



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0158

Nash Manor Lower Nash, Nutbourne Lane, Nutbourne, West Sussex, RH20 2HS

DESCRIPTION:

Demolition of agricultural barns and the erection of a 3no. bedroom dwelling with the retention of existing access arrangements, parking and landscaping.

RELEVANT PLANNING HISTORY:

DC/21/0870	Erection of single-storey front, side and rear extensions, creation of balcony with associated alterations.	Application Permitted on 17.09.2021
DC/21/2854	Prior Notification for the change of use of an agricultural building to residential (Class C3) to form 1no. dwellinghouse.	Prior Required and REFUSED on 14.02.2022
DC/24/0883	Installation of Swimming Pool and associated plant room (Part Retrospective)	Application Permitted on 11.09.2024
DISC/24/0237	Application for Approval of Details Reserved by Condition 3 and 4 to approved application DC/24/0883	Application Permitted on 11.11.2024
DC/24/1681	Prior Notification for Change of Use from an Agricultural Building to 2no dwellinghouse (C3 Use Class).	Prior Required and PERMITTED on 23.12.2024
DC/25/0405	Erection of a detached garage.	Application Permitted on 12.05.2025
DC/25/1221	Variation of condition 1 of previously approved application reference DC/25/0405 (Erection of a detached garage) to allow the garage to be relocated.	Application Permitted on 17.09.2025
DISC/25/0297	Approval of details reserved by condition(s) 1 to approved application DC/24/1681.	Application Permitted on 19.11.2025
DISC/25/0285	Approval of details reserved by condition(s) 3 to approved application DC/25/1221.	Application Permitted on 27.10.2025
HRA/25/0026	Application under Regulation 77 of the Conservation of Habitats and Species Regulations 2017 relating to Prior Approval consent DC/24/1681	Application Permitted on 19.11.2025

DESCRIPTION OF THE SITE

The site is located approximately 0.4 miles northwest of Nutbourne Village and its Conservation Area. The site is within the countryside, situated outside the built-up area boundary. The site forms part of Nash Manor Estate, with the principal dwelling, Nash Manor, lying immediately to the south of the

application site. Access to the site is from the southern boundary, connecting to Nutbourne Lane, a rural lane with mature trees and established hedgerows.

The existing barns subject of the application site are a large single storey outbuilding historically associated with Nash Manor. They are of traditional agricultural character, featuring a shallow-pitched roof and a robust steel portal frame with metal-clad elevations. There is an extensive area of hardstanding to the front of the barn, currently used for vehicle parking and storage. The site is located wholly within Flood Zone 1, with low probability of flooding.

DESCRIPTION OF THE APPLICATION

The application proposes to demolish the existing agricultural barns and erect 1no dwellinghouse, together with associated landscaping, parking and the retention of existing access arrangements from Nutbourne Lane. The proposal seeks to deliver a three-bedroom, two storey family home, designed to respond sensitively to its rural setting and the wider Nash Manor Estate. The building benefits from an extant Class Q Prior Approval (DC/24/1681), which permitted the conversion of the existing barn into 2no. dwellinghouses. The proposed scheme would have a footprint which is 24.18m² less than the existing barn, and the proposal has been designed to have an overall height which is comparable to that of the existing barn.

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 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 35 - Strategic Policy: Climate Change
Policy 40 - Sustainable Transport
Policy 41 - Parking

Pulborough Parish Neighbourhood Plan (2015-2031):

Policy 15 - Design

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 1.7 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.

Horsham District Local Plan (2023-40) (Regulation 19):

Strategic Policy 1: Sustainable Development

Strategic Policy 2: Development Hierarchy

Strategic Policy 3: Settlement Expansion

Strategic Policy 9: Water Neutrality

Strategic Policy 13: The Natural Environment and Landscape Character

Strategic Policy 14: Countryside Protection

Strategic Policy 17: Green Infrastructure and Biodiversity

Strategic Policy 19: Development Quality

Strategic Policy 20: Development Principles

Strategic Policy 24: Sustainable Transport

Policy 25: Parking

Policy 32: Conversion of Agricultural and Rural Buildings to Commercial, Community and Residential Uses

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:**INTERNAL CONSULTATIONS****HDC Arboriculture:** Comment

The latest information submitted in respect of the constraints to planning on the site confirm that the applicants agents and arboriculturist concur that the ash coppice is of veteran status.

