



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0699

Moralee Farm , Haglands Lane, West Chiltington, West Sussex, RH20 2QS

DESCRIPTION:

Variation of Condition 14 and Removal of Conditions 9 and 10 of previously approved application reference DC/22/2322 (Erection of a rural workers dwelling and agricultural building) relating to external lighting and water neutrality.

RELEVANT PLANNING HISTORY:

DC/21/1375	Erection of a rural workers dwelling and attached agricultural building.	Application Refused on 16.02.2022
DISC/25/0382	Approval of details reserved by conditions 3 and 4 to approved application DC/22/2322.	Application Permitted on 12.02.2026
DC/22/2322	Erection of a rural workers dwelling and agricultural building.	Application Permitted on 18.07.2023

DESCRIPTION OF THE SITE

The application site and wider land is utilised as an alpaca farm and small vineyard, with the Applicant currently benefitting from a planning permission for a residential cabin.

An agricultural building serving the established agricultural enterprise is located to the east of the cabin (outside of the defined development site subject of the current application). Land to the north has been planted as a vineyard, and it is understood that the Applicant has a relationship with a neighbouring wine producer who processes the grapes under an informal agreement.

The wider area is characterised by sporadic residential and agricultural development, with woodland and enclosed fields. The site is located immediately adjacent to the built-up area of West Chiltington Common, with a Grade II Listed Building, known as Old Haglands, located directly to the west.

DESCRIPTION OF THE APPLICATION

The application seeks planning permission for the variation of Condition 14 and the removal of Conditions 9 and 10 attached to planning permission DC/22/2322 for the erection of a rural worker's dwelling and agricultural building.

The removal of Conditions 9 and 10 relates to water neutrality requirements following changes to Natural England's guidance and the Council's approach to water neutrality.

The variation of Condition 14 seeks approval for a permanent external lighting scheme serving the approved dwelling and agricultural building. The submitted details comprise low-level bollard lights, wall-mounted fittings and recessed lighting positioned around the dwelling, patio, entrance, pathways and driveway in accordance with the submitted Exterior Lighting Details.

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 7 - Strategic Policy: Economic Growth
Policy 10 - Rural Economic Development
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 20 - Rural Workers Accommodation
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
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 40 - Sustainable Transport
Policy 41 – Parking

West Chiltington Parish Neighbourhood Plan:

Policy H2 – Quality of Design
Policy H4 – Housing Density
Policy H8 – Attention to Detail
Policy EH1 – Built-Up Area Boundary
Policy EH3 – Green Infrastructure and Ecosystem Services
Policy GA3 – Parking and New Development
Policy EE2 – Employment Land

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 1 year. 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)

Parish Design Statement:

Planning Advice Notes:

Facilitating Appropriate Development
Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATIONS RESPONSES

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

Consultations:

None Received

PUBLIC CONSULTATIONS:

Representations:

None Received

Parish Comments:

West Chiltington Parish Council: Objection

The Parish Council has no objection to the removal of Conditions 9 and 10 relating to Water Neutrality and is content for HDC to determine this aspect of the application. However, it objects to the proposed variation of Condition 14 concerning external lighting.

The objection is based on Policy EH6 of the West Chiltington Neighbourhood Plan, which promotes the protection of the area's dark skies and seeks to minimise light pollution. The policy requires new development to respect the village's unlit environment, ensure any external lighting meets the highest standards for restricting light pollution, and avoid lighting that adversely affects neighbours or the rural character of the area. Development that unacceptably detracts from this unlit environment is not supported. The Parish Council considers the proposed lighting arrangements to conflict with Policy EH6.

While the Neighbourhood Plan supports local businesses and recognises the need for customers to travel safely between vehicles and premises during dark winter afternoons and evenings, the Council suggests a more appropriate solution would be a limited number of discreet, low-level, motion-activated downward-facing lights. This would provide necessary safety and security while minimising light pollution and preserving the area's dark skies.

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

Removal of Conditions 9 and 10

Condition 9 states:

“Pre-Occupation Condition: *The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (prepared by eco design consultants, received by the Council on 15.12.2022). No dwelling hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that dwelling has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.*

Reason: *To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).”*

Condition 10 states:

“Pre-Occupation Condition: *No dwelling hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that dwelling has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.*

Reason: *To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).”*

The application seeks the removal of Conditions 9 and 10 attached to planning permission DC/22/2322, which required the development to demonstrate water neutrality in accordance with Natural England’s Position Statement of September 2021. That condition was imposed to ensure compliance with the Conservation of Habitats and Species Regulations 2017, given uncertainty at that time regarding the potential effects of increased groundwater abstraction on the Arun Valley Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar sites.

