

Date: 19 March 2026
Our ref: 542250
Your ref: DC/26/0209



Horsham District Council

BY EMAIL ONLY

planning@horsham.gov.uk

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Sir or Madam

Planning Consultation: Variation of Condition 1 and Removal of Conditions 12, 13, 14, 15, 19, 37, 38, 39, 44, 45 and 46 of previously approved application DC/23/2152 (Erection of 28 dwellings and associated engineering operations and works including an onsite borehole water supply) to allow for the use of HEMSPAN as a construction method and replace flats with terraced houses, and relating to water neutrality

Location: Land To The North of High Bar Lane Thakeham West Sussex

Thank you for your consultation on the above dated 24 February 2026 which was received by Natural England on 24 February 2026.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Further information on when to consult Natural England on planning proposals is here- [Planning and transport authorities: get environmental advice on planning - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/planning-and-transport-authorities-get-environmental-advice-on-planning)

Natural England is not able to provide specific advice on this application and therefore has no comment to make on its details. Although we have not been able to assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes, we offer the further advice and references to Standing Advice.

Natural England advises Local Planning Authorities to use the following tools to assess the impacts of the proposal on the natural environment:

Impact Risk Zones:

Natural England has provided Local Planning Authorities (LPAs) with Impact Risk Zones (IRZs) which can be used to determine whether the proposal impacts statutory nature conservation sites. Natural England recommends that the LPA uses these IRZs to assess potential impacts. If proposals do not trigger an Impact Risk Zone then Natural England will provide an auto-response email.

Standing Advice:

Natural England has published Standing Advice. Links to standing advice are in Annex A

If after using these tools, you consider there are significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require Natural England's advice.

Further information on LPA duties relating to protected sites and areas is here-
[Protected sites and areas: how to review planning applications - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/protected-sites-and-areas-how-to-review-planning-applications)

Further guidance is also set out in Planning Practice Guidance on the natural environment
[Natural environment - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/natural-environment) and on Habitats Regulations Assessment
[Appropriate assessment - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/appropriate-assessment)

Non detailed advice from Natural England does not imply that there are no impacts on the natural environment. It is for the local planning authority to determine whether or not the proposal is consistent with national and local environmental policies. Other bodies and individuals may provide information and advice on the environmental value of this site and the impacts of the proposal on the natural environment to assist the decision making process.

Should the proposal change, please consult us again.

Please send any further correspondence, to consultations@naturalengland.org.uk quoting our reference **542250**.

Yours faithfully

Helen Churchill
Consultations Team
Natural England

Annex A – Natural England general advice

Protected Landscapes

Paragraph 189 of the [National Planning Policy Framework - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/policies/national-planning-policy-framework) (NPPF) requires great weight to be given to conserving and enhancing landscape and scenic beauty within Areas of Outstanding Natural Beauty (known as National Landscapes), National Parks, and the Broads and states that the scale and extent of development within all these areas should be limited. Paragraph 190 requires exceptional circumstances to be demonstrated to justify major development within a designated landscape and sets out criteria which should be applied in considering relevant development proposals. Section 245 of the [Levelling-up and Regeneration Act 2023 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2023/1/section/245) places a duty on relevant authorities (including local planning authorities) to seek to further the statutory purposes of a National Park, the Broads or an Area of Outstanding Natural Beauty in England in exercising their functions. This duty also applies to proposals outside the designated area but impacting on its natural beauty.

The local planning authority should carefully consider any impacts on the statutory purposes of protected landscapes and their settings in line with the NPPF, relevant development plan policies and the Section 245 duty. The relevant National Landscape Partnership or Conservation Board may be able to offer advice on the impacts of the proposal on the natural beauty of the area and the aims and objectives of the statutory management plan, as well as environmental enhancement opportunities. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to development and its capacity to accommodate proposed development.

Wider landscapes

Paragraph 187 of the NPPF highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland, or dry-stone walls) could be incorporated into the development to respond to and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape and Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Guidelines for Landscape and Visual Impact Assessment \(GLVIA3\) - Landscape Institute](https://www.landscapeinstitute.org/guidelines-for-landscape-and-visual-impact-assessment-glvia3/) for further guidance.

Biodiversity duty

Section 40 of the [Natural Environment and Rural Communities Act 2006 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2006/14/section/40) places a duty on the local planning authority to conserve and enhance biodiversity as part of its decision making. We refer you to the [Complying with the biodiversity duty - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/complying-with-the-biodiversity-duty) for further information.

Designated nature conservation sites

Paragraphs 193-195 of the NPPF set out the principles for determining applications impacting on Sites of Special Scientific Interest (SSSI) and habitats sites (Special Areas of Conservation (SACs) and Special Protection Areas (SPAs)). Both the direct and indirect impacts of the development should be considered.

A Habitats Regulations Assessment is needed where a proposal might affect a habitat site (see [Habitats regulations assessments: protecting a European site - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/habitats-regulations-assessments-protecting-a-european-site) and Natural England must be consulted on 'appropriate assessments' (see [Appropriate assessment - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/appropriate-assessment) for more information for planning authorities).

Natural England must also be consulted where development is in or likely to affect a SSSI and provides advice on potential impacts on SSSIs either via the [SSSI Impact Risk Zones \(England\) \(arcgis.com\)](https://arcgis.com) or as standard or bespoke consultation responses. Section 28G of the Wildlife and Countryside Act 1981 places a duty on all public bodies to take reasonable steps, consistent with the proper exercise of their functions, to further the conservation and enhancement of the features for which an SSSI has been notified ([Sites of special scientific interest: public body responsibilities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/sites-of-special-scientific-interest-public-body-responsibilities)).

Annex A – Natural England general advice

Air Quality

Natural England has produced [‘Air pollution and development: advice for local authorities. How to assess sector-specific planning applications that could affect air quality on a protected site’](#). This standing advice is to help planning authorities understand the impact on statutory protected sites from particular developments that emit specific air pollutants. The advice covers emissions of ammonia (NH₃), nitrogen oxides (NO, NO₂ or NO_x), nitrogen deposition, acid deposition and sulphur dioxide (SO₂).

The standing advice is Natural England’s formal statutory advice and is a material consideration. It provides decision makers with the information needed to fulfil their statutory duties when making decisions on planning applications with potential air pollution impacts.

Note that this advice cannot be used to assess Nationally Significant Infrastructure Projects (NSIPs) or local plans.

Protected Species

Natural England has produced [Protected species and development: advice for local planning authorities - GOV.UK](#) (standing advice) to help planning authorities understand the impact of particular developments on protected species.

Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances. A protected species licence may be required in certain cases. We refer you to [Wildlife licences: when you need to apply](#) (www.gov.uk) for more information.

Local sites and priority habitats and species

The local planning authority should consider the impacts of the proposed development on any local wildlife or geodiversity site, in line with paragraphs 187, 188 and 192 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity to help nature’s recovery. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local environmental records centre, wildlife trust, geoconservation groups or recording societies. Emerging [Local nature recovery strategies - GOV.UK \(www.gov.uk\)](#) may also provide further useful information.

Those habitats and species which are of particular importance for nature conservation are included as ‘priority habitats and species’ in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest on the Magic website or as Local Wildlife Sites. We refer you to [Habitats and species of principal importance in England](#) (gov.uk) for a list of priority habitats and species in England. You should consider priority habitats and species when applying your ‘biodiversity duty’ to your policy or decision making

Natural England does not routinely hold priority species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. We refer you to the [Brownfield Hub - Buglife](#) for more information and Natural England’s [Open Mosaic Habitat \(Draft\) - data.gov.uk](#) (Open Mosaic Habitat inventory), which can be used as the starting point for detailed brownfield land assessments.

Biodiversity and wider environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 187(d), 192 and 193. Unless exempt major development (defined in the [National Planning Policy Framework \(publishing.service.gov.uk\)](#) glossary) is required by law to deliver a biodiversity gain of at least 10% from 12 February 2024 and this requirement was extended to minor development from April 2024. For nationally significant infrastructure projects (NSIPs), it is anticipated that the requirement for biodiversity net gain will be implemented from May 2026.

Annex A – Natural England general advice

[Biodiversity Net Gain](#) guidance (gov.uk) provides more information on biodiversity net gain and includes a link to the [Biodiversity Net Gain Planning Practice Guidance](#) (gov.uk).

The statutory biodiversity metric should be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. We refer you to [Calculate biodiversity value with the statutory biodiversity metric](#) for more information. For minor development sites, [The Small Sites Metric](#) may be used where these sites meet the criteria to use this Small Sites Metric. This is a simplified version of the statutory biodiversity metric and is designed for use where certain criteria are met.

The mitigation hierarchy as set out in paragraph 193 of the NPPF should be followed to firstly consider what existing habitats within the site can be retained or enhanced. Where on-site measures are not possible, provision off-site will need to be considered.

Where off-site delivery of biodiversity gain is proposed on a special site designated for nature (e.g. a SSSI or habitats site) prior consent or assent may be required from Natural England. More information is available on [Sites of Special Scientific Interest: managing your land](#)

Development also provides opportunities to secure wider biodiversity enhancements and environmental gains, as outlined in the NPPF (paragraphs 8, 77, 109, 125, 187, 188, 192 and 193). Opportunities for enhancement might include incorporating features to support specific species within the design of new buildings such as swift or bat boxes or designing lighting to encourage wildlife.

[The Environmental Benefits from Nature Tool - Beta Test Version - JP038 \(naturalengland.org.uk\)](#) may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside the statutory biodiversity metric.

[Natural environment - GOV.UK \(www.gov.uk\)](#) provides further information on biodiversity net gain, the mitigation hierarchy and wider environmental net gain.

Ancient woodland, ancient and veteran trees

The local planning authority should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 193 of the NPPF. The [Natural England Access to Evidence - Ancient woodlands Map](#) can help to identify ancient woodland. Natural England and the Forestry Commission have produced [Ancient woodland, ancient trees and veteran trees: advice for making planning decisions - GOV.UK \(www.gov.uk\)](#) (standing advice) for planning authorities. It should be considered when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 187, 188). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in the [Guide to assessing development proposals on agricultural land - GOV.UK \(www.gov.uk\)](#). [Find open data - data.gov.uk](#) on Agricultural Land Classification or use the information available on [MAGIC \(defra.gov.uk\)](#).

The Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites \(publishing.service.gov.uk\)](#) provides guidance on soil protection, and we recommend its use in the design and construction of development, including any planning conditions. For mineral working and landfilling, we refer you to [Reclaim minerals extraction and landfill sites to agriculture - GOV.UK \(www.gov.uk\)](#), which provides guidance on soil protection for site restoration and aftercare. The [Soils Guidance \(quarrying.org\)](#) provides detailed guidance on soil handling for mineral sites.

Annex A – Natural England general advice

Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Green Infrastructure

For evidence-based advice and tools on how to design, deliver and manage green and blue infrastructure (GI) we refer you to [Green Infrastructure Home \(naturalengland.org.uk\)](https://naturalengland.org.uk/green-infrastructure) (the Green Infrastructure Framework). GI should create and maintain green liveable places that enable people to experience and connect with nature, and that offer everyone, wherever they live, access to good quality parks, greenspaces, recreational, walking and cycling routes that are inclusive, safe, welcoming, well-managed and accessible for all. GI provision should enhance ecological networks, support ecosystems services and connect as a living network at local, regional and national scales.

Development should be designed to meet the 15 [GI How Principles \(naturalengland.org.uk\)](https://naturalengland.org.uk/gi-how-principles). The GI Standards can be used to inform the quality, quantity and type of GI to be provided. Major development should have a GI plan including a long-term delivery and management plan. Relevant aspects of local authority GI strategies should be delivered where appropriate.

The [Green Infrastructure Map \(naturalengland.org.uk\)](https://naturalengland.org.uk/green-infrastructure-map) and [GI Mapping Analysis \(naturalengland.org.uk\)](https://naturalengland.org.uk/gi-mapping-analysis) are GI mapping resources that can be used to help assess deficiencies in greenspace provision and identify priority locations for new GI provision.

Access and Recreation:

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths, together with the creation of new footpaths and bridleways should be considered. Links to urban fringe areas should also be explored to strengthen access networks, reduce fragmentation, and promote wider green infrastructure.

Rights of Way, Access land, Coastal access and National Trails:

Paragraphs 105, 185, 187 and 193 of the NPPF highlight the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development.

Consideration should also be given to the potential impacts on any nearby National Trails. We refer you to [Find your perfect trail, and discover the land of myths and legend - National Trails](#) for information including contact details for the National Trail Officer.

The King Charles III England Coast Path (KCIIECP) is a National Trail around the whole of the English Coast. It has an associated coastal margin subject to public access rights. Parts of the KCIIECP are not on Public Rights of Way but are subject to public access rights. Consideration should be given to the impact of any development on the KCIIECP and the benefits of maintaining a continuous coastal route.

Appropriate mitigation measures should be incorporated for any adverse impacts on Rights of Way, Access land, Coastal access, and National Trails.

Further information is set out in the Planning Practice Guidance on the [Natural environment - GOV.UK \(www.gov.uk\)](https://www.gov.uk/natural-environment).

Mr Matt Smith
D&M Planning Ltd
1A High Street
Godalming
GU7 1AZ

**Land To The North of High Bar Lane, Thakeham, West Sussex
Erection of 28 dwellings and associated engineering operations and works including an onsite
borehole water supply.**

Your application DC/23/2152 has now been determined and I enclose the decision notice. The decision notice contains important information. Please take a moment to read it as further action may be required.

Conditions

Before you start work, information must be submitted for any conditions that require discharge before development can begin. The decision notice will set out what information need to be sent.

Biodiversity Net Gain Condition

Please note the requirement within the Environment Act 2021 for development to deliver a minimum of 10% net gain in biodiversity may be applicable to your development. In the event your development is required to achieve a minimum 10% net gain in biodiversity then a Biodiversity Net Gain Condition (separate to the main list of conditions) will appear on your decision notice requiring the submission of a Biodiversity Gain Plan for approval prior to development commencing.

Failure to discharge conditions before commencing development could result in the development being unlawful or enforcement action being taken. You can notify us of your intention to initiate development by completing a pre-commencement notification which will help us to monitor your development. There is no fee to use this service. To do this, or for further information about discharging planning conditions, visit us online at horsham.gov.uk/planning/discharging-a-planning-condition

Community Infrastructure Levy (CIL)

If this development is CIL liable, the requirements of CIL must be met before you start work. Failure to do so could result in additional financial penalties. For further information relating to CIL visit horsham.gov.uk/planning/planning-policy/community-infrastructure-levy/cil-charges-and-how-to-pay

If you have any questions about the decision notice, you can call us and speak to a member of the team on 01403 215187 between 9AM - 5PM, Monday to Friday.

If you are acting as the planning agent for this application, please ensure that the applicant is given a copy of the decision notice and this letter.

Yours Sincerely,
Development Management

Mr Matt Smith
D&M Planning Ltd
1A High Street
Godalming
GU7 1AZ

Application Number: DC/23/2152

TOWN AND COUNTRY PLANNING ACT, 1990 (as amended)
TOWN AND COUNTRY PLANNING (Development Management Procedure) (England) Order 2015

On behalf of: High Bar Lane Ltd

In pursuance of their powers under the above-mentioned Act and Order, the Council hereby notify you that they PERMIT the following development, that is to say:

Erection of 28 dwellings and associated engineering operations and works including an onsite borehole water supply.

Land To The North of High Bar Lane, Thakeham, West Sussex

to be carried out in accordance with Application No. DC/23/2152 submitted to the Council on 27/11/2023 and subject to compliance with the plans/documents and conditions specified hereunder.



Emma Parkes
Head of Development and Building Control

Date: 09/05/2025

- 1 **Plans Condition:** The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule below.

SCHEDULE OF PLANS/DOCUMENTS

Plan Type	Description	Drawing Number	Received Date
Plans	High Bar Lane Visibility Splays	22001-01 REV C	02.02.2024
Plans	PROPOSED ROOF PLAN	(01) 007	27.11.2023
Plans	PROPOSED FLOOR AND ROOF PLAN (PLOTS 11 AND 12)	(02) 008	27.11.2023
Plans	PROPOSED SECTION PLAN (PLOTS 11-12)	(03) 012	27.11.2023
Plans	PROPOSED SIDE ELEVATIONS (PLOTS 23-28)	(03) 019	27.11.2023
Plans	PROPOSED SOLAR PANEL PLAN	(03) 100	27.11.2023

Plans	TOPOGRAPHICAL SURVEY SHEET 1 OF 2 (LAND AT HIGH BAR LANE) (REV A)		27.11.2023
Plans	TOPOGRAPHICAL SURVEY SHEET 2 OF 2 (LAND AT HIGH BAR LANE) (REV A)		27.11.2023
Plans	PROPOSED SITE SECTIONS	(04) 005	27.11.2023
Plans	PROPOSED STREET SCENE 1	(04) 011	27.11.2023
Plans	PROPOSED STREET SCENE 2	(04) 012	27.11.2023
Plans	PROPOSED STREET SCENE 3	(04) 013	27.11.2023
Plans	PROPOSED STREET SCENE 4	(04) 014	27.11.2023
Plans	PROPOSED STREET SCENE 5	(04) 015	27.11.2023
Plans	PROPOSED STREET SCENES	(04) 020	27.11.2023
Plans	High Bar Lane/4. Deliverables	664190/Figure01 REV 03	15.11.2024
Plans	TREE PROTECTION PLAN	1721-KC-XX- YTREE-TPP01 REV E	16.12.2024
Plans	Proposed Site Plan	30005 SKS P01 REV P02	09.12.2024
Plans	Site Location Plan	30005 SK LP01 REV 1	19.11.2024
Plans	Floor Plans	(02) 001 Plot 1	07.02.2024
Plans	Floor Plans	(02) 002 Plot 2	07.02.2024
Plans	Floor Plans	(02) 003 Plot 3	07.02.2024
Plans	Floor Plans	(02) 004 Plots 4 & 5	07.02.2024
Plans	Floor Plans	(02) 005 Plots 4 & 5	07.02.2024
Plans	Ground & First Floor Plans	(02) 006 Plots 8, 9 & 10	07.02.2024
Plans	Second Floor & Roof Plans	(02) 007 Plots 8, 9 & 10	07.02.2024
Plans	Ground & First Floor Plans	(02) 009 Plots 13, 14, 15 & 16	07.02.2024
Plans	Second Floor & Roof Plans	(02) 010 Plots 13, 14, 15 & 16	07.02.2024
Plans	Ground & First Floor Plans	(02) 011 Plots 17, 18, & 19	07.02.2024
Plans	Apartment Plans	(02) 015 Plots 23 to 28	07.02.2024
Plans	Second Floor & Roof Plans	(02) 012 Plots 17, 18, & 19	07.02.2024
Plans	Ground Floor & First Floor Plans	(02) 013 Plots 20, 21 & 22	07.02.2024
Plans	Second Floor & Roof Plans	(02) 014 Plots 20, 21 & 22	07.02.2024

Plans	Apartment Plans	(02) 016 Plots 23 to 28	07.02.2024
Plans	Elevations	(03) 001 Plot 1	07.02.2024
Plans	Elevations	(03) 002 Plot 2	07.02.2024
Plans	Elevations	(03) 003 Plot 3	07.02.2024
Plans	Elevations	(03) 004 Plots 4 & 5	07.02.2024
Plans	Sections	(03) 005 Plots 4, 5, 6 & 7	07.02.2024
Plans	Elevations	(03) 006 Plots 6 & 7	07.02.2024
Plans	Front & Rear Elevations	(03) 007 Plots 8, 9 & 10	07.02.2024
Plans	Side Elevations	(03) 008 Plots 8, 9 & 10	07.02.2024
Plans	Sections A-A & B-B	(03) 009 Plots 8, 9 & 10	07.02.2024
Plans	Sections C-C & D-D	(03) 010 Plots 8	07.02.2024
Plans	Elevations	(03) 011 Plots 11 & 12	07.02.2024
Plans	Elevations	(03) 013 Plots 13, 14, 15 & 16	07.02.2024
Plans	Section	(03) 014 Plots 13, 14, 15 & 16	07.02.2024
Plans	Elevations	(03) 015 Plots 17, 18 & 19	07.02.2024
Plans	Section	(03) 016 Plots 17 to 22	07.02.2024
Plans	Elevations	(03) 017 Plots 20, 21 & 22	07.02.2024
Plans	Front & Rear Elevations	(03) 018 Plots 23 to 28 (Apartment Block)	07.02.2024
Plans	Side Elevations	(03) 019 Plots 23 to 28 (Apartment Block)	07.02.2024
Plans	Section A-A	(03) 020 Plots 23 to 28 (Apartment Block)	07.02.2024

Reason: For the avoidance of doubt and in the interest of proper planning.

- 2 **Regulatory (Time) Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

- 3 **Pre-Commencement Condition:** The development hereby approved shall not commence until the following demolition and construction details have been submitted to and approved in writing by the Local Planning Authority. The details shall be limited to the following measures:
- i. An introduction consisting of construction phase environmental management plan, definitions and abbreviations and project description and location. Details of site management contact details and responsibilities; A description of the construction programme which identifies activities likely to cause high levels of noise or dust; Site working hours and a named person for residents to contact;
 - ii. A plan detailing the site logistics arrangements on a phase-by-phase basis (as applicable), including:
 - a. location of site compound,
 - b. location for the loading, unloading and storage of plant and materials (including any stripped topsoil),
 - c. site offices (including location, height, size and appearance),
 - d. location of site access points for construction vehicles, and method of access and routing of vehicle during construction
 - e. the anticipated number, frequency and types of vehicles used during construction and location of on-site parking of vehicles by site operative and visitors, including deliveries and details of traffic construction routing to and from the site.
 - f. the loading and unloading of plant, materials and waste, the storage of plant and materials used in construction of the development, the erection and maintenance of security hoarding, and locations and details for the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulations Orders), and dust suppression facilities.
 - iii. The arrangements and details of public engagement and public consultation and liaison prior to and during the demolition and construction works - newsletters, fliers etc, to include site management contact details for residents;
 - iv. Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination; Details regarding dust and noise mitigation measures to be deployed including identification of sensitive receptors and ongoing monitoring; Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network

All demolition and construction activities shall thereafter be carried out in accordance with the details and measures approved.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers and highway safety during construction and in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

- 4 **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 drawing number [1721-KC-XX-YTREE-TPP01 Rev E TREE PROTECTION PLAN], 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) and Policy THAKEHAM6 of the Thakeham Parish Neighbourhood Plan (2017).

- 5 **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 an updated Arboricultural Method Statement detailing all trees/hedgerows on site and adjacent to the site to be retained during construction works, and measures to provide for their protection throughout all construction works, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and thereafter carried out at all times strictly in accordance with the agreed details.

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) and Policy THAKEHAM6 of the Thakeham Parish Neighbourhood Plan (2017).

- 6 **Pre-Commencement Condition:** No development shall commence until an updated plan aligned with the updated Arboricultural Method Statement and informed by the approved drawing number 1721-KC-XX-YTREE-TPP01 Rev E TREE PROTECTION PLAN, detailing all trees and planting to be retained on the site has been submitted to and approved, in writing, by the Local Planning Authority. Development shall be carried out in accordance with the approved details and no trees or hedges shown to be retained 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.

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) and Policy THAKEHAM6 of the Thakeham Parish Neighbourhood Plan (2017).

- 7 **Pre-Commencement Condition:** No development shall commence until full details of underground services, including locations, dimensions and depths of all service facilities and required ground excavations, have been submitted to and approved by the Local Planning Authority in writing. The submitted details shall show accordance with the landscaping

proposals and updated Arboricultural Method Statement. The development shall thereafter be carried out in accordance with the approved details.

Reason: As this matter is fundamental to the acceptable delivery of this permission, to ensure the underground services do not conflict with satisfactory landscaping in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policy THAKEHAM6 of the Thakeham Parish Neighbourhood Plan (2017).

- 8 **Pre-Commencement Condition:** No development shall commence until a drainage strategy detailing the proposed means of foul water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

- 9 **Pre-Commencement Condition:** No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

- (a) An intrusive site investigation scheme, based on the Phase 1 Desk Study 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.
- (b) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation and a verification plan providing details of what data will be collected in order to demonstrate that the remedial works are complete.

The scheme shall be implemented as approved. Any changes to these components require the consent of the local planning authority.

Reason: As this matter is fundamental 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).

- 10 **Pre-Commencement Condition:** No development shall commence until a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP (Biodiversity) shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To conserve protected and Priority species and allow the Local Planning Authority 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 Planning Framework (2015).

- 11 **Pre-Commencement Condition:** Prior to the commencement of development, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted and agreed in writing by the Local Planning Authority. The scheme shall then be constructed as per the agreed drawings, method statement, and Flood Risk & Water Neutrality Assessment by Price & Myers, 24th January 2024, revision 5 and remain in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with the NPPF and Policy 38 of the Horsham District Planning Framework (2015).

- 12 **Pre-Commencement Condition:** 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. Confirmation has been submitted to and been approved in writing by the Local Planning Authority that the water demand from the proposed development will be served from the onsite borehole(s) in accordance with the submitted water neutrality statement (dated 'November 2023 Updated July 2024'; received 24/07/2024); 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 borehole(s) has been fully implemented and is operational. The approved borehole(s) shall thereafter be retained, maintained and operated at all times.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), the National Planning Policy Framework (2024), and to enable 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).

- 13 **Pre-Commencement Condition:** Subject to condition 12 above, no development, other than the drilling of the borehole, shall commence until a groundwater investigation report, undertaken by a suitably competent and qualified consultant, has been submitted to and approved, in writing, by the local planning authority. The groundwater investigation report shall include, but necessary be limited to, the below information:
- i. Detailed commentary on the site investigation and the sampling of the borehole(s) with reference to current British Standards and technical guidance.
 - ii. Detailed commentary on the sampling results and comparison to UK assessment criteria.
 - iii. Site location plan and site plan showing location of the boreholes on the application site, including the secondary backup borehole in the event the first borehole were to fail.

- iv. Borehole logs in accordance with current British Standards.
- v. Laboratory certificates indicating that all parameters detailed in Schedule 1 of The Private Water Supplies (England) Regulations 2016 have been tested for.

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), the National Planning Policy Framework, and to enable 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).

- 14 **Pre-Commencement (Slab Level) Condition:** Subject to condition 12 above, no development above ground floor slab level of the dwellings hereby permitted shall take place until a mitigation scheme, undertaken by a suitably qualified and competent consultant, has been submitted to and been approved in writing by the Local Planning Authority that demonstrates how the water from the borehole(s) will be treated to meet the requirements of Schedule 1 of the Private Water Supplies (England) Regulations 2016 (or subsequent superseding equivalent). The mitigation scheme shall a) provide sufficient detail on the management and maintenance of the proposed treatment system to ensure it can prevent fouling of the RO membranes and reduce the parameters identified as elevated in the sampling to date to acceptable concentrations and b) ensure that the components of the proposed treatment system are compliant with Regulation 31 of The Water Supply (Water Quality) Regulations 2016 (or subsequent superseding equivalent) and Water Regulations Approval Scheme (or subsequent superseding equivalent). The mitigation scheme shall be implemented in full prior to first occupation of any dwelling and shall be retained and maintained at all times 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), the National Planning Policy Framework, and to enable 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).

- 15 **Pre-Commencement (Slab Level) Condition:** Subject to condition 12 above, no development above ground floor slab level of the dwellings hereby permitted shall take place until a Private Water Supply Management Plan (PWSMP) has been submitted to and approved in writing by the Local Planning Authority. The PWSMP shall include, but not necessarily be limited to, the following information:
- i. Detail on the sampling and testing regime, undertake in accordance with Private Water Supplies (England) Regulations 2016 (or subsequent superseding equivalent), with detail on how any failure of any samples will be investigated and managed.
 - ii. Confirmation that a Regulation 6 risk assessment (or subsequent superseding equivalent), undertaken by a suitably competent and experienced person in accordance with relevant guidance and statutory requirements, shall be undertaken before the private water supply is brought into use and at least once every five years thereafter with the findings of the risk assessment submitted to the LPA.
 - iii. Detail on the maintenance, servicing and cleaning of the pump, pumphouse, water treatment equipment, tanks, all pipework etc for the lifetime of the development along with regularity of servicing/maintenance and clarification what steps will be taken in the event of equipment failure. This should include sufficient detail on proposed maintenance to address the risks from fouling.
 - iv. Full specifications and details, including a plan or schematic, showing the supply - storage tanks, treatment etc, and means to record the total water consumption of each unit

- v. Arrangements for keeping written records of all sampling, results of analysis, inspection, cleaning, maintenance and for making these records available to Local Authority officers when reasonably requested.
- vi. A named person for residents to contact (24/7) in an event of a failure or issue with the private water supply; Detail on the continuity of supply during dry periods extending beyond 35 days and continuity plan to ensure any failure's or reported concerns with the supply are investigated and rectified as soon as possible, including timeframes. This should include notification of the investigation and corrective actions to the Local Planning Authority.

The management plan shall be implemented as approved and maintained for the lifetime of the development. The management plan shall be reviewed annually and any revisions shall be submitted to and approved in writing by the local planning authority.

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), the National Planning Policy Framework, and to enable 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).

- 16 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policies THAKEHAM6 and THAKEHAM10 of the Thakeham Parish Neighbourhood Plan (2017).

- 17 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until the areas of advance planting, noted as 'New tree screen' approved under 30005 SKS P01 REV P02 Proposed Site Plan are delivered. Confirmation of the delivery of these landscape works shall be submitted to and approved, in writing, by the Local Planning Authority.

The approved landscaping 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 identified adverse effects of the development are satisfactorily mitigated, including during construction, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policies THAKEHAM6 and THAKEHAM10 of the Thakeham Parish Neighbourhood Plan (2017).

- 18 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted until a scheme for sound attenuation protecting future occupiers of the proposed development from external noise from the adjacent Thakeham Mushroom site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall have regard to recommendations set out in the submitted Noise report and include the acoustic mitigation scheme (bund and fence both located in estate managed land outside of individual plot ownership demise) have been provided on the land in full accordance with the details shown on approved drawing 664190/Figure01/Rev03 High Bar Lane/4. Deliverables. The approved sound attenuation works shall be completed before the dwellings are occupied and retained as provided thereafter.

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

- 19 **Pre-Occupation Condition:** Subject to condition 12 above, no internally and/or externally located plant, machinery equipment or building services plant from the borehole plant room/pump house shall be operated until an assessment of the acoustic impact arising from the operation of all such equipment has been undertaken and has been submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken in accordance with BS 4142:2014 and shall include a scheme of attenuation measures to mitigate any adverse impacts identified in the acoustic assessment and ensure the rating level of noise emitted from the proposed building services plant is no greater than background levels. The scheme as approved by the Local Planning Authority shall be fully installed prior to first operation of the plant and shall be retained as such thereafter.

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

- 20 **Pre-Occupation Condition:** The development shall not be first occupied until details, including technical drawings and plans, of a dropped kerb and tactile paving to be located where the eastern footway wrapping round the new site access terminates to provide a usable link from the site to join the southern footway is submitted to and approved in writing by the Local Planning Authority, and the details so agreed provided out on the site.

Reason: In the interests of road safety and active travel in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 21 **Pre-Occupation Condition:** The development shall not be first occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

- i. a timetable for its implementation,
- ii. details of SuDS features and connecting drainage structures and maintenance requirement for each aspect
- iii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any

other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with the National Planning Policy Framework and Policy 38 in Horsham District Planning Framework.

22

Pre-Occupation Condition: No part of the development hereby permitted shall be first occupied until full details of all hard and soft 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:

- Details of all existing trees and planting to be retained. In the event of tree number 27 (as identified on 1721-KC-XX-YTREE-TreeSurvey-and-ImpactAssessment-RevD Tree Survey and Impact Assessment for land at High Bar Lane, Thakeham (December 2024) by Keen Consultant) failing or dying within 5 years of the works to form the vehicular access commencing on site, a replacement tree, to be agreed in writing with the Local Planning Authority, including to an agreed Standard, shall be planted in an agreed location.
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit/underground guying details, including details for sloping ground and position of root barriers if required, details, including a detailed plant schedule including information on species and sizes for proposed native woodland shrub plants, native hedgerow whips, native woodland scrub plants, structural/feature trees, ground cover plants, and dry pond plants if applicable. For trees, a representation of sizing when fully mature to fully assess long term sustainability. An alternative ground cover plant to Vinca major should be considered due to its rigorous growth and potential to suppress other plant growth. Vinca minor could be a suitable alternative for similar benefits.
- Details of all hard surfacing materials and finishes and details of all boundary treatments (including walls/fences), including specification of paving and boundary treatments between dwellings, the bridleway, and all existing and proposed levels for external earthworks associated with the landscape proposals - such as SuDS, retaining walls, banking etc - including cross sections where necessary.
- Details and specification communal garden serving the apartment block and details of minor artefacts and structures - such as bin stores, cycle stores, street furniture and signage - including location, size, colour and specification.
- Coordination with the Landscape Ecological Management and Maintenance Plan (LEMMP) detailing management responsibilities, specification and maintenance schedules, and Landscape and Ecological Management and Maintenance Plan, including locations of bat boxes, hedgehog houses and bug hotels marked on plan.

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) and Policies THAKEHAM6 and THAKEHAM10 of the Thakeham Parish Neighbourhood Plan (2017).

- 23 **Pre-Occupation Condition:** The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification that the remediation scheme required and approved under the provisions of condition 9(b) above 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 9(b), unless otherwise agreed in writing by the Local Planning Authority.

Reason: As this matter is fundamental 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).

- 24 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until details of any planting to be removed to facilitate the visibility splays for the access serving the development have been submitted to and approved in writing by the Local Planning Authority. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety and to ensure a satisfactory development that is sympathetic to the landscape and townscape character, and in the interests of visual amenity in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015) and Policies THAKEHAM6 and THAKEHAM10 of the Thakeham Parish Neighbourhood Plan (2017).

- 25 **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 a minimum 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) and Policy THAKEHAM13 of the Thakeham Parish Neighbourhood Plan (2017).

- 26 **Pre-Occupation Condition:** Prior to occupation of the development a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal (Ecology Partnership, December 2022), shall be submitted to and approved in writing by the local planning authority. The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species and allow the Local Planning Authority to discharge its duties under the s40 of the NERC Act 2006 (as amended) and Policy 31 of the Horsham District Planning Framework Policy and THAKEHAM10 of the Thakeham Parish Neighbourhood Plan (2017).

- 27 **Pre-Occupation Condition:** Prior to occupation of the development a Landscape and Ecological Management and Maintenance Plan (LEMMP) shall be submitted to, and be

approved in writing by, the local planning authority prior to commencement of the development. The content of the LEMMP shall include the following:

- a) long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility for all communal landscape areas
- b) Description and evaluation of features to be managed.
- c) Ecological trends and constraints on site that might influence management.
- d) Aims and objectives of management.
- e) Appropriate management options for achieving aims and objectives.
- f) Prescriptions for management actions.
- g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- h) Details of the body or organisation responsible for implementation of the plan.
- i) 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(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP 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 and the landscape areas shall thereafter be managed and maintained in accordance with the approved details.

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 to ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policies 31, 33 of the Horsham District Planning Framework (2015) and Policies THAKEHAM6 and THAKEHAM10 of the Thakeham Parish Neighbourhood Plan (2017).

- 28 **Pre-Occupation Condition:** Prior to occupation of the development a lighting design scheme for biodiversity based on GN: 08/23 shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. 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 (as amended) and Policy 31 of the Horsham District Planning Framework and Policies THAKEHAM6 and THAKEHAM10 of the Thakeham Parish Neighbourhood Plan (2017).

- 29 **Pre-Occupation Condition:** Prior to occupation of the development and upon completion of the surface water drainage system, including any SuDS features, and prior to the first occupation of the development; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance

with the details approved pursuant to condition 21 above. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with the National Planning Policy Framework and Policy 38 in Horsham District Planning Framework (2015).

- 30 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a fire hydrant(s) to BS 750 standards or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) has been installed, connected to a water supply with appropriate pressure and volume for firefighting, and made ready for use in consultation with the WSCC Fire and Rescue Service. The hydrant(s) or stored water supply shall thereafter be retained as such.

Reason: In accordance with fire and safety regulations in accordance with Policies 33 and 39 of the Horsham District Planning Framework (2015).

- 31 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until the car parking spaces (including garages where applicable), turning and access facilities necessary to serve that dwelling have been constructed and made available for use in accordance with approved drawings. The car parking spaces permitted shall thereafter be retained as such for their designated use for the parking of vehicles incidental to the use of the properties as dwellings and for no other purposes.

Reason: To ensure that adequate access and car parking provisions are available in accordance with the requirements of Policies 40 and 41 of the Horsham District Planning Framework (2015).

- 32 **Pre-Occupation Condition:** Notwithstanding the submitted details, no part of the development shall be first occupied until details including construction method and surfacing material and finish of all internal roads, footways (including the footway on the east side of the access road linking to the existing play area avoiding the Root Protection Areas), and visitor car parking serving that part of the development have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To safeguard the longevity of the treed frontage to High Bar Lane, to ensure suitable appropriately surfaced access, and in order to safeguard the character and visual amenities of the locality in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015) and Policy THAKEHAM6 of the Thakeham Parish Neighbourhood Plan (2017).

- 33 **Pre-Occupation Condition:** No buildings containing flats or maisonettes shall be occupied until a strategy for the provision of electrical vehicle charging points to serve the flats or maisonettes within that building has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed prior to first occupation of the building containing the flats or maisonettes and shall thereafter remain as such.

Reason: To provide electric vehicle car charging space for the use in accordance with Policies 35 and 41 of the Horsham District Planning Framework (2015).

- 34 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until the cycle parking facilities serving that dwelling have been constructed and made available for use in

accordance with details to be submitted to and approved in writing by the Local Planning Authority. 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).

- 35 **Pre-Occupation Condition:** Notwithstanding the submitted details, no development shall be occupied until full details of the open space and play provision have been submitted to and approved by the Local Planning Authority in writing. The submitted details shall show accordance with the landscaping proposals and shall include, but not limited to, location of each area, type of play equipment, surfacing, planting, fencing, seating, bins, dog waste bins, and signage for each area- including location, size, colour and specification. The open spaces and play provision shall be installed in accordance with details approved by the Local Planning Authority and maintained as such thereafter.

Reason: To ensure that satisfactory provision for outdoor play and recreation is made within the development, in the interests of the amenity of future occupiers of the development, in accordance with Policies 32, 33, 39 and 43 of the Horsham District Planning Framework (2015).

- 36 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until provision for the storage of refuse and recycling has been made for that dwelling in accordance with details submitted to and approved in writing by the Local Planning Authority.

The details so submitted shall include relocation of the communal bin store that serves plots 23 - 28 to the refuse collection point situated in the car park opposite the block, of size sufficient to accommodate x3 360litre refuse bins, x6 240L recycling bins and would also need room for an additional 140L food waste bin.

The refuse and recycling facilities so approved shall thereafter be retained for use at all times.

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

- 37 **Pre-Occupation Condition:** The development hereby permitted shall be undertaken in full accordance with the on-site measures of the Water Neutrality Statement by D&M Planning D&M REF: 001/23/MS Updated July 2024 and Flood Risk & Water Neutrality Assessment REV 6 Final Document 19th August 2024 by Price and Myers High Bar Lane, West Sussex Job Number 30005. 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 the on-site measures for that dwelling has been implemented in full (including evidence of the installation of the specification of fittings and appliances in accordance with the Price and Myers Flood Risk & Water Neutrality Assessment REV 6, and completion of the as built Part G water calculator or equivalent to meet the required water consumption flow rates. The installed measures shall be retained as such thereafter, or to a similar or improved water performance.

Reason: To ensure the quality of water is maintained and 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), the National Planning Policy Framework, and to enable 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).

- 38 **Pre-Occupation Condition:** Subject to condition 12 above, no dwelling shall be first occupied until a risk assessment compliant with regulation 6 the Private Water Supplies (England) Regulations 2016 (or subsequent superseding equivalent) undertaken by a suitably competent and experienced person has been submitted to and approved in writing by the Local Planning Authority.

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), the National Planning Policy Framework, and to enable 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).

- 39 **Pre-Occupation Condition:** Subject to condition 12 above, no dwelling shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that water taken from the tap within the dwelling(s) been a) sampled by a person who has undertaken the DWI certification of persons scheme for sampling private water supplies, b) has been analysed by a laboratory that is accredited to the ISO 17025 Drinking Water Testing Specification and c) meets the requirements of Schedule 1 'Prescribed concentrations or values' of the Private Water Supplies (England) Regulations 2016 (or subsequent superseding equivalent).

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), the National Planning Policy Framework, and to enable 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).

- 40 **Regulatory Condition:** All development shall be constructed in accordance with the submitted and approved Flood Risk Assessment (dated 24th January 2024), this includes all new residential dwellings to have a finished floor level raised a minimum of 150 mm above the surrounding proposed ground level unless otherwise first approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with the NPPF and Policy 38 in Horsham District Planning Framework (2015).

- 41 **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 (Ecology Partnership, December 2022), 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 4.5 of the Bat Preliminary Ground Level Tree Roost Assessment (Ecology Partnership, January 2024) and the Non-licensed Precautionary Method Statement for Hazel Dormouse in Sections 4.5 and 4.58 of the Preliminary Ecological Appraisal (Ecology Partnership, December 2022), which avoids impact on European Protected Species. This also includes the Precautionary Method Statement for reptiles in Section 4.53 of the Preliminary Ecological Appraisal (Ecology Partnership, December 2022) which avoids impacts on protected species 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 Local Planning Authority 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 District Planning Framework (2015).

- 42 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or Orders amending or revoking and re-enacting the same, no gate, fence, wall or other means of enclosure shall be erected or constructed in front of the forward most part of any building which fronts onto a highway without express planning consent from the Local Planning Authority first being obtained.

Reason: In order to safeguard the character and visual amenities of the locality and/or highway safety and in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policy THAKEHAM6 of the Thakeham Parish Neighbourhood Plan (2017).

- 43 **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours (8am) to 18:00 hours (6pm) of the same day Mondays to Fridays and 08:00 hours (8am) to 13:00 hours (1pm) 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).

- 44 **Regulatory Condition:** Subject to condition 12 above, no dwelling unit hereby permitted shall be connected to or draw supply from the mains water supply except for emergency purposes in the event of a temporary failure of the borehole system. Where a temporary failure has occurred, the occupiers shall immediately undertake the contingency measures set out in the management and maintenance plan agreed under condition 15 above until such time as the system is fully operational. The occupiers of each dwelling shall keep an ongoing record of all water taken from the mains supply and hold written evidence to explain why it was necessary as an exceptional measure to take water from the mains supply.

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), the National Planning Policy Framework, and to enable 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).

- 45 **Regulatory Condition:** Subject to condition 12 above, prior to first use of the borehole system, details of the Source Protection Zone for the borehole shall be provided to the Local Planning Authority and Environment Agency, alongside evidence that all landowners within the Source Protection Zone have been notified of the borehole and their responsibilities to avoid contamination of the borehole supply.

Reason: To ensure the quality of water is maintained and 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), the National Planning Policy Framework, and to enable 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).

- 46 **Regulatory Condition:** Foundation piling of the development hereby permitted and repair and maintenance of the borehole using penetrative methods shall not be carried out other than

with the written approval of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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), the National Planning Policy Framework, and Position Statement N7 of the Environment Agency's approach to groundwater protection.

- 47 **Regulatory Condition:** If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy has been submitted to and approved by the local planning authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

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).

Note to Applicant – Community Infrastructure Levy (CIL):

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

If you have not received a Liability Notice from the Council within 1 month of the decision date please contact the CIL Team at cil@horsham.gov.uk.

CIL is a mandatory financial charge on development. To avoid additional financial penalties, the requirements of CIL must be managed before development is commenced (including in the event of any successful appeal).

Payment must be made in accordance with the requirements of the CIL Demand Notice issued.

Note to Applicant

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.

ADDITIONAL INFORMATION

Planning Permission – Important Provisos

If planning permission has been granted, please note that your Notice of Decision refers only to consideration of your proposal under the Town and Country Planning Acts. It is not a building regulations approval and does not mean that you can disregard other Acts of Regulations or avoid any other legal obligations. Some of these obligations, of particular relevance to your proposal are referred to elsewhere in this note. Before you proceed with your proposal you should ensure that a Building Control application is not required or has been submitted. The Building Control Department can be contacted on 01403 215151.

If this permission relates to new dwellings, commercial premises or other buildings which will require a new postal address you should contact the Council's Street Naming & Numbering Department as soon as possible or before work commences on site. Further details are available on the Street Naming page on the Council's website or alternatively e-mail streetnaming@horsham.gov.uk or telephone 01403 215139.

It is the responsibility of the developer to provide bins for the development. If you are a developer and need to purchase bins, please email hop.oast.admin@horsham.gov.uk.

It must be stressed that the information included on this Notice of Decision may not include all your legal obligations, and it does not grant you rights to carry out works on or over lands, or to access land that is not within your control or ownership.

Amendments

Should alterations or amendments be required to the approved plans, it will be necessary to apply either under Section 96A of the Town and Country Planning Act 1990 for non-material alterations, or under Section 73 of the Act for minor material alterations. An application must be made using the standard application form and you should consult with us, to establish the correct type of application to be made.

Monitoring

Horsham District Council monitors the implementation of planning permissions. Please be aware that monitoring officers may visit the application site at various stages of the development to ensure compliance with the approved plans and conditions.

Right of Appeals

If you are aggrieved by the decision to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

You must appeal within 12 weeks of the date of the decision notice for a householder application or 'minor commercial' (shop front) development, and within 6 months for other types of planning applications. There are different timescale – usually 28 days – if an enforcement notice is/has been served for the same (or very similar) land and development. Please note, only the applicant possesses the right of appeal.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are at <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>.

Date: 07 May 2025
Our ref: 510875
Your ref: DC/23/2152



Horsham District Council
Chart Way
Horsham
West Sussex
RH12 1RL

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Sir/Madam,

Planning consultation: Erection of 28 dwellings and associated engineering operations and works including an onsite borehole water supply.

Location: Land To The North of High Bar Lane Thakeham West Sussex

Thank you for your consultation on the above dated 22 April 2025 which was received by Natural England on 22 April 2025.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

Natural England considers that without appropriate mitigation the application would:

- have an adverse effect on the integrity of Arun Valley Special Area of Conservation, Special Protection Area and Ramsar site <https://designatedsites.naturalengland.org.uk/>.
- damage or destroy the interest features for which Amberley Wild Brooks and Pulborough Brooks Site of Special Scientific Interest has been notified.

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

- The delivery, management and maintenance of any measures identified and considered within your appropriate assessment.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted.

Natural England's further advice on designated sites/landscapes and advice on other natural

environment issues is set out below.

Habitats Regulations Assessment

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

Further Advice on Mitigation

The proposed development falls within the [Sussex North Water Supply Zone](#) (SNWSZ). As set out in Natural England's [Advice Note](#) regarding planning applications within the SNWSZ, the existing water supply in the zone cannot be ruled out as contributing to the declines in wildlife within the internationally protected Arun Valley SPA, SAC and Ramsar sites. Ensuring that there is no net increase in water consumption is recognised as a suitable method to rule out potential adverse effects on the integrity of these sites arising from development.

The applicant has undertaken a water neutrality assessment which demonstrates that the proposal will be water neutral and will therefore not result in an adverse effect on the integrity of the Arun Valley designated sites. We note that the proposed mitigation will be delivered either through the installation of onsite water efficiency measures and the use of an onsite private borehole (which we previously agreed to – please see our ref: 493853, dated: 21 November 2024 for further advice) or through access to SNOWS credits. While we concur with the conclusions of the water neutrality assessment and your appropriate assessment that the proposal achieves neutrality, we have the following comments to make on certain aspects of the assessment.

Proposed Mitigation

Contribution to SNOWS

Natural England notes that the water use resulting from the proposed development may be offset via the Sussex North Offsetting Water Strategy (SNOWS). As detailed in our letter to your authority on 31 January 2025, we are satisfied that this measure is sufficient to rule out an adverse effect on the integrity of the Arun Valley sites and support your decision in applying Grampian-style conditions to secure it.

Final Comments

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

If you have any queries relating to the advice in this letter please contact me at

We would not expect to provide further advice on the discharge of planning conditions or obligations attached to any planning permission.

Should the proposal change, please consult us again.

Yours faithfully,

Eleanor Curran
Sustainable Development Officer
Sussex and Kent Area Team

Annex A –Natural England general advice

Protected Landscapes

Paragraph 182 of the [National Planning Policy Framework - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/policies/national-planning-policy-framework) (NPPF) requires great weight to be given to conserving and enhancing landscape and scenic beauty within Areas of Outstanding Natural Beauty (known as National Landscapes), National Parks, and the Broads and states that the scale and extent of development within all these areas should be limited. Paragraph 183 requires exceptional circumstances to be demonstrated to justify major development within a designated landscape and sets out criteria which should be applied in considering relevant development proposals. Section 245 of the [Levelling-up and Regeneration Act 2023 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2023/1/section/245) places a duty on relevant authorities (including local planning authorities) to seek to further the statutory purposes of a National Park, the Broads or an Area of Outstanding Natural Beauty in England in exercising their functions. This duty also applies to proposals outside the designated area but impacting on its natural beauty.

The local planning authority should carefully consider any impacts on the statutory purposes of protected landscapes and their settings in line with the NPPF, relevant development plan policies and the Section 245 duty. The relevant National Landscape Partnership or Conservation Board may be able to offer advice on the impacts of the proposal on the natural beauty of the area and the aims and objectives of the statutory management plan, as well as environmental enhancement opportunities. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to development and its capacity to accommodate proposed development.

Wider landscapes

Paragraph 180 of the NPPF highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland, or dry-stone walls) could be incorporated into the development to respond to and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape and Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Guidelines for Landscape and Visual Impact Assessment \(GLVIA3\) - Landscape Institute](https://www.landscapeinstitute.org/resources/guidelines-for-landscape-and-visual-impact-assessment-glvia3/) for further guidance.

Biodiversity duty

Section 40 of the [Natural Environment and Rural Communities Act 2006 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2006/14/section/40) places a duty on the local planning authority to conserve and enhance biodiversity as part of its decision making. We refer you to the [Complying with the biodiversity duty - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/conserving-and-enhancing-biodiversity) for further information.

Designated nature conservation sites

Paragraphs 186-188 of the NPPF set out the principles for determining applications impacting on Sites of Special Scientific Interest (SSSI) and habitats sites. Both the direct and indirect impacts of the development should be considered. A Habitats Regulations Assessment is needed where there is a likely significant effect on a habitats site and Natural England must be consulted on 'appropriate assessments'. We refer you to [Appropriate assessment - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/appropriate-assessments) for more information. Natural England must also be consulted where development is in or likely to affect a SSSI and provides advice on potential impacts on SSSIs either via the [SSSI Impact Risk Zones \(England\) \(arcgis.com\)](https://arcgis.com) or as standard or bespoke consultation responses.

Protected Species

Natural England has produced [Protected species and development: advice for local planning authorities \(gov.uk\)](https://www.gov.uk/government/guidance/protected-species-and-development-advice-for-local-planning-authorities) (standing advice) to help planning authorities understand the impact of particular developments on protected species. Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances. A protected species licence may be required in certain cases. We refer you to [Wildlife licences: when you need to apply - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/wildlife-licences-when-you-need-to-apply) for more information.

Annex A –Natural England general advice

Local sites and priority habitats and species

The local planning authority should consider the impacts of the proposed development on any local wildlife or geodiversity site, in line with paragraphs 180, 181 and 185 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity to help nature's recovery. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies. Emerging [Local nature recovery strategies - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/local-nature-recovery-strategies) may also provide further useful information.

Priority habitats and species are of particular importance for nature conservation and are included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest on the Magic website or as Local Wildlife Sites. We refer you to [Habitats and species of principal importance in England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/habitats-and-species-of-principal-importance-in-england) for a list of priority habitats and species in England.

Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. We refer you to the [Brownfield Hub - Buglife](https://www.gov.uk/government/publications/brownfield-hub-buglife) for more information and Natural England's [Open Mosaic Habitat \(Draft\) - data.gov.uk](https://data.gov.uk/dataset/open-mosaic-habitat-inventory) (Open Mosaic Habitat inventory), which can be used as the starting point for detailed brownfield land assessments.

Biodiversity and wider environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 180(d), 185 and 186. Major development (defined in the [National Planning Policy Framework \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/101311/national-planning-policy-framework-glossary) glossary) is required by law to deliver a biodiversity gain of at least 10% from 12 February 2024 and this requirement is expected to be extended to smaller scale development in spring 2024. For nationally significant infrastructure projects (NSIPs), it is anticipated that the requirement for biodiversity net gain will be implemented from 2025.

For further information on the timetable for mandatory biodiversity net gain, we refer you to [Biodiversity Net Gain moves step closer with timetable set out - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/biodiversity-net-gain-moves-step-closer-with-timetable-set-out). [Biodiversity net gain - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/biodiversity-net-gain) provides more information on biodiversity net gain and includes a link to the draft [Biodiversity net gain - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/biodiversity-net-gain) Planning Practice Guidance.

The statutory biodiversity metric should be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. We refer you to [Calculate biodiversity value with the statutory biodiversity metric - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/calculate-biodiversity-value-with-the-statutory-biodiversity-metric) for more information. For small development sites, [The Small Sites Metric - JP040 \(naturalengland.org.uk\)](https://naturalengland.org.uk/the-small-sites-metric) may be used. This is a simplified version of the statutory biodiversity metric and is designed for use where certain criteria are met.

The mitigation hierarchy as set out in paragraph 186 of the NPPF should be followed to firstly consider what existing habitats within the site can be retained or enhanced. Where on-site measures are not possible, provision off-site will need to be considered.

Development also provides opportunities to secure wider biodiversity enhancements and environmental gains, as outlined in the NPPF (paragraphs 8, 74, 108, 124, 180, 181 and 186). Opportunities for enhancement might include incorporating features to support specific species within the design of new buildings such as swift or bat boxes or designing lighting to encourage wildlife.

[The Environmental Benefits from Nature Tool - Beta Test Version - JP038 \(naturalengland.org.uk\)](https://naturalengland.org.uk/the-environmental-benefits-from-nature-tool-beta-test-version) may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside the statutory biodiversity metric.

[Natural environment - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/natural-environment) provides further information on biodiversity net gain, the mitigation hierarchy and wider environmental net gain.

Annex A –Natural England general advice

Ancient woodland, ancient and veteran trees

The local planning authority should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 186 of the NPPF. The [Natural England Access to Evidence - Ancient woodlands Map](#) can help to identify ancient woodland. Natural England and the Forestry Commission have produced [Ancient woodland, ancient trees and veteran trees: advice for making planning decisions - GOV.UK \(www.gov.uk\)](#) (standing advice) for planning authorities. It should be considered when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 180 and 181). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in the [Guide to assessing development proposals on agricultural land - GOV.UK \(www.gov.uk\)](#). [Find open data - data.gov.uk](#) on Agricultural Land Classification or use the information available on [MAGIC \(defra.gov.uk\)](#).

The Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites \(publishing.service.gov.uk\)](#) provides guidance on soil protection, and we recommend its use in the design and construction of development, including any planning conditions. For mineral working and landfilling, we refer you to [Reclaim minerals extraction and landfill sites to agriculture - GOV.UK \(www.gov.uk\)](#), which provides guidance on soil protection for site restoration and aftercare. The [Soils Guidance \(quarrying.org\)](#) provides detailed guidance on soil handling for mineral sites.

Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Green Infrastructure

For evidence-based advice and tools on how to design, deliver and manage green and blue infrastructure (GI) we refer you to [Green Infrastructure Home \(naturalengland.org.uk\)](#) (the Green Infrastructure Framework). GI should create and maintain green liveable places that enable people to experience and connect with nature, and that offer everyone, wherever they live, access to good quality parks, greenspaces, recreational, walking and cycling routes that are inclusive, safe, welcoming, well-managed and accessible for all. GI provision should enhance ecological networks, support ecosystems services and connect as a living network at local, regional and national scales.

Development should be designed to meet the 15 [GI How Principles \(naturalengland.org.uk\)](#). The GI Standards can be used to inform the quality, quantity and type of GI to be provided. Major development should have a GI plan including a long-term delivery and management plan. Relevant aspects of local authority GI strategies should be delivered where appropriate.

The [Green Infrastructure Map \(naturalengland.org.uk\)](#) and [GI Mapping Analysis \(naturalengland.org.uk\)](#) are GI mapping resources that can be used to help assess deficiencies in greenspace provision and identify priority locations for new GI provision.

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths, together with the creation of new footpaths and bridleways should be considered. Links to urban fringe areas should also be explored to strengthen access networks, reduce fragmentation, and promote wider green infrastructure.

Rights of Way, Access land, Coastal access and National Trails

Paragraphs 104 and 180 of the NPPF highlight the importance of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal

Annex A –Natural England general advice

access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. We refer you to [Find your perfect trail, and discover the land of myths and legend - National Trails](#) for information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

Further information is set out in the Planning Practice Guidance on the [Natural environment - GOV.UK \(www.gov.uk\)](#).



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**PLANNING APPLICATION MADE UNDER SECTION 73 FOR THE VARIATION
OF CONDITIONS 1, 12, 13, 14, 15, 19, 37, 38, 39, 44, 45, 46 of DC/23/2152**

For

**ERECTION OF 28 DWELLINGS AND ASSOCIATED ENGINEERING
OPERATIONS AND WORKS INCLUDING AN ONSITE BOREHOLE WATER
SUPPLY**

At

LAND TO THE NORTH OF HIGH BAR LANE, THAKEHAM, WEST SUSSEX

**D&M REF: 100/23/MS
January 2026**

DIRECTOR - ANDREW BANDOSZ BA (Hons) MSc Dip UPI MRTPI
SENIOR ASSOCIATE - MATT SMITH BA (Hons) MA MRTPI **ASSOCIATE** - CHRIS FRENCH BSc (Hons) MSc MRTPI
PLANNER - PAUL HARDWICK BSc (Hons) MRTPI

CONTENTS:

- 1. Introduction and Summary**
- 2. Description of Site and Locality**
- 3. Planning History**
- 4. The Proposal**
- 5. Planning Policy and Guidance Background**
- 6. Variation of Condition 1**
- 7. Variation of Conditions Relating to Water Neutrality**
- 8. Conclusion**

Appendices:

Appendix 1: Letter from Fowlers regarding Marketing of Affordable Units

Appendix 2: Expression of interest

Appendix 3: Details of HEMSPAN®

Appendix 4: Schedule of Accommodation

1.0 INTRODUCTION

- 1.1 This Planning Statement is submitted on behalf of our client to seek the variation of conditions 1, 12, 13, 14, 15, 19, 37, 38, 39, 44, 45, 46 of planning permission DC/23/2152. That application granted permission for the *Erection of 28 Dwellings and Associated Engineering Works Including Onsite Borehole Water Supply*.
- 1.2 The application to vary conditions is essentially split into two main aspects. The variation of condition 1 concerns the approved plans which this application seeks to vary. The remainder of the conditions relate to water neutrality. This statement is divided into sections on these matters for ease of reference.
- 1.3 This application does not seek to alter the requirements of any other condition noting the requirement for many to be discharged prior to the commencement of development or at the appropriate time.
- 1.4 The NPPG provides guidance concerning conditions and in relation to applications for their variation.
- 1.5 Fundamentally, for the reasons set out in Section 6 of this statement we do not consider that the variations/removals as proposed would alter the determination of the application. Indeed, it is contended that the revision would deliver additional benefits; these would principally be in relation to the impact of the proposal in terms of meeting the challenges of a changing climate, and improvements to housing mix to deliver affordable housing which meets an identified need.
- 1.6 It is contended that in these circumstances the variation of condition would be appropriate. Such a variation would allow the development to come forward in a more efficient and timely manner realising the benefits of the scheme at the earliest opportunity.
- 1.7 This statement will seek to set out why the current conditions should be varied/removed.

SCOPE OF SUBMISSION

- 1.8 The table below summarises the proposed variation to condition 1, including list of plans.

Condition 1 Plans to be Varied

(03) 004 – Plots 4 and 5 – Elevations	25-2125 - 320A - Plot 4 & 5 - Elevations
(03) 005 – Plots 4, 5, 6 and 7 – Sections	25-2125 - 321 - Plot 4, 5, 6 and 7 - Sections
(02) 005 – Plots 6 and 7 – Floor Plans	25-2125 - 410D - Plot 6 & 7 - Plans
(03) 006 – Plots 6 and 7 – Elevations	25-2125 - 420A - Plot 6 & 7 - Elevations
(02) 006 – Plots 8, 9 and 10 – Ground and First Floor Plans	25-2125 - 510D - Plot 8, 9 & 10 - Plans 1 of 2
(02) 007 – Plots 8, 9 and 10 – Second Floor and Roof Plans	25-2125 - 511D - Plot 8, 9 & 10 - Plans 2 of 2
(03) 007 – Plots 8, 9 and 10 – Front and Rear Elevations	25-2125 - 520A - Plot 8, 9 & 10 - Elevations 1 of 2
(03) 008 - Plots 8, 9 and 10 – Side Elevations	25-2125 - 521A - Plot 8, 9 & 10 - Elevations 2 of 2
(03) 009 – Plots 8, 9 and 10 – Sections A-A and B-B	25-2125 - 522 - Plot 8, 9 & 10 - Sections
(02) 008 – Plots 11 and 12 – Floor Plans	25-2125 - 610D - Plot 11 & 12 - Plans
(03) 011 – Plots 11 and 12 – Elevations	25-2125 - 620A - Plot 11 & 12 - Elevations
(03) 012 – Plots 11 and 12 – Sections	25-2125 - 621 - Plot 11 & 12 - Sections
(02) 009 – Plots 13, 14, 15 and 16 – Ground and First Floor Plans	25-2125 - 710D - Plot 13, 14, 15 & 16 - Plans 1 of 2
(02) 010 – Plots 13, 14, 15 and 16 – Second Floor and Roof Plans	25-2125 - 711D - Plot 13, 14, 15 & 16 - Plans 2 of 2
(03) 013 - Plots 13, 14, 15 and 16 – Elevations	25-2125 - 720A - Plot 13, 14, 15 & 16 - Elevations 1 of 2 25-2125 - 721A - Plot 13, 14, 15 & 16 - Elevations 2 of 2
(03) 014 - Plots 13, 14, 15 and 16 – Sections	25-2125 - 722 - Plot 13, 14, 15 & 16 - Sections
(02) 011 – Plots 17, 18 and 19 – Ground and First Floor Plans	25-2125 - 810D - Plot 17, 18 & 19 - Plans 1 of 2
(02) 012 – Plots 17, 18 and 19 – Second Floor Plans	25-2125 - 811D - Plot 17, 18 & 19 - Plans 2 of 2
(03) 015 – Plots 17, 18 and 19 – Elevations	25-2125 - 820A - Plot 17, 18 & 19 - Elevations
(03) 016 – Plots 17 to 22 – Section	25-2125 - 821 - Plot 17, 18, 19, 20, 21 & 22 - Sections
(02) 013 – Plots 20, 21 and 22 – Ground and First Floor Plans	25-2125 - 910D - Plot 20, 21 & 22 - Plans 1 of 2
(02) 014 – Plots 20, 21 and 22 – Second Floor and Roof Plans	25-2125 - 911D - Plot 20, 21 & 22 - Plans 2 of 2
(03) 017 – Plots 20, 21, and 22 – Elevations	25-2125 - 920A - Plot 20, 21 & 22 - Elevations
(02) 015 – Plots 23 to 28 (Apartment Block) – Ground Floor and First Floor Plans	25-2125 - 1010 - Plot 23, 24 & 25 - Plans

(02) 016 - Plots 23 to 28 (Apartment Block) – Second Floor and Roof Plans	25-2125 - 1110 - Plot 26, 27 & 28 - Plans
(03) 018 - Plots 23 to 28 (Apartment Block) – Front and Rear Elevations	25-2125 - 1020 - Plot 23, 24 & 25 - Elevations
(03) 019 - Plots 23 to 28 (Apartment Block) – Side Elevations	25-2125 - 1120 - Plot 26, 27 & 28 - Elevations
(03) 020 - Plots 23 to 28 (Apartment Block) – Section A-A	25-2125 - 1021 - Plots 23, 24, 25, 26, 27 & 28 - Sections
(01) 007 – Proposed Roof Plan	25-2125 - 101B - Proposed Site Plan 25-2125 - 105A - Key Plan
(04) 020 – Streetscenes 1:200	25-2125 - 106 - Street Elevations

It should be noted that the plans for units 1, 2 and 3 have already been varied by virtue of the non-material amendment (DC/25/2111) and these remain unchanged.

- 1.9 The other conditions proposed for removal all concern water neutrality. Since the removal of the water neutrality position by Natural England, we no longer consider these to be reasonable in the inclusion of the decision.

STRUCTURE OF PLANNING STATEMENT

- 1.10 The purpose of this statement is to set out the proposed development in further detail and assess the proposal against the relevant national and local planning policies and other material considerations.
- 1.11 The statement will include the following sections: site description, planning history, description of the proposal, relevant planning policy, planning considerations, and conclusion.

2.0 DESCRIPTION OF SITE AND LOCALITY

- 2.1 The site, as shown on the location plan below, is located to the north of High Bar Lane and measures circa 1.8ha in total.
- 2.2 The land is irregular in shape consisting of three distinct areas: the main field where the majority of the housing would be located, the smaller area to the east and the land between Massey Close and the development site.
- 2.3 To the south of the site is High Bar Lane which consists of a varied palette of residential properties. There are further residential properties to the east of the site at Massey Close; the closest properties are newly constructed. To the west the site adjoins the local play area, and the Mushroom Farm is located to the north. It is understood that a revised application is imminently due for submission for the residential redevelopment of this site.
- 2.4 The larger development in Thakeham is located a short distance to the east and includes a number of amenities including a village shop, Parish Hall and vet practice alongside play equipment and sports fields.
- 2.5 The land is currently undeveloped and is not currently farmed nor has it ever been. The new bridleway dissects the site east to west and is incorporated into the proposed site layout.
- 2.6 The land is separate from the highway by intermittently planted trees and hedging, though some of these trees are showing signs of degradation.
- 2.7 There is a range of architectural styles within the area including gabled features. There is no one clear pattern of development with properties addressing the road at various frontages and points including some which are set back further than others.
- 2.8 The equipped area of children's play to the west also benefits from a small playing field with goal posts and basketball hoops.
- 2.9 The emerging Local Plan described Thakeham as a medium-sized village of sufficient size to cater for the day-to-day needs of its residents. Owing to the size of the village two sites were included in the emerging Local Plan, the one subject of this application and the site to the west along High Bar Lane.
- 2.10 The site is therefore recognised as being within a sustainable location being adjacent to the built-up area boundary and a short walk from the village's amenities.

3.0 PLANNING HISTORY

3.1 The planning history for the site is shown in the table below:

Application Reference	Description	Decision
DC/25/2111	Non-Material Amendment to previously approved application DC/23/2152 (Erection of 28 dwellings) for an increase in the size of internal/external wall thickness and other external architectural changes (windows and doors and labelling of external materials) in relation to dwellinghouses on plots 1-3 inclusive, and location plan red line clarification.	NMA Approved
DC/23/2152	Erection of 28 dwellings and associated engineering operations and works including an onsite borehole water supply.	Approved
DC/23/0269	Erection of 40 dwellings, creation of a pump park, and associated engineering operations and works. Retention of bridleway and installation of a borehole soakaway to the east of the development.	Withdrawn

3.2 The 'parent' permission of this application is the most important being that under reference DC/23/2152, however, a subsequent non-material amendment was agreed earlier this year.

3.3 Having regard to the nature of the proposal as a variation there is not a need to revisit all of the matters of determination of the parent permission and only those as part of the revision.

4.0 THE PROPOSAL

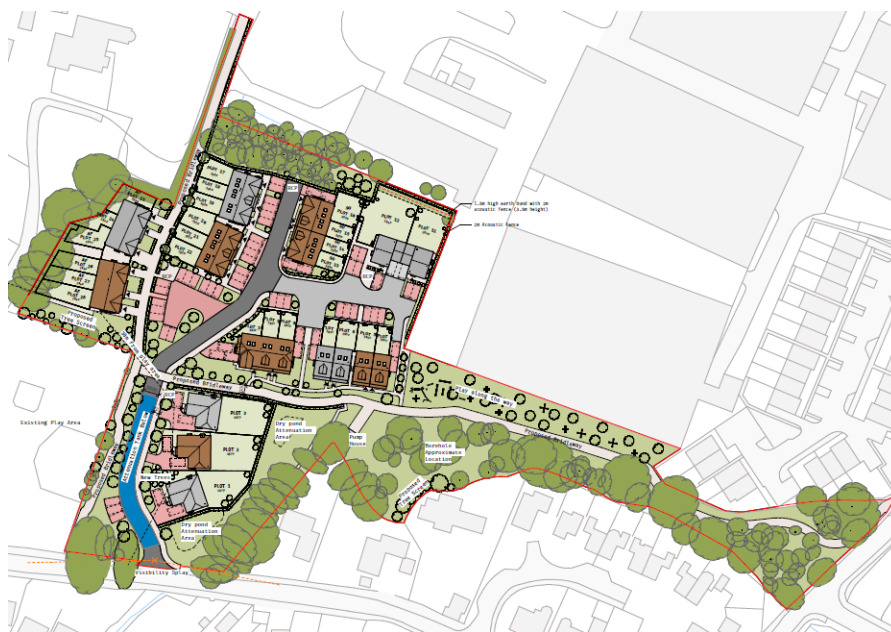
- 4.1 The application proposes the variation of conditions 1, 12, 13, 14, 15, 19, 37, 38, 39, 44, 45, 46 of DC/23/2152.
- 4.2 As set out in section 1 of this statement these conditions relate to both the proposed plans (condition 1) and water neutrality.
- 4.3 It is proposed that condition 1 be varied to allow for the revised plan set, with the other conditions removed. It is recognised, however, that so as to remove the other conditions there would be a need to impose a new regulatory condition requiring compliance with the Optional Technical Standards of Part G to provide for 110 litres of water per person per day.
- 4.4 The table set out in section 1 includes the relevant existing plans and those sought for revision.
- 4.5 The reason for the variation of the plans is twofold. Firstly, it would allow the units to be constructed in partnership with HEMPSAN[®]; the details of which are set out below but in essence deliver significant benefits to the energy efficiency of the development and significantly reduce the carbon footprint of the build. Secondly, the revision of unit types has been worked up through discussion with a registered provider who has expressed conditional interest based on such revisions – it should be highlighted that no other formal interest has been forthcoming at this time.
- 4.6 The variation would also work on the dwellings, as approved, to continue (in line with other conditions) during which time the applicant can engage with the highway authority to achieve the relevant agreements.
- 4.7 The wider application would continue to grant 28 dwellings and associated operations alongside a borehole.
- 4.8 The below details are provided as a written statement of the design and access principles of the site.

Use

- 4.9 The current site consists of an undeveloped field which, although it has not been actively farmed in the past, would constitute agricultural land as the default position. The proposed development would alter this use so that the land would provide space for 28 C3 residential units. This is as per the consented parent permission.

Layout

- 4.10 The proposed layout would remain largely unaltered. The development would continue to benefit from a principal road running on a north/south axis with secondary roads to the east of such. Public Rights of Way would continue to also dissect the site on such axis.
- 4.11 In comparison to the consented scheme the most significant change to the layout concerns the dwellings to the west of the existing footpath. In the originally consented scheme, a small block of flats was approved in this location. Following the involvement of HEMSPAN[®] and the Registered Provider it is now proposed to provide these units as two small runs of terraces.



Proposed Site Plan

- 4.12 Internally, the dwellings would largely remain consistent with the approved plans though the external and internal walls (including roofing) have been enlarged to allow for the use of HEMSPAN[®] as a sustainable construction product. Other internal changes include to the housing mix and are identified within the proposed plans.

Amount

- 4.13 The proposal continues to seek permission for the erection of 28 dwellings and associated operational works.
- 4.14 The total area of development for the internal units is set out in the table at Appendix 4.

- 4.15 Garden depths would be appropriate to the size of the units but vary across the development.

Scale

- 4.16 The scale of the proposed dwellings remains largely unchanged with units being two storey in form with accommodation in the roof of some units.
- 4.17 The proposed revision does alter the size of the units by way of making the external and internal walls larger to accommodate the HEMSPAN[®] product. The approved block of flats is proposed to be replaced with two small rungs of terrace housing which whilst spanning a greater width is of a reduced scale in comparison.

Appearance

- 4.18 The overall design approach for the units remains unchanged. The revised plan seeks to alter the arrangement so they can be constructed using the HEMSPAN[®] product. The design approach, however, to the external form remains unchanged.
- 4.19 It is not proposed to vary the conditions relating to conditions or similar and these aspects therefore would remain unchanged from the previous determination on site.

Landscaping

- 4.20 The wider landscaping of the site would remain unchanged. Areas would remain dedicated to landscaping, play along the way etc. The most significant change to the landscaping being the removal of communal gardens associated with the previously consented block of flats and in its place the inclusion of private gardens.

Access

- 4.21 The proposed access would remain unchanged from the consented scheme which was considered to be suitable for the site. The proposed development would not materially alter the likely impacts on highway capacity either.
- 4.22 The proposed total amount of parking would be altered with a modest reduction from the consented number of spaces to providing a total of 70 spaces. This provision still exceeds the guidance set out in relevant development plan documents.

5.0 PLANNING POLICY AND GUIDANCE BACKGROUND

- 5.1 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning applications are required to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.2 There has been no changes to either local or national policy since the determination of the parent permission last year. The development plan therefore remains the Horsham Development Framework 2015.
- 5.3 The Council are in the process of updating the Development Plan, but this has incurred significant delays and the weight to be afforded to the emerging policies should be limited.

Planning Policy Constraints

- 5.4 The application site is subject to the following planning constraints:
- Countryside Location – outside of any defined settlement

Central Government Planning Policy Guidance

- 5.5 The National Planning Policy Framework (NPPF) was first introduced in March 2012 and replaced planning policy statements (PPSs) and planning policy guidance notes (PPGs). The NPPF sets out national planning policy to be taken into account by Councils when preparing new local plans and when taking decisions on planning applications.
- 5.6 The NPPF has recently been updated with a revised version being published in December 2024. This was published following the determination of the application in August 2024. There continues to be a strong presumption in favour of sustainable development and at paragraph 3 it advises the Framework should be read as a whole.
- 5.7 Paragraph 7 states the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 states achieving sustainable development means that the planning system has three overarching objectives (economic, social and environmental), which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). However, paragraph 9 states these are not criteria against which every decision can or should be judged. Decisions should also take local circumstances into account, to reflect the character, needs and opportunities of each area.
- 5.8 Paragraph 12 states the following:

'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan...permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'

- 5.9 The most relevant sections of the NPPF in relation to this proposal are 2 (Achieving Sustainable Development), 4 (Decision Making), 5 (Delivering a sufficient supply of homes); 8 (Promoting healthy and safe communities); 9 (Promoting Sustainable Transport); 11 (Making Efficient Use of Land); 12 (Achieving well-designed places), 14 (Meeting the challenge of climate change, flooding and coastal change) and 15 (Conserving and enhancing the natural environment).
- 5.10 Section 2 sets out that the planning system should contribute toward achieving sustainable development. It states the Local Planning Authorities should apply a presumption in favour of sustainable development and not delay the issuing of approvals for such. Paragraph 11 sets out the application of the tilted balance.
- 5.11 Section 4 encourages Council's to engage with early pre-application engagement as it offers significant potential to improve the efficiency and effectiveness of the planning application system. This application is made as a Section 73, and the previous comments are therefore highly material to the determination of the scheme as submitted.
- 5.12 Section 5 states that it is the Government's objective to significantly boost the supply of homes. To deliver this it requires Council's to identify the appropriate housing need for the district and to establish an appropriate buffer. The housing need assessment for the district is currently be revisited as part of the emerging district wide Local Plan. This assessment indicates that there is likely to be a significant increase in the number of homes required within the plan period. The housing demand for Thakeham was previously set out in the adopted Neighbourhood Plan and Local Plan, both of which are out of date. Additionally, based on the publication from December 2025, the Council is only able to demonstrate a housing land supply equivalent to 1.7 years' worth of supply. The proposed variation whilst not altering the number of units provided does improve the deliverability of such units further benefiting the housing land supply position.
- 5.13 Section 8 sets out planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction and create safe and accessible space. The proposed design has been developed in a way to ensure a high quality of life and create safe spaces. The application provides sufficient private amenity space to each unit and also some community facilities notable in the form of the proposed play along

the way which would enhance the pedestrian connection between the two play areas in Thakeham.

- 5.14 Section 9 deals with sustainable transport. It sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impact on the road network. The proposed development would include a safe access and would not result in a net gain of dwellings that would prejudice highway safety. No objection was previously raised on transport grounds.
- 5.15 Section 11 sets out that development should promote an effective use of land in meeting the need for homes and other uses. It sets out that development should encourage multiple benefits from urban and rural land and promote and support the development of under-utilised land and buildings especially if this would help to meet identified needs for housing. The proposed development would make an effective use of the land resulting in an appropriate density and design for the location. The proposed variation alters the layout of the units whilst still providing 28 dwellings across the site.
- 5.16 Section 12 deals with the requirement for good design, which it notes is a key aspect of sustainable development and is indivisible from good planning. We submit that the proposal would comply with the relevant paragraphs that it would functional well and add to the overall quality of the area; be visually attractive as a result of good architecture; and be of a high-quality design that assimilates well with the area. The proposed dwellings have been designed to reflect the character of the area and respond well to the context of the area. The design approach to the scheme remains largely unaltered from the previous consent.
- 5.17 Section 14 requires development proposals to support the transition to a low carbon future and be proactively planned to mitigate and adapt to a changing climate. The principal driver for the variation is to ensure that the units can be delivered using the HEMSPAN[®] product. The use of the product improves not only the energy efficiency of the proposed units but also has significant benefits in terms of embodied carbon. Additional information about the HEMSPAN[®] product is provided separately in the appendices.
- 5.18 Section 15 of the NPPF deals with conserving and enhancing the natural environment. It states that development should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. Furthermore, it should protect and enhance biodiversity and geodiversity. The site is not located within any landscape or nature conservation designations and is not within any particularly sensitive location being well screened from longer distance views. The proposed revisions do not alter this assessment.

Local Development Plan

5.19 The approved Development Plan for this site therefore comprises the policies of the Horsham District Framework.

5.20 The relevant policies are considered to be as follows:

- Policy 1 – Sustainable Development
- Policy 3 & 4 – Development Hierarchy and Settlement Expansion
- Policy 15 – Housing Provision
- Policy 16 – Meeting Local Housing Needs
- Policy 24 – Environmental Protection
- Policy 25 – District Character and Natural Environment
- Policy 26 – Countryside Protection
- Policy 31 – Green Infrastructure and Biodiversity
- Policy 32 – Quality of New Development
- Policy 33 – Development Principles
- Policy 35 – Climate Change
- Policy 36 – Appropriate Energy Use
- Policy 37 – Sustainable Design and Construction
- Policy 38 – Flooding
- Policy 39 – Infrastructure Provision
- Policy 40 – Sustainable Transport
- Policy 41 – Parking
- Policy 42 – Inclusive Communities
- Policy 43 – Community Facilities, Leisure and Recreation

5.21 The relevant policies of the Neighbourhood Plan are:

- Policy 1 – A Spatial Plan for the Parish
- Policy 6 – Design
- Policy 8 – Subdivision of Agricultural Land
- Policy 9 – Development in the Countryside
- Policy 10 – Green Infrastructure and Valued Landscapes
- Policy 11 – Local Green Spaces

5.22 The following documents are also of some relevance to this application:

- National Planning Policy Guidance (NPPG)
- Horsham District Transport Study Technical Note (April 2015)

- Sussex Air Quality Guidance (2019)
- Natural England Water Neutrality Position Statement and subsequent withdrawal
- Climate Action Strategy 2024

6.0 PLANNING CONSIDERATIONS – VARIATION TO CONDITION 1

- 6.1 This section of the planning statement will focus on the variation of condition 1, being the condition links to plan numbers.
- 6.2 The proposed changes to the plans are outlined in the submitted plans and are driven by two factors. The first is to enable the construction of all units using the HEMSPAN[®] product. HEMSPAN[®] is a construction technology business developing bio-based, circular systems to capture and store atmospheric carbon in buildings. It relies on pre-fabric panel systems the installation of which requires the buildings to be redesigned to allow for such.
- 6.3 The second driver for the change is following discussion with Registered Providers. As is set out in the supporting information the marketing of the designated affordable units on the policy compliant mix of tenures included within the existing legal agreement has not yielded any success to date. Whilst this is the case, there is a firm expression of interest from Octopus (a registered provider) in the units at the mix set out within the Section 106 but not in the flatted development or housing mix as consented. In light of such it is proposed to vary the flatted part of the approval to two terraces and to alter the housing mix.
- 6.4 Whilst a Section 73 constitutes a new planning permission it would not be appropriate to revisit every aspect of the permission as previously considered particularly where these elements are not subject of the proposed variation. Those topics which we consider do not need to be revisited are:
- Sustainability of Location and the Principle of Development in such regards
 - Loss of Minerals
 - Settlement Coalescence
 - Protected Landscape
 - Archaeology
 - Contamination
 - Air Quality
 - Open Space and Play Space
 - Access
 - Highway Capacity
 - Highway Safety
 - Sustainable and Active Travel
 - Ecology (excluding Water Neutrality set out in the section below)
 - Drainage and Flooding

- 6.5 It is our consideration that the conclusion on these matters would be unaltered and the proposal would not change the consideration of benefits/harms on such matters for determination. The assessment of the revised plans on the remainder of the topics (with the exception of water neutrality) are addressed within this section of the report.

Principle of Development

- 6.6 The principle of housing in this location has been established by virtue of the grant of the parent permission. This grant in turn followed the proposed allocation of the site within the emerging local plan. This clearly demonstrates that the site in terms of its sustainability, connection to amenities, number of units etc was considered in principle to be appropriate to the site.

Housing Land Supply

- 6.7 It is, however, still incumbent on the Local Planning Authority to consider the revision as a matter of principle. On this matter it is firstly highlighted that the Council's published housing land supply position has worsened from that included within the committee report as part of the previous determination falling from 2.9 years to 1.7 years. Whilst in both instances there is a clear under supply of housing the need for new homes is evidently more acute and even more significant.
- 6.8 In the determination of this application therefore there are two points of consideration. Firstly, it is highlighted that in the absence of a suitable housing land supply the titled balance at paragraph 11d) is engaged. This requires the Council (subject to footnote 7) to grant permission unless the benefits of such are significant and demonstrably outweighed by the harms. It is our consideration that the proposal delivers a larger suite of benefits than the existing permission.
- 6.9 Secondly, and of consequence to the housing land supply position is that the proposed alteration would result in an improvement to the deliverability of the site meaning that the new homes can be realised at even greater pace than the existing permission allows. This is secured not only through the construction method with prefabricated panelled systems being built out at much faster rates than traditional techniques, but also through securing a registered provider.
- 6.10 Given the Council's housing land supply position we consider that the improvement to the deliverability of the site compared to the current permission. We consider that this should be considered as a positive benefit weighing in favour of the proposed variation. The reason for such being that it will allow the development to help address the under delivery of homes in a timelier manner which is of critical importance given the acute and realised need for such within the district.

Housing

- 6.11 The application would result in a revised housing mix both for the affordable and market units. In consideration of the previous determination on site the Council found that whilst the housing mix did not deliver the size of homes identified as needed across the borough in that it delivered a higher proportion of larger units compared to small ones this was acceptable given the context of the site.
- 6.12 The table below compares the housing mix of the extant permission with that subject of the proposed change.

Extant				Proposed		
	Affordable	Market	Total	Affordable	Market	Total
1 Bed	2		2			0
2 Bed	4	2	6	6	2	8
3 Bed	4	9	13	4	13	17
4+ Bed		7	7		3	3

- 6.13 The loss of the one-bedroom units is as a result of flatted units which is direct response to the interest of the registered provider.
- 6.14 In comparison to the SHMA which provides the most updated guidance for the determination of units the proposed scheme would result in an under delivery of 1 and 4+ bedroom properties but would deliver a greater proportion of 2 and 3 bed housing which is of greater demand across both market and affordable tenures.
- 6.15 Additionally, the registered provider has stated that the proposed revised layout would allow for the delivery of a greater number of 2 and 3 bed affordable rental units. This is demonstrated on the revised plans and in the table below.

	Affordable Rent	Shared Ownership
2 bed	0	6
3 bed	4	0
4 + bed	0	0

- 6.16 As per paragraph 6.33 of the committee report the Council's Housing Officer has identified a greater need for 2 and 3 bedroom units within the Thakeham area. We therefore consider that the proposed revision to the housing mix on site would assist with addressing this localised issue to a greater extent than the consented scheme. This is, however, realised by the removal of the flatted element of the proposed development.

- 6.17 As per the table above if the proposed amendments are approved the affordable housing can be delivered on the basis of the tenure envisaged within the signed Section 106 agreement without the need for engagement with the relevant clauses of such agreement which allow the tenure mix to be readdressed. On this matter it is highlighted through the marketing reports that the tenure mix envisaged by the S106 has not been successful.
- 6.18 We consider that the proposed housing mix would be remain as appropriate to the development of the site when balancing the character of the area with the identified housing need in the area. We consider that the delivery of a greater number of family sized properties for affordable rent weighs in favour of the proposed development alongside discussion regarding its deliverability in this regard.

Impact on the Townscape and Landscape Character of the Area

- 6.19 Policy 25 seeks to preserve, conserve and enhance the landscape and townscape character of the district. It requires regard to be given to individual settlement characteristics and the general space around different settlements.
- 6.20 Policy 26, states that outside built-up area boundaries the rural character and undeveloped nature of the countryside to be protected against inappropriate development.
- 6.21 Additionally policy 32 requires proposal to be complementary to the locally distinctive character of and area and positively contribute to the sense of place.
- 6.22 Policy 6 and 10 from the Neighbourhood Plan states that major development schemes should blend into the countryside as much as possible and that developments will be supported where they protect and retain and where possible enhance the green infrastructure and valued landscape features.
- 6.23 The principle of the development in terms of the quantum of units and spacing within the site was considered positively by the Council's landscape consultant in the determination of the previous decision. This was informed by the submitted landscape visual impact assessment. Having regard to the proposed revision of the design we do not think that there would be a material change to the conclusion of that assessment.
- 6.24 The main changes can be summarised as the design revisions to the main units and the change from the flatted units to the proposed terraces. The wider site layout including position of the roadways, parking etc remains unchanged.
- 6.25 It is acknowledged that some of the dimensions on the units alters including a modest increase to the height of the building, however, we do not think that these would have a material change to the impact of the scheme on the wider landscape context of the area.

- 6.26 In terms of the new terraces we highlight that these would be positioned within the same location as the consented flats with the car parking location remaining unchanged. The terraces would occupy an area further to the north than the consented scheme, but the height and the overall massing of the block would be reduced. Accordingly, whilst there may be a slight increase in the spread of the footprint in this location the overall bulk and massing would be reduced. We consider that this would not alter the overall conclusion of the landscape assessment and in terms of the long-range views to the site we consider the amendments to be wholly appropriate and not alter the previous determination on such.
- 6.27 Space would be retained within the site to allow for the landscaping as proposed within the original scheme likewise the same trees to be retained on site would be the same. It is acknowledged that the revisions result on trees to the west now backing onto private gardens rather than communal space; however, these have been left specifically outside of the private gardens so as to be under the care of the management company not individual occupiers.
- 6.28 In terms of the design approach to the scheme this remains largely unchanged from the consented scheme. The site continues to be located in close proximity to more recent development providing a suburban context to the site. The amended proposal would continue to reflect this context with development remaining set back from High Bar Lane and the forms of the buildings, layout and density reflecting the character of the area.
- 6.29 The comments regarding the site's layout, design approach etc within the previous report at paragraphs 6.55-6.56 remain unchanged. The proposal retains the overall design approach of two and two and half storey properties but slightly increases the external dimensions so as to allow them to be constructed using HEMSPAN® as a construction product.
- 6.30 In terms of the flatted elements and the change to the proposed terraces we consider that this would continue to respond to the character of the area. We are conscious of the comments made in the previous officer's report at paragraph 6.57 – 6.58. Within these paragraphs officers considered the flatted elements to be acceptable based on the wider design approach in an attempt to reflect a 'manor house' divided with appropriate materials shared across the site.
- 6.31 It is our consideration that the terraces replacing the flatted development would continue to be appropriate to the character of the area. The wider design across the site would be reflected in the terraces, however, additional areas of detailing have been adding to the proposed units so as to break up the form across the site.

- 6.32 It is our consideration that the introduction of the terraces to the north west of the site would not change the overall conclusion regarding the proposal in terms of design. The terraces would also deliver the benefit of allowing for the housing to be delivered with a register provider in place reflecting additional benefits from the proposed design changes.

Environmental Protection and Amenity

- 6.33 As set out above we do not consider that there would be a change to the bulk of the considerations in this regard, however, it is recognised that there is a need to consider the revised scheme in terms of the impact on existing and future occupiers.
- 6.34 It is acknowledged that the proposal alters the dimensions of the buildings including a modest increase to the height and the overall external dimensions. Whilst this is the case, the units would continue to be well spaced from neighbouring off-site properties. In light of such we consider that there is no change to the determination of the officer's report at paragraph 6.67 and 6.68.
- 6.35 The proposed terrace in place of the flatted development would not alter this conclusion either. These units would remain well separated from the offsite neighbours.
- 6.36 Within the site we do not consider that the overall relationship between properties would materially alter. The revisions to the majority of the housing types are minimal with modest increases to the external dimensions. There would not, however, be fundamental changes to the layout of the site, position of windows etc. The extent of such is that these units would not alter the relationship between units.
- 6.37 The proposed terraces would alter the relationship between properties on the north west corner of the site. In place of the flatted development which included habitable rooms within the roof space would be replaced with two storey terraces. The southern most terrace block would not alter the consideration between these elements and units 17 – 22. The additional northern terrace would introduce built form closer to the rear gardens of units 20-22 (inclusive), however, the separation distance would remain such that there would not be any adverse overlooking or impacts by reason of loss of lights, overbearing etc. The distance between windows would exceed 20m with circa 10m between the new terraces and the rear of these gardens. We consider that such relationships are wholly appropriate within a new suburban development and would ensure that future occupiers benefit from suitable amenity provision.
- 6.38 Externally the size of gardens, with the exception of the terraces, would remain unaltered. The terraces would all benefit from private gardens of generous proportions. The majority would be directly to the rear of the properties with the exception of the northern

most unit which would benefit from a side and rear garden. The overall external area of each property would be of high quality providing future occupiers with suitable external amenity.

6.39 It is further highlighted that the distance between the properties and the neighbouring play space would continue to exceed the distances prescribed in the consideration of the previous proposal ensuring that future occupiers would not be adversely impacted by the noise impacts associated with such. We further highlight that the use of HEMSPAN[®] within the construction process would deliver additional benefits with regard to the insular properties including noise.

6.40 Having regard to the above it is our contention that the revised proposal would continue to preserve the amenity of the surrounding area and the amenity of future occupiers.

Highways – Parking

6.41 We do not consider that the revisions would alter the assessment of the proposal in terms of the access, road layout or site capacity. It is, however, acknowledged that the proposed revisions revise the parking arrangement on site.

6.42 Paragraph 6.87 of the committee report considers the parking arrangement of the consented scheme. It was identified that based on the WSCC guidance there would be a need for 60.7space and that the provision of 69 spaces with 8 visitor spaces was reasonable allowing for any overspill parking demand.

6.43 The revised housing mix would alter this requirement to an identified need of the following

No. Bedrooms	No. of Units	Demand	Total
2	8	1.7	13.6
3	17	2.2	37.4
4	3	2.7	8.1
		Total	59.1

6.44 The proposed development would deliver 61 number of spaces with an additional 9 visitor spaces. This would continue to exceed the WSCC guidance.

Climate Change

6.45 One of the most significant changes arising from the proposed variation to the plans is that the revision will allow for the use of HEMSPAN[®] as a construction method across the site.

- 6.46 HDPF Policies 35, 36 and 37 require development mitigates the impacts of climate change, in reflection of Chapter 14 of the NPPF. Additionally, the Council declared a Climate Emergency in 2023 following which the Council introduce a climate action strategy and plan. This forms a material consideration in the determination of the case.
- 6.47 HEMSPAN[®] is a UK-based construction systems manufacturer specialising in high-performance building systems that meet and exceed current Building Regulations. HEMSPAN[®]'s BIOHAUS[®] closed-panel system integrates structure, insulation, and airtightness into a single, factory-produced solution, delivering consistently high standards of fabric performance, thermal efficiency, and construction quality. The proposed use of this system supports the delivery of net-zero-ready homes with very low operational energy demand, contributing to 'zero bills' outcomes for future occupants. Through robust off-site manufacture, accredited testing, and rigorous quality assurance, HEMSPAN[®] provides a reliable, compliant, and proven solution that enhances build quality and performance while remaining fully consistent with the approved development principles.
- 6.48 The use of such across the site will result in both the market and affordable units being constructed in a manner which means that they are carbon negative, and with the highly insular properties, inclusion of renewable energies etc. can result in utility bill free occupation.
- 6.49 It is, our consideration, that this should weigh significantly in favour of the proposed development and would go above and beyond the policy aims and address the express aims of the climate change strategy.
- 6.50 More widely the use of HEMSPAN[®] within the site will demonstrate that it can be utilised at scale delivering significant advancement to the construction industry and sustainability within the wider area.

Conclusion on Variation of Plans

- 6.51 Having regard to all of the above it is our contention that there are clear benefits of the revised scheme. The proposed revision would allow for the following benefits all of which we contend can be afforded significant weight in the determination of the case:
- Delivery of Affordable Housing that meets the identified needs more closely than the approved scheme;
 - Improvements to the deliverability of the site given that it would address the concerns raised by Registered Providers and bring in support of Octopus;
 - Significant benefits to achieving the objectives of addressing the changing climate and allowing for the use of HEMSPAN[®]; and

- Benefits to future occupiers by way of insulation and benefits of renewable energy promoting the highest standard of construction.

7.0 VARIATION/REMOVAL – WATER NEUTRALITY

- 7.1 The other conditions sought for removal/variation as part of the application are those related to water neutrality. These being conditions 12, 13, 14, 15, 19, 37, 38, 39, 44, 45, 46.
- 7.2 At the time of the determination of the previous application the Council were required to determine it in light of the position statement from Natural England in relation to abstraction from the Arun Valley and the need for water neutrality.
- 7.3 Since the determination of the application, however, Natural England have withdrawn this position statement, and the matter of securing water neutrality is no longer necessary meaning new homes can connect to mains water infrastructure.
- 7.4 This follows agreement between Natural England and the Environment Agency that a reduction in the license cap on abstraction would ensure that there is sufficient certainty that development will not adversely impact on the habitats within Arun Valley. These habitats being the principal element of interest to Horsham in making decisions regarding relevant proposals, as it removed the connection between abstraction and growth.
- 7.5 Following receipt of Natural England's withdrawal statement, the Council has confirmed that it will no longer be launching the Sussex North Water Certification Scheme (SNWCS). In its place and noting that the area remains one of significant water stress, there is a requirement for new housing to comply with the Building Regulations Part G Optional Technical Standard. This is currently set at being equivalent to 110 litres of water per person per day.
- 7.6 For existing permissions, the Council's website states:
- For applicants who have existing planning permissions with conditions and s106 obligations requiring compliance with bespoke water neutrality mitigation, we will consider applications under s.73 of the Town and Country Planning Act to remove those conditions, and any associated applications to vary or discharge any relevant s106 obligations. If your permission is for new dwellings, we will instead apply a condition requiring compliance with the Building Regulations Part G Optional Technical Standard referred to above. This is the same condition we applied to all new dwellings prior to the 2021 Position Statement.*
- 7.7 This application therefore seeks permission to vary/remove the existing conditions relating to water neutrality and replace them with a regulatory condition requiring compliance with the Optional Technical Standards of Part G to provide for 110 litres of water per person per day. As is common practice the implication of such a condition

would allow the stricter building control regulations to be applied and in light of such, we do not consider that the replacement condition requires any formal discharge but can instead be worded in the manner of a regulatory condition.

- 7.8 We consider this aspect of the Section 73 variation to be straightforward and simply seeks to update the permission in line with the current position.
- 7.9 We highlight that in this instance that whilst the title of the application includes reference to an on-site borehole water supply this could still be provided under the description of the development. This does not prevent water being supplied via the mains water network.

8.0 CONCLUSION

- 8.1 This application is made under Section 73 of the Town and Country Planning Act seeks to vary conditions 1, 12, 13, 14, 15, 19, 37, 38, 39, 44, 45, 46 of planning permission DC/23/2152. That application granted permission for the *Erection of 28 Dwellings and Associated Engineering Works Including Onsite Borehole Water Supply*.
- 8.2 The majority of these conditions relate to water neutrality which is no longer required given the withdrawal of the water neutrality statement. The removal of these conditions and the inclusion of one relating to the consumption of water at 110L is wholly appropriate to the determination.
- 8.3 The variation of condition 1 seeks to allow for the use of HEMSPAN[®] as a construction method across the site delivering significant benefits set out in section 6 above. The variation also seeks to remove the flatted elements and replace the six units with two rows of terraces which would address concerns raised by registered providers and gain the support of one.
- 8.4 This statement has clearly set out why, when assessed against case law and guidance within the NPPG that there is a clear justification for the variation of the condition so as to not delay development coming forward.
- 8.5 We therefore respectfully request that the conditions be varied.
- 8.6 We trust that you have been provided with sufficient information to determine the application, however, please let me know if you require anything further.

D&M Planning Limited
Chartered Town Planners



**Horsham
District
Council**

Natural England (Bat Consultations)
Consultation Service
Hornbeam House
Electra Way
Crewe Business Park
Crewe
Cheshire
CW1 6GJ

Our ref: DC/26/0209
Your ref: High Bar Lane - variation/removal of conditions
Email: planning@horsham.gov.uk
Direct Line: 01403 215187
Please ask for: Matthew Porter
Date: 24th February 2026

Dear Sir/Madam,

Variation of Condition 1 and Removal of Conditions 12, 13, 14, 15, 19, 37, 38, 39, 44, 45 and 46 of previously approved application DC/23/2152 (Erection of 28 dwellings and associated engineering operations and works including an onsite borehole water supply) to allow for the use of HEMSPAN as a construction method and replace flats with terraced houses, and relating to water neutrality.

Land To The North of High Bar Lane Thakeham West Sussex

**Request for Natural England comments on a Bat Impact Report for the purposes of
Appropriate Assessment**

The above application for planning permission includes a bat impact report and draft appropriate assessment pursuant to s.63 of the Conservation of Habitats and Species Regulations 2017. In accordance with s.63(3) of the Conservation of Habitats and Species Regulations 2017 this Authority is required to consult Natural England as the appropriate nature conservation body and have regard to any representations you make.

Please review the submitted proposals, bat assessment and draft appropriate assessment and advise as to whether you consider there to be sufficient certainty that the proposals will not have an adverse effect on the integrity of The Mens Nature Reserve and Ebernoe Common Nature Reserve. Please provide any response you wish to make within 21 days of the date of this letter.

Details of the application can be viewed through our Public Access webpage at <https://public-access.horsham.gov.uk/public-access/> .

Yours faithfully

Emma Parkes
Head of Development

PUBLIC ACCESS

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2. Advanced Search

- To search for a Planning Application by using other information (e.g. Parish or Application Type), type the information into the desired field and click **Search**
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**Horsham
District
Council**

Natural England (Water Neutrality)
Consultation Service
Hornbeam House
Electra Way
Crewe Business Park
Crewe
Cheshire
CW1 6GJ

Our ref: DC/26/0209
Your ref: High Bar Lane - variation/removal of conditions
Email: planning@horsham.gov.uk
Direct Line: 01403 215187
Please ask for: Matthew Porter
Date: 24th February 2026

Dear Sir/Madam,

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Land To The North of High Bar Lane Thakeham West Sussex

Request for Natural England comments on a Water Neutrality Strategy for the purposes of Appropriate Assessment

The above application for planning permission includes a water neutrality strategy and draft appropriate assessment pursuant to s.63 of the Conservation of Habitats and Species Regulations 2017. In accordance with s.63(3) of the Conservation of Habitats and Species Regulations 2017 this Authority is required to consult Natural England as the appropriate nature conservation body and have regard to any representations you make.

Please review the submitted proposals, water neutrality strategy and draft appropriate assessment and advise as to whether you consider there to be sufficient certainty that the proposals will not have an adverse affect on the integrity of the Arun Valley SAC, SPA and Ramsar sites. Please provide any response you wish to make within 21 days of the date of this letter.

Details of the application can be viewed through our Public Access webpage at <https://public-access.horsham.gov.uk/public-access/> .

Yours faithfully

Emma Parkes
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