 to approved application DC/23/1667	Split Decision on 18.03.2025

SITE AND SURROUNDS

The application site comprises a detached property, located in a semi-rural location on Emms Lane, Brooks Green. The application plot lies to the east of a single-track lane and is surrounded by vegetation and boundary fencing. The existing dwelling sits central to the site and is orientated to the south-west. There are no neighbouring properties to the south of the application site.

DETAILED DESCRIPTION

The application seeks permission to demolish the existing cottage and erect a single storey 4-bedroom replacement dwelling and associated outbuilding for workshop. The existing gross internal ground floor area is approximately 94.52m2, 112.16m2 including the first floor. The proposed replacement dwelling has a total habitable gross internal floor area of approximately 176.11m2 set over one floor. The outbuilding would have an internal floor area of approximately 40.36 m2.

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 4 - Strategic Policy: Settlement Expansion
Policy 15 - Strategic Policy: Housing Provision
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character

Policy 26 - Strategic Policy: Countryside Protection
Policy 28 - Replacement Dwellings and House Extensions in the Countryside
Policy 30 - Protected Landscapes
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 40 - Sustainable Transport
Policy 41 - Parking

Shipley Parish Neighbourhood Plan (2019-2031):
Policy Ship HD3: High Quality Design

Shipley Parish Design Statement (2013)

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 9: Water Neutrality
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Policy 45: Replacement Dwellings and House Extensions in the Countryside
Policy 46: Ancillary Accommodation

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:

OUTSIDE AGENCIES

Natural England: No Objection – subject to appropriate mitigation being secured.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures should be secured:

The delivery, management and maintenance of any measures identified in the applicant's water neutrality statement that are required to ensure that the proposed development will not result in increased levels of abstraction within the Sussex North Water Supply Zone.

Environmental Health: No Comment.

PUBLIC CONSULTATIONS:

Representations:

None received.

Parish Comments:

Shipley Parish Council: No Comment

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

The application seeks a minor material amendment to the existing planning permission (ref: DC/23/1667) through a variation of the approved water neutrality statement, to incorporate updated internal water fixtures and fittings.

The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

The applicant has submitted an updated Water Neutrality Statement to reflect changes to the proposed fixtures and fittings The existing baseline water consumption is 335.01 l/day. Through the combination of offsetting within the dwellinghouse and rainwater harvesting, the proposed water demand would be reduced by 190.5 l/day. Therefore, the proposal would be water neutral. Specifications of the fixtures and fittings have been provided and these are considered sufficient to meet the required need for the development to be water neutral and in accordance with the water neutrality strategy. Full details of the rainwater harvesting system were provided as part of the application, with a schematic plan provided showing the direct supply system with mains water backup unit. As well as details of the mains water backup unit. A 5,000L f line tank would be installed, and it is considered the details provided are in accordance with the water neutrality strategy.

Natural England were consulted on the water strategy following the carrying out of an Appropriate Assessment by officers, and raised no objection, subject to the delivery, management and maintenance of measures identified in the water neutrality statement to achieve water neutrality. The information available and the mitigation measures proposed are considered to provide the necessary

certainty to demonstrate that the proposed development would be water neutral. Appropriate mitigation measures have been demonstrated and are considered sufficient to avoid adverse effects on the integrity of the interest features of the Arun Valley SPA, SAC, and Ramsar site from the development either alone or in combination with other plans and projects, in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 193 and 194 of the National Planning Policy Framework (2024), thus the Local Planning Authority are able to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats and species).

It is also noted that the applicant has provided confirmation of the bat licence from Natural England, to address Condition 3 on the original permission (DC/23/1667). The information provided is considered sufficient to have addressed the requirements of this condition and remove the need for this to be attached to the subsequent permission.

Conclusions:

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

Recommendation: Application Permitted

Conditions:

2 **Regulatory (Time) Condition**: The development hereby permitted must be commenced by the 12th of February 2027.

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

3 **Pre-Commencement Condition**: No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until the following preliminaries have been completed in the sequence set out below:

- All trees on the site shown for retention on approved Tree Survey and Arboricultural Impact Assessment, as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).

- Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.

- Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4 **Pre-Occupation Condition**: All works shall be undertaken in accordance with the submitted Water Neutrality Statement (Water Neutrality Report C2565 REV P2, received 21.03.2025). No

dwelling hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that dwelling has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such 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).

5 **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 and Preliminary Roost Assessment (ArbTech, March 2023) and the Bat Emergence and Reentry Surveys (ArbTech, July 2023) and Biodiversity Enhancement & External Lighting Plan reference A150-4003 A as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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 (Priority habitats & species) and Policy 31 of the Horsham Development Framework.

6 **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).

7 **Regulatory Condition**: The outbuilding hereby permitted shall be used solely for purposes incidental, as a workshop, gym and office, to the occupation and enjoyment of the residential property at Cobweb Cottage, Emms Lane, Brooks Green, West Sussex, RH13 0TR (as identified on the approved plans) and shall not be used as a separate unit of accommodation, as habitable living accommodation, for any commercial purposes or for any other purpose(s)/use(s).

Reason: The establishment of an additional independent unit of accommodation, additional living accommodation, commercial use or any other use(s) would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent units of living accommodation contrary to Policies 26 and 33 of the Horsham District Planning Framework (2015).

8 **Regulatory Condition**: All works shall be executed in full accordance with the submitted Arboricultural Impact Assessment/Method Statement (Tree Survey and Arboricultural Impact Assessment 07.09.23).

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

9 **Regulatory Condition**: The development hereby permitted shall be carried out in accordance with the lighting design scheme for biodiversity as approved under Biodiversity Enhancement &

External Lighting Plan reference A150-4003 A. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and 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 (Priority habitats & species) and Policy 31 of the Horsham Development Framework.

10 **Regulatory Condition**: No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays.

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 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/25/0407
Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Layout plan	Drainage Layout	101 P5	12.05.2025
Supporting Docs	Water Fittings Specification	A105-4-SCH002	12.05.2025
Section plan	Direct Supply System with Mains Water Backup Unit Plan	Platin_Direct System	19.05.2025
Supporting Docs	Water Neutrality Report by cgs Civils dated 07.01.2025	C2565 Rev -P2	18.03.2025
Supporting Docs	Rainwater Harvesting Installation and Maintenance Instructions	NONE	19.05.2025
Supporting Docs	RainBackup in A Box Mains Water Backup	NONE	19.05.2025
Supporting Docs	Rainwater Harvesting Manual	NONE	19.05.2025
Supporting Docs	Rainwater Harvesting Installation Guide	NONE	19.05.2025
Layout plan	Mains Water Backup Unit Dimensions	Mains Water Backup Unit	19.05.2025
Location plan		A150-P-100	07.09.2023
Location plan		NONE	07.09.2023
Site plan	As Existing	A150-P-101	07.09.2023
Elevation plan	As Existing	A150-P-102	07.09.2023
Site plan	As Proposed	A150-P-103	07.09.2023
Floor plan	As Proposed	A150-P-104	07.09.2023

Elevation plan	North and East, As Proposed	A150-P-105	07.09.2023
Elevation plan	South and West, As Proposed	A150-P-106	07.09.2023
Section plan	A and B, As Proposed	A150-P-107	07.09.2023
Supporting Docs	Overheating Risk Report	NONE	07.09.2023
Supporting Docs	Bat Emergence and Re-entry Surveys	NONE	07.09.2023
Supporting Docs	Tree Survey and Arboricultural Impact Assessment	NONE	07.09.2023
Supporting Docs	Preliminary Ecological Appraisal and Preliminary Roost Assessment	NONE	07.09.2023
Elevation & Floor plan	Roof (Outbuilding), As Proposed	A150-P-109	05.10.2023
Floor plan	As Existing	A150-P-108	05.10.2023
Supporting Docs	Biodiversity Enhancement & External Lighting Plan	A150-4-003 A	13.01.2025

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 04.06.2025

Authorising Officer sign/initial Tamara Dale Date: 09.06.2025