Based on the applicants arboriculturist's (SJA Trees) measurements of the current three stems arising from the stool, as opposed to a single stem measurement, the NPPF recommendation is that there should not be a change of land use to residential garden area within a minimum 13m buffer to the tree.

The amended plans indicate that the proposed flank elevation of the house has moved to accommodate the buffer however, space immediately adjacent for services installations and domestic curtilage are shown within the buffer.

In order to comply with the minimum recommendations for the veteran tree buffer and thus enable the planning desires to accord with the ethos of the NPPF in conserving irreplaceable habitat, a plan for residential site development would need to show that the curtilage of the new dwelling is realistically excluded from the 13m buffer for the tree and that this can be appropriately latterly controlled by the plans condition, should you be minded to approve in other planning respects.

HDC Environmental Health: Further Information Required

The investigation of the site is focused in the area to comprise the gardens and only limited investigation has been carried out within footprint of the building to be demolished. It is presumed that

this is because it is considered the footprint of the new building will limit any exposure. However, the limited sampling and analysis has identified areas of elevated hydrocarbons with the footprint of the existing barn.

Although the site investigation has confirmed shallow made ground is present across the site, no testing of the underlying natural soils has been undertaken.

A further concern is the comment in the Preliminary Ground Contamination Risk Assessment Report that:

“The corrugated cement materials noted in the building may contain asbestos, fragments of which may have become incorporated into soils due to weathering, damage or the installation process.”

and

” The risk assessment assumes that, should asbestos be identified within buildings or infrastructure, any such materials will be managed in accordance with current legislation and guidance, to ensure this does not represent an ongoing risk to end users and, specifically, to manage risk of asbestos materials being introduced into the underlying soils.”

If the application is approved, conditions should be attached with respect to ground contamination risks.

HDC Landscape Architect: No landscape objection, subject to attached recommendations/conditions

Do not disagree with the final judgements on the site itself and consider the assessment of ‘the site’ as a single receptor, a proportionate approach.

Do not disagree the given judgements of visual impact and agree with Para 8.1.7 that concludes that *‘With suitable mitigation measures, the development will have a moderate visual impact and a minor landscape impact.’*

Overall, do not oppose the proposals and request that landscape details are secured via condition.

OUTSIDE AGENCIES

Archaeology Consultant: No Objection

Although the site is within an Archaeological Notification Area DWS8563 – Large Roman Settlement Area, Pulborough, the proposed development is largely within the footprint of the existing barn and associated hardstanding and the sections and elevation drawings submitted with the application appears to show that the site has been levelled or terraced prior to the barns construction which will have caused truncation to any archaeological remains and so no archaeological concerns.

Ecology Consultant: No ecological objection subject to attached conditions

Note from the Preliminary Ecological Appraisal (CSA Environmental, September 2024) that the existing barn has negligible bat roost potential and that there are no trees on site. Therefore, agree that no further surveys for bats are required. Therefore believe there will be no Adverse Effect on Integrity of the bat SAC.

Support the implementation of the Precautionary Method Statement for reptiles in Section 5.12 of the Preliminary Ecological Appraisal (CSA Environmental, September 2024), which should be secured by a condition of any consent and implemented in full.

Satisfied that there is sufficient ecological information available for determination of this application.

Southern Water: Insufficient information provided

WSCC Highways: Comment

There are no proposed changes to the existing access arrangements. As this application is for a single dwelling only, the LHA does not anticipate that the proposed development would give rise to a significant material intensification of movements to or from the site.