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

Notwithstanding the forthcoming licence modification, Horsham District Council, as competent authority, has continued to apply a precautionary approach pending formal implementation of the licence changes. In agreement with Natural England, the Council is utilising verified water savings achieved by Southern Water during 2024/25 through leakage reduction and related measures. These savings amount to approximately 772,591 litres per day and can be attributed to new development

without increasing abstraction pressure on the Arun Valley sites. Natural England's standing advice dated 10 November 2025 confirms that reliance on these savings raises no objection and constitutes Natural England's formal response under Regulation 63(3) of the Habitats Regulations.

In this case, Officers have undertaken an Appropriate Assessment which demonstrates that the additional water demand arising from the development permitted under DC/22/2322, when considered alone and in combination with other permissions granted since 31 October 2025, would not exceed the available Southern Water savings. It is therefore concluded that the development will not result in an adverse effect on the integrity of the Arun Valley SAC, SPA or Ramsar sites.

Given the withdrawal of Natural England's 2021 Position Statement, the availability of confirmed water savings, and the conclusions of the Appropriate Assessment, it is considered that Conditions 9 and 10 are no longer necessary to make the development acceptable in planning terms. The condition no longer meets the tests set out in paragraph 56 of the NPPF, as it is not required to mitigate any identified harm. Its removal would not conflict with Policy 31 of the Horsham District Planning Framework or the Council's duties under Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017.

Accordingly, the removal of Conditions 9 and 10 are considered acceptable, and the development permitted under DC/22/2322 can proceed without further water neutrality restrictions, without giving rise to harm to protected European sites.

Variation of Condition 14

The relevant condition states:

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

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

Condition 14 was originally imposed to require that details of external lighting were subject to a separate planning application in the interests of protecting the rural character of the area, neighbouring amenity and biodiversity.

This application seeks to vary the condition and approve a detailed external lighting scheme prepared by a specialist lighting consultant. The submitted lighting layout has been designed specifically for the approved dwelling and its curtilage. It is noted that lighting has also been indicated for the agricultural building, however this is outside of the development site and would require the submission of a separate application.

The proposed lighting comprises low-level bollards, recessed fittings and wall-mounted luminaires positioned around principal access routes, entrances, the driveway and patio areas. The lighting has been designed using warm white 2700K luminaires with zero upward light output to minimise sky glow. The fittings are directed downward to illuminate only those areas necessary for safe pedestrian movement and vehicle access, whilst a number of lights serving less frequently used areas are controlled by PIR motion sensors to minimise unnecessary illumination.

The Parish Council objects to the proposal on the basis that it conflicts with Policy EH6 of the West Chiltington Neighbourhood Plan, suggesting that fewer motion-activated lights would better preserve the area's dark skies. These concerns have been considered. Whilst the site occupies a rural location, the lighting is proposed solely to serve the approved rural worker's dwelling and associated areas. The majority of the lighting is domestic in nature, providing safe access to entrances, parking areas and pedestrian routes rather than extensive illumination of the wider site. The submitted lighting design has been prepared to minimise light spill through the use of downward-facing luminaires, warm colour temperatures and zero upward light output. Furthermore, motion sensors are incorporated where continuous illumination is unnecessary.

The proposal is therefore considered proportionate to the scale and function of the approved development. Officers are satisfied that the submitted scheme appropriately balances the operational and safety requirements of the dwelling with the need to protect the rural character of the area.

Whilst some additional artificial illumination will inevitably result, the evidence submitted demonstrates that light spill beyond the immediate curtilage is limited and that the lighting has been designed in accordance with good lighting practice. The proposal would not result in unacceptable harm to the character of the countryside, neighbouring amenity or biodiversity and is therefore considered to accord with Policies 24, 25, 31, 32 and 33 of the HDPF together with Policy EH6 of the West Chiltington Neighbourhood Plan.

Conclusions:

The removal of Conditions 9 and 10 is considered acceptable following the changes to Natural England's water neutrality guidance and the conclusions of the Council's Appropriate Assessment.

The variation of condition 14 to allow a specified level of external lighting scheme demonstrates that the lighting has been designed to minimise light pollution through the use of warm colour temperatures, downward-directed luminaires, zero upward light out-put and motion sensors where appropriate. Whilst the Parish Council's concerns regarding the protection of dark skies are acknowledged, Officers are satisfied that the lighting is proportionate to the approved rural worker's dwelling and agricultural use, is primarily domestic in nature and would not give rise to unacceptable harm to the rural character of the area, neighbouring amenity or biodiversity.

