Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/0585
Land To The South of 1 Quarry Way, Southwater, West Sussex,

DESCRIPTION:

Variation of condition 7 and 10 of previously approved application reference DC/22/1538 (Erection of 1no. 3-bed detached dwellinghouse with a single garage and additional off road car parking space) revising water neutrality mitigation.

RELEVANT PLANNING HISTORY:

DC/22/1538	Erection of 1no. 3-bed detached dwellinghouse with a single garage and additional off road car parking space.	Application Permitted on 26.07.2024
DC/22/0975	Erection of 1no. 3-bed detached dwellinghouse with a single garage and additional off road car parking space.	Withdrawn Application on 27.07.2022
DISC/25/0011	Approval of details reserved by conditions 3, 4, 6, 8 and 9 to approved application DC/22/1538	Application Permitted on 10.03.2025
DISC/25/0030	Approval of details reserved by conditions 5 and 7 to approved application DC/22/1538	Application Permitted on 02.04.2025

DESCRIPTION OF THE SITE AND DEVELOPMENT

The application seeks to change the water neutrality details submitted as part of the original application DC/22/1538. No other details would be varied. The consent related to a two-storey detached dwellinghouse with pitched roof. The dwelling would incorporate a single-storey front and side section, incorporating a front porch and side garage. The scale, form and detailing of the dwelling would reflect existing properties elsewhere within the estate, including the neighbouring properties to the north of the site. The application site lies within the Built up Area Boundary of Southwater, on the edge of a 1970's estate comprising fawn brickwork and grey tiled dwellings; residential flats, known as 'Ghyll Court', are on the opposite side of Station Road.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 30 - Protected Landscapes
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles

Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities
Policy 43 - Community Facilities, Leisure and Recreation

Southwater Neighbourhood Plan (made):
SNP1 – Core Principles
SNP2 – Proposals for Residential Development
SNP9 – Home Standards
SNP10 – Residential Space Standards
SNP14 – Adequate Provision for Car Parking
SNP15 – Driving in the 21st Century
SNP16 – Design
SNP17 – Site Levels

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 2.9 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

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

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:

Natural England: No objection

No objections subject to the: delivery, management and maintenance of measures identified in the water neutrality statement to achieve water neutrality.

Drainage Officer: No Objection

As the application relates to a variation of condition to change the water neutrality mitigation only, it is not necessary to be consulted on this application

PUBLIC CONSULTATIONS:

Representations:

No representation letters received.

Parish Comments:

Parish Council: No Comment submitted

Member Comments:

None received

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

Principle of Development:

The principle of development has not changed since the previous application and the application is within a built up area boundary of Southwater such that the principle of development would be acceptable. There are no material considerations that have occurred since the previous officer's report that would result in a different conclusion being drawn in this regard.

Design and Appearance:

Policy 32 of the HDPF states that good design is a key element in sustainable development, and seeks to ensure that development promotes a high standard of urban design, architecture and landscape.

Policy 33 of the HDPF states that development proposals should make efficient use of land, integrate effectively with the character of the surrounding area, use high quality and appropriate materials, retain landscaping where feasible (and mitigate loss if necessary) and ensure no conflict with the character of the surrounding town or landscape.

As considered by the previous planning application under DC/22/1538, the proposal would reflect the siting, scale, form and design of the previously approved dwelling. The front and rear building lines would relate appropriately to the surrounding area, with the eaves / ridge height, materials and fenestration designed to match comparable development adjoining to the north of the site. This approach is considered acceptable and would not result in any negative impact on the visual amenities of the street scene or the wider character of the area.

The site benefits from semi-mature trees, which make a positive contribution to the character of the estate. It is not though considered that the trees are of such amenity value as to prohibit development and it is noted that none are formally protected by a preservation order, having previously been considered of insufficient amenity value to warrant a TPO. On this basis there is no objection to the loss of planting in order to facilitate the development.

For the reasons outlined the proposal is considered acceptable in terms of character and appearance and would comply with policies 32 and 33 of the Horsham District Development Framework (2015).

Residential Amenity:

Policy 33(2) of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.

The previous application under reference DC/22/1538 considered the impact of the development on privacy, obtrusive appearance, and access to light of the neighbouring dwellings and amenity of the future occupiers. This was considered acceptable. As part of this application, the design of the three bedroom dwellinghouse has not changed in scale, form or internal layout since the previous application such that the relationship with the neighbouring properties would remain acceptable in light of policy 33 of the HDPF.

Highways Impacts:

Policy 40 of the Horsham District Planning Framework states that transport access and ease of movement is a key factor in the performance of the local economy. The need for sustainable transport and safe access is vital to improve development across the district. Policy 41 of the Horsham District Planning Framework states that development that involved the loss of existing parking spaces will only be allowed if suitable alternative provision has been secured elsewhere. Adequate parking facilities must be provided within the developments to meet the needs of the anticipated users.

There are no alterations to the access proposed as part of the current application since that previously considered under planning reference DC/22/1538. No highways objections are therefore raised.