The applicant proposes four car parking spaces for this development. The WSCC Car Parking Demand Calculator indicates that a dwelling of this size in this location would require at least three car parking spaces. Therefore, the LHA is satisfied with the proposed level of parking provision.

From inspection of the plans, the proposed parking area is suitably sized and on-site turning appears achievable.

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.

WSCC Public Rights of Way: No Objection

The existence of a Public Right of Way (PROW) is a material consideration. Should planning consent be granted, the impact of development upon the public use, enjoyment and amenity of the PROW must be considered by the planning authority.

Do not find the 'Site Location and Proposed Block Plan' particularly clear however it appears that the closest PROW, Footpath 2336, runs outside the red line boundary, touching the north-west corner. Bridleway 2334 is also outside the boundary, a short distance to the south.

The only concern is the additional traffic using Nutbourne lane and, although accept that this will be limited, wish to remind the Applicant that a public access right has precedence over a private access right. Where a PROW runs along or crosses a route also used for private access purposes, usually for private vehicle access, this shared use has the potential for accident or injury – the applicant must consider how access is managed so the public is not endangered or inconvenienced.

PUBLIC CONSULTATIONS:

Representations:

None received.

Parish Comments:

Pulborough Parish Council: Support

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:

Spatial and Countryside Planning Policy

Policy 2 of the Horsham District Planning Framework (HDPF) (2015) defines the strategic spatial strategy of the development plan. HDPF Policy 2 confirms that the development plan will seek to satisfy community needs by way of sustainable growth which maintains suitable access to services and local employment while maintaining the unique rural character of the District. In realising these strategic aspirations, Policy 2 confirms that the spatial approach of the development plan is, *inter alia*, to focus development around the main settlement of Horsham, allow growth in the remainder of the District in accordance with a defined settlement hierarchy, bring forward strategic housing for housing and employment development to meet identified needs, support the sustainable development of settlements and manage development around the edges of settlements to prevent the merging of settlements and to protect rural characters.

Policy 3 of the HDPF defines the settlement hierarchy of the District and establishes that development will be permitted within towns and villages which possess defined built-up areas. Ashington is classified within the settlement hierarchy as a 'medium village', generally described as a settlement which benefits from a moderate level of services, amenities and community infrastructure together with some access to public transport. These settlements are often capable of meeting some day-to-day needs of residents but rely on larger settlements to satisfy a full range of employment, educational and amenity needs. Outside of a defined built-up area boundary, the accompanying text to Policy 3 at paragraph 4.7 confirms that land is to constitute a 'countryside' location where development is to be more strictly controlled.

Policy 26 of the HDPF addresses countryside protection and establishes that outside of defined built-up area boundaries, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Any proposal must be essential to its countryside location and, in addition, meet one or more additional criteria. Those additional criteria defined by HDPF Policy 26 are that development supports the needs of agriculture or forestry, enables the extraction of minerals or the disposal of waste, provides for quiet informal recreational use or enable the sustainable development of rural areas.

Policy 26 of the HDPF, in addition, provides that development must be of a scale appropriate to its countryside character and location, protects and/or enhances the key features of its respective landscape character area and avoids a significant increase, individually or cumulatively, in activity in the countryside.

The site is located outside of the built-up area and is not allocated within Horsham's Development Plan, which comprises the Horsham District Planning Framework (HDPF) and Pulborough Neighbourhood Plan. As a result, residential development in this location would conflict with the requirements of Policies 2 and 4 of the HDPF. In addition, the proposed development is not considered to be essential to the countryside location and would be in conflict with Policy 26 of the HDPF.

Housing Land Supply Position:

The Council's latest Authority Monitoring Report (April 2025) confirms a housing land supply position of 1.7 years against its objectively assessed need. The Authority, therefore, is unable to demonstrate a 5-year supply of housing land. As a consequence of this position, the weight which can be assigned to the policies of the development plan which constrain the availability of housing land, comprising HDPF Policies 2, 3, 4 and 26 in addition to Policy Thakeham1 of the TNP is diminished.

Consideration, further, must be given to the provisions of the Framework at Paragraph 11(d), and the 'tilted balance' which this provision engages. This will be addressed within the concluding section of this report.

The Council has published the Shaping Development in the Horsham District document which acknowledges the Council's housing supply position and suggests an interim approach that the Council will pursue in relation to development prior to the adoption of the emerging HDLP. It is, though, considered that the proposed development does not accord with the provisions of the document, noting that Paragraph 5.12 in the document requires development to, *inter alia*, adjoin an existing settlement edge as defined by a corresponding built-up area boundary.

Planning History and Alternative 'Fallback Position'

The proposal follows a recent prior approval decision (ref: DC/24/1681) for the change of use of agricultural building to 2no dwellinghouses. The application is made in the alternative to the application (DC/24/1681) in relation to the same building and the same location. The prior approval does represent a viable fallback for development, as the pre-commencement conditions have been discharged (DISC/25/0297). Consequently, there are no barriers to the extant prior approval consent being carried out. This represents a viable fallback to the current application proposal.

The presence of a viable fallback position for the change of use to 2no dwellinghouses is a significant material consideration and establishes the principle of housing on the site. It is however, noted that 2no dwellings can be built out as part of the prior approval consent, and the proposed application proposes to reduce that number to 1. The existing barn has a footprint of 512.18sqm and the Class Q prior approval permitted 2no. dwellings with a GIA of 150 sqm each, so 300sqm overall. The proposed scheme would 1no dwelling with a footprint of approximately 289.86sqm. The proposed footprint would be a reduction in built form and would be sufficiently contained within the existing site boundaries. It is therefore considered that a refusal of the current application would not prevent residential development being delivered on the site. It is therefore considered that the principle of residential development on the site has been established.

Conclusions on Matters of Principle

The provision of market housing within this countryside location is considered to conflict with the provisions of development plan HDPF Policies 2, 3, 4 and 26. Similar conflict is considered to arise in relation to the provisions of the emerging local plan at Policies 1, 2, 3 and 14, acknowledging the similarity of emerging policy provisions to existing policy.

The degree of weight which can be accorded to conflict with the spatial and countryside protection provisions of the development plan, though, is diminished by reason of the Council's inability to demonstrate a deliverable 5-year land housing supply.

Conflict with the provisions of the emerging HDLP, further, would also be considered to attract only limited weight owing to the early stage of preparedness of the HDLP, which has yet to be adopted, and the extent of unresolved objections against individual policies as part of the examination, including those identified above, pursuant to the provisions of NPPF Paragraph 48 in this regard.

The fallback position established by ref: DC/24/1681 for 2no. dwellinghouse is considered viable and likely to be implemented in the event that planning permission were not granted in this instance. It is therefore, considered that this fallback position attracts significant weight. The proposed development would be a reduction of the number of units to 1. The proposed development would result in no greater intensification in use of the site than that arising from extant permission, where the permissions have established the principle of residential development on the site. In considering all relevant material considerations, it is therefore considered that the principle of development is acceptable in this instance.

Design and Appearance:

Policies 25, 32, and 33 of the HDPF promote development that protects, conserves, and enhances the landscape and townscape character from inappropriate development. Proposals should take into account townscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings

should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings.

Policy 15 of the Pulborough Neighbourhood Plan states that all housing and other buildings must be well-designed, sustainable and take appropriate account of climate change. The scale, density, massing, height, landscape design, layout and materials of all development proposals will be required to reflect the architectural and historic character and scale of the surrounding buildings and landscape.

The proposal seeks to demolish and construct a three-bedroom dwelling, extending the residential curtilage to include areas for soft landscaping. The proposal would create 1no. detached dwelling of a clearly domestic design and scale. The roof form retains the agricultural buildings form to ensure that there is a reflection of the agricultural nature of the site. The proposed design would be better proportioned than the existing building, with better fenestrations, improved materials and sit more naturally within the site and surroundings. The dwelling is designed as a contemporary interpretation of a traditional rural building adopting a simple elongated profile with clean roofline and balanced massing, to reflect the agricultural typologies present within the wider landscape. The roof form will take inspiration from the existing agricultural building but will not increase the height over and above the existing.

The dwelling will use materials such as blackened timber cladding and stonework, to provide a visually recessive appearance, with reference to the darker tones of traditional Sussex agricultural buildings. The proposed black aluminium windows and streamlined detailing, provides a contemporary finish while respecting the simplicity of the barn aesthetic. The window openings will be modest and arranged to avoid overtly suburban proportions. Bird protection anti-collision glass is proposed for wildlife protection.

The proposed landscape strategy seeks to reinstate rural features, such as native hedgerow planting, boundary softening and ecological enhancements. This approach helps to embed the dwelling within the local landscape and avoids significant suburban domestication. The area of formal driveway and parking will be contained to the south-east of the site, with most of the site reserved for native landscaping, with a small area surrounding the residential dwelling of formal lawn and an even smaller area for terraced paving. The dwelling is therefore designed to respond positively to the rural surroundings, the established pattern of neighbouring residential character and the site's historic agricultural character. The scheme seeks to deliver an improvement over the Class Q fallback.

The existing agricultural building is of no particular design merit, being constructed to a scale/height suitable for the needs of agriculture. The building is of an agricultural form and character, with its presence in a rural location neither unusual nor unexpected. The proposed dwellinghouse therefore represents a substantial improvement of the Class Q fallback, as it appears more sympathetic, better proportioned and materially richer than the permitted scheme, with the design responding well to the rural surroundings. Due to the location of the dwellinghouse, it would not be visible from public vantage points, due to the substantial boundary treatment along Nutbourne Lane, which would ensure that the dwelling would not have any impact on the surrounding character of the area.

Overall, it is considered that the extent, scale and layout of the proposed development would be proportionate to the application site. It is acknowledged that there is a level of landscape harm due to the new residential dwelling which would urbanise the rural context of the site, however, there are a number of residential dwellings in the immediate locality, so it is considered that the proposed residential dwelling would not cause adverse harm to the landscape.

Trees and Landscaping:

Section 4.0 of the LVA identifies the site as being located within (NCA) 120 –Wealden Greensand of the National Character Areas and Landscape Character Area (LCA) WG7: Storrington Woods and Heaths of The West Sussex Landscape Character Assessment. The site is also located within F1 Pulborough, Chiltington and Thakeham Farmlands of the Horsham District Landscape Character Assessment, this has not been referenced. Key characteristics for LCA F1 include:

- Undulating sandstone ridge
- Partly wooded low scarp
- Leafy sunken lanes with sandstone exposures
- Scattered small cottages and farmstead mainly along lanes

The Applicant submitted a Landscape and Visual Appraisal (LVA), which concluded that the visual effects are generally localised and limited to intervening mature vegetation between the viewer and site. The receiving site will have a medium landscape character sensitivity, and the magnitude of change is medium, therefore resulting in a moderate level of landscape effect. With suitable mitigation measures, the development will have a moderate visual impact and minor landscape impact. The Landscape Team were consulted on the application, and confirmed there was no landscape objections, provided that the landscape details were secured via condition. The judgements of the visual impact from the LVA were not disputed and provided that suitable mitigation measures were secured, there was no objection to the proposal on landscape grounds.

The presence of an extant prior approval permission for building conversion without any recognised requirement to protect the on-site trees from development operations is acknowledged. The HDC Arboricultural Team were consulted on the application and highlighted an ash coppice of veteran status. Due to this, there should not be a change of land use to residential garden area within a minimum of 13m buffer to the tree. However, the red line boundary does cover some of the 13m buffer zone and therefore would change some of the land to residential curtilage. The applicant confirmed that there would be no development within the 13m buffer, only a wildflower meadow. Furthermore, tree protective fencing would be erected during construction to ensure no harm results.

The Arboricultural Team requested that the red line boundary be amended to exclude the 13m buffer. However, as the existing building is already located closer to the veteran tree than the proposed development, which has been positioned to better protect the tree, it is not considered appropriate to amend the red line. Doing this would exclude the existing building that forms part of the application site. While the Arboricultural Team's comments are acknowledged, any land outside the red line boundary cannot be controlled or enforced. As such, removing the 13m buffer from the red line would also remove the ability to secure and enforce the tree protection measures. To ensure the ongoing protection of the veteran tree, permitted development rights will be removed to control any future development within the site. On this basis, it is considered that restricting permitted development rights provides an appropriate and enforceable mechanism to prevent future harm to the tree.

Archaeology:

The site is within an Archaeological Notification Area DWS8563 in Pulborough. The Archaeological Consultant confirmed that there were no archaeological concerns as the proposed development is largely within the footprint of the existing barn which will have caused truncation to any archaeological remains.

Residential Amenity:

Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contribute a sense of place both in the buildings and spaces themselves. Policy 33 continues that development shall be required to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land.

The proposal is not considered to give rise to any unacceptable neighbour amenity issues due to the distance between the development and the nearest residential neighbours, which is 44m. The building is existing and demolition and construction of a new building on the footprint is not considered to result in significant development over and above the existing footprint. The proposed dwelling maintains a comparable height and a reduced footprint to the existing barn structure. Additionally, it is considered that no part of the built form would result in unacceptable outlook. It is not considered that the proposal would result in unacceptable harm to neighbouring amenity, or a negative impact on future occupiers, in accordance with Policy 33 of the HDPF.

Highways Impacts:

Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.

The proposal would utilise an existing access to the public highway, Nutbourne Lane. The existing entrance point serves Nash Manor and neighbouring dwellings to the south. WSCC Highways confirmed that it is not anticipated that the proposed development would give rise to a material intensification of movement to and from the site. The Design and Access Statement states that the proposal would result in a reduction in vehicle movements over the approved Class Q scheme, as the proposal would be 1 no dwellinghouse instead of 2. The applicant proposes four car parking spaces for the development, with the WSCC Car Parking Demand Calculator indicating that a dwelling of this size, in this location, requires at least three car parking spaces, therefore, this is considered sufficient. There is ample space within the site, to accommodate on-site car parking, as well as secure cycle parking. WSCC Highways did not consider that the proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network. It is considered that the proposal is acceptable and is in accordance with the above policies.

Ecology:

Policy 31 of the HDPF states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate.

The site lies approximately 10.7km southeast of Ebernoe Common SAC and therefore lies inside the 12km Wider Conservation Area for this SAC (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol). The site lies approximately 1.4km northeast of Arun Valley SAC, SPA and Ramsar site.

The Applicant submitted a Preliminary Ecological Appraisal (PEA) which confirmed that the surrounding habitats include grassland paddocks and a recently planted orchard. A Preliminary Roost Assessment (PRA) for bats was conducted, and no evidence of bat roosting was found within the existing barn. The barn is considered to have negligible potential for bat roosting, but the two mature oak trees located off-site are noted for offering potential roosting opportunities for bats, with precautionary measures regarding lighting to prevent disturbance to foraging and commuting bats. Ecology was satisfied that there was sufficient information available for determination and raised no ecological objections to the proposal. The ecological enhancement opportunities should be implemented, such as the incorporation of bat and bird nesting opportunities. The proposal is therefore in accordance with the above policy.

Water Neutrality:

A 2021 Position Statement from Natural England identified that it could not be concluded with the required degree of certainty that new development in the Sussex North Water Supply Zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites. As a consequence, and to comply with the legal duties set out in the Conservation of Habitats and Species Regulations 2017 (known as the Habitat Regulations), all new development since has been required to demonstrate water neutrality.

On 31st October 2025 Natural England formally withdrew the 2021 Position Statement, citing a package of measures that they were satisfied would safeguard the Arun Valley sites. Principal amongst these measures is a reduction in the Southern Water abstraction licence 'by March 2026'. However, given the licence change has not yet taken place Horsham District Council, as competent authority under the Habitats Regulations, cannot yet be certain that new development will not result in adverse impacts on the Arun Valley sites.

To ensure development can come forward as water neutral in the meantime, the Council has agreed with Natural England to use the significant water savings made by Southern Water in 2024/25 through their programme of leakage reduction (amongst other measures). This has generated some 3,240,000

litres per day of water savings that can now be attributed to new development without increasing water abstraction in the Arun Valley beyond baseline. These savings were previously to be used to launch the Sussex North Water Certification Scheme (SNWCS), however following the withdrawal statement SNWCS will no longer be launching. Natural England standing advice dated 10 November 2025 raises no objection to using these savings to enable development to come forward. The standing advice clarifies that it functions as Natural England's formal response pursuant to Regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 to all relevant planning applications which seek to achieve water neutrality using the above Southern Water savings.

Officers have undertaken an Appropriate Assessment which demonstrates that the anticipated increase in mains water consumption from this development, alongside all other development granted since the 31st October 2025, will not exceed 3,240,000 litres per day.

Accordingly, Officers consider that the proposed development will not have an Adverse Effect on the Integrity of the Arun Valley Site, either alone or in combination with other plan and projects, thereby complying with Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

Drainage and Flood Risk:

The site is located within Flood Zone 1, which is classified as having low probability of flooding. With regard to Drainage, the surface water strategy will follow the existing drainage strategy to ensure that runoff from site does not increase. Surface water will be directed to soakaways, with permeable surfaces used where possible in the hard landscaping schemes. Foul water drainage will be managed via a Klagester system, a sewage treatment plant for small-scale developments. It is considered that further drainage information can be secured via a suitably worded condition.

Other Matters:

Contaminated Land:

Given the sites historic use, there is potential for contamination from agricultural activities. This matter was addressed through the discharge of Condition 1 of the Class Q prior approval (ref: DISC/25/0297), which required a site investigation. A Preliminary Ground Contamination Risk Assessment and Remediation Strategy was submitted with the application. The design and access statement states that any remediation measures will be carried out in accordance with the approved scheme and a verification report will be provided to the Council to demonstrate competition prior to occupation.

Environmental Health were consulted on the proposal, highlighting that further information is required relating to limited sampling and analysis. However, as this information was already approved and accepted at discharge of conditions stage (ref: DISC/25/0297), it is considered that this information is not required again.

Climate Change:

Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. The proposed development includes the following measures to build resilience to climate change and reduce carbon emissions:

- Requirement to provide full fibre broadband site connectivity
- Dedicated refuse and recycling storage capacity
- Opportunities for biodiversity gain
- Cycle parking facilities
- Electric vehicle charging points

Subject to these conditions the application will suitable reduce the impact of the development on climate change in accordance with local and national policy.

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 Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains (on unregistered sites) and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

The Applicant has submitted a Biodiversity Metric which demonstrates a 2.26% net gain is achievable. There is a unit deficit for 0.14 for habitat units. The Biodiversity Net Gain statement states that the applicant will purchase biodiversity units offsite, from a third-party. Details of these will be required post-decision under the statutory BNG condition, with the BNG informative placed on the permission advising that the details are also submitted following approval.

Conclusions:

The application site benefits from an extant Prior Approval (DC/24/1681) for the demolition of the existing workshop and construction of one dwellinghouse. This extant permission is considered to represent a realistic fallback which establishes the principle of residential development on this site. The proposed development would improve the quality of accommodation and would offer improvements in design and sustainability. The proposal is considered to relate sympathetically to the character and built form of the wider surroundings.

The proposal would not result in adverse harm to the amenities of nearby residential properties and would not have detrimental impact on the safety and function of the public highway network. For these reasons, the development is recommended for approval, subject to conditions.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

It is considered that this development constitutes CIL liable development.

Use Description	Proposed	Existing	Net Gain
	