The variation of Condition 14 and the removal of Conditions 9 and 10 are considered acceptable, and the application is recommended for approval.

Recommendation: Application Permitted

Conditions:

- 2 **Standard Time Condition:** The development hereby permitted must be commenced by the 18.07.2026.

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

- 3 **Regulatory Condition:** The means of foul and surface water drainage shall be carried out and maintained in full accordance with the details approved under application reference DISC/22/2322.

Reason: To ensure that the development is carried out in accordance with the approved details and in the interests of proper planning, in accordance with Policy 38 of the Horsham District Planning Framework.

- 4 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a verification plan has been submitted to and approved in writing by the Local Planning Authority confirming the protective measures applied to protect the approved dwelling from radon gas as identified by the Phase 1 Land Contamination Risk Assessment reference 4010D P1 EDC - Pulborough by Castledine Environmental dated July 2025.

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).

- 5 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the parking, turning and access facilities necessary to serve that dwelling have been

implemented in accordance with the approved details as shown on plan reference 003 Rev G and shall be thereafter retained as such.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 6 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling has been made for that dwelling (or use) in accordance with plan reference 005 Rev G. These facilities 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).

- 7 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved plan reference 005 Rev G. 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).

- 8 **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 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).

- 9 **Not Used**

- 10 **Not Used**

- 11 **Regulatory Condition:** The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

Reason: The site lies in an area where, in accordance with Policy 26 of the Horsham District Planning Framework (2015) development which cannot be justified as essential to the needs of agriculture or forestry would not normally be permitted.

- 12 **Regulatory Condition:** The landscaping scheme as shown on plan reference 003 Rev G 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 or retained 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).

- 13 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 14 **Regulatory Condition:** The external lighting hereby approved shall be installed and thereafter retained in accordance with the 'Exterior Lighting Details' received by the Local Planning Authority on 29 April 2026. No additional external lighting shall be installed unless otherwise agreed in writing by the Local Planning Authority.

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 Development Framework

- 15 **Regulatory Condition:** The new roofs shall be laid with clay tiles, where the junctions at ridge, hips, eaves and verges shall be built to reflect traditional detailing including exposed rafter feet, cut verges, bonnet hip tiles and hogs back or half round ridge tiles.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 16 **Regulatory Condition:** The new windows fitted in the buildings hereby permitted shall have casements flush fitted with their frames if manufactured in timber or plastic.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 17 **Regulatory Condition:** The roof lights hereby permitted shall be metal framed and sit flush with the roof slope.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 18 **Regulatory Condition:** All new and replacement rainwater goods shall be cast iron or cast aluminium or cast effect plastic.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT

The Applicant is advised that the agricultural building is located outside of the development site as defined by the red line on the approved Location Plan reference 001. Any external lighting to the agricultural building would therefore require the submission of a separate full planning application.

NOTE TO APPLICANT

Biodiversity Net Gain Condition

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

Under Regulation 4 of The Environment Act 2021 (Commencement No. 8 and Transitional Provisions) Regulations 2024 the statutory biodiversity gain condition does not apply in relation a section 73 planning permission where:

- (a) the original planning permission (a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions) to which the section 73 planning permission relates was granted before 12th February 2024; or
- (b) the application for the original planning permission to which the section 73 planning permission relates was made before 12th February 2024.

Based on the information on the date of the original planning permission to which this section 73 planning permission relates, the Planning Authority considers that biodiversity net gain does not apply.

Statutory exemptions and transitional arrangements

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at <https://www.gov.uk/guidance/biodiversity-net-gain>.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

POSITIVE AND PROACTIVE STATEMENT

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

Plans list for: DC/26/0699

(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	Planning	NONE	14.05.2026
Supporting Docs	Exterior Lighting Details	NONE	29.04.2026
Elevation plan	Proposed Elevations	006 REV E	20.06.2023
Elevation plan	Proposed Elevations	007 REV E	20.06.2023
Location plan	Location Plan	001 REV D	20.06.2023
Block plan	Existing Site Plan	002 REV A	15.12.2022
Site plan	Proposed Site Plan	003 REV G	20.06.2026
Floor plan	Proposed Ground Floor Plan	005 REV G	15.12.2022
Floor plan	Proposed First Floor Plan	008	20.06.2023

DELEGATED

Case Officer sign/initial Shazia Penne Date: 07.07.2026

Authorising Officer sign/initial Robert Hermitage Date: 08.07.2026