Water Neutrality:

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

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

Since the application was previously considered, SNCWS has progressed further toward implementation (previously known as SNOWS) The Council's recently updated publicly stated position, as reflected within its water neutrality guidance, is that it will accept the use of a negatively worded ('Grampian') style planning condition preventing the commencement of development unless and until the requisite number of water credits have been secured pursuant to SNOWS, or, alternatively, a bespoke strategy has been approved by the Council and implemented in advance of the commencement of development. As confirmed within the Council's guidance, only development deemed compliant with a current or emerging (post-submission) local plan or neighbourhood plan would be deemed eligible for access to purchasing SNCWS water credits.

The three bedroom dwellinghouse would have an occupancy of 2.86 people and would use 125 litre per person per day such that the application would use 357.5 litres per day. The entire mitigation for the proposal would therefore be through access to SNCWS which has been agreed by the applicant.

The Council have undertaken an Appropriate Assessment, where it is considered that with the proposed mitigation and off-setting measures, the development would not have an Adverse Effect on the Integrity of the Arun Valley SAC/ SPA /Ramsar site, either alone or in combination with other plan and projects. Natural England have been consulted on the application and have concurred with the conclusions reached.

Biodiversity Net Gain (BNG):

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG (unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024) and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

The dwellinghouse as a single dwellinghouse is regarded as 'self-build' which would form an exemption to mandatory Biodiversity net gain requirements.

Conclusion:

The development would represent an appropriate form of development, positioned appropriately within the curtilage of the site, would not appear out of keeping with the surrounding area and the prevailing character of the street scene. There are no objections in terms of the impact on neighbouring amenity and highways matters and, would not be out of keeping with the surrounding area and the prevailing character of the street scene, in accordance with Policy 25, 32 and 33 of the Horsham District Planning Framework (2015).

Recommendation: Application Permitted

Conditions:

2 **Standard Time Condition**: The development hereby permitted must be commenced by the 26/07/2027.

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

3 **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.) A site-specific water neutrality mitigation scheme has been submitted to and been approved in writing by the Local Planning Authority. The site-specific water neutrality mitigation scheme shall include full details of the means of any and all onsite and offsite mitigation and any necessary agreements pursuant to S106 of the Town and Country Planning Act 1990 to deliver and secure the approved mitigation; and

iii.) The development shall not be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority confirming that the approved site-specific water neutrality mitigation scheme has been fully implemented. The

approved mitigation shall thereafter be retained, maintained and operated to the same or better water performance standard.

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), Paragraph 193 of 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).

4 **Regulatory Condition**: The development will be carried out in accordance to the details included within the site set up plan (PD460-XX-ZZZ-DR-CP-01103) including the location for the loading and unloading of plant and materials, a single storey site office, and storage of plant and materials (including any stripped topsoil), the provision of wheel washing facilities (if necessary) and dust suppression facilities. The approved details shall be adhered to throughout the construction period.

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

5 **Regulatory Condition**: The development hereby permitted shall be carried out in strict accordance with the finished floor levels and external ground levels as shown on plan reference PD460-XX-ZZZ-DR-CP-01201.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

6 **Regulatory Condition**: The development hereby permitted shall be carried out in strict accordance with the following materials and finishes:

- Yellow multi-stock brickwork (walls)
- Brown pantile (roof)
- White uPVC (windows/doors)
- White painted steel (garage door)
- Feather edge timber (fencing).

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).

7 **Regulatory Condition**: The development hereby permitted shall be carried out in strict accordance with the EVC Charger details as shown on the approved Electric Vehicle Charger details.

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) and the WSCC Parking Standards (2019).

8 **Regulatory Condition**: The development hereby permitted shall be carried out in strict accordance with the site boundary treatments as shown on plan reference PD460-XX-ZZZ-DR-CP-01103 to include 1.8m high feather edge fencing surrounding the curtilage of the site.

Reason: In the interests of visual and residential amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015)

9 **Regulatory Condition**: The development hereby permitted shall be carried out in strict accordance with the detailed drainage strategy 'Sustainable Drainage System' Strategy by

Ronke Designs and plan reference C500 P2 excluding the demonstrated connection to a rainwater harvesting system.

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).

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/25/0585
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	Sustainable Drainage System (SuDS) Strategy by RonkeDesigns dated January 2025	15058 Revision A	05.02.2025
Layout plan	Below Ground Drainage Lower Ground	C500 Rev P2	05.02.2025
Location & Block plan	Location & Block Plan	377-001 B	18.08.2022
Floor plan	Proposed Plans	377-002A	15.08.2022
Elevation plan	Proposed Elevations	377-003A	15.08.2022
Site plan	Proposed Site Set Up	PD460-XX-ZZZ-DR-CP-01103	13.01.2025
Elevation plan	Elevations	PD460-XX-ZZZ-DR-CP-01201	13.01.2025
Supporting Docs	Electric Vehicle Charger	NONE	18.02.2025

DELEGATED

Case Officer sign/initial Hannah Darley Date: 27.08.2025

Authorising Officer sign/initial Tamara Dale Date: 28.08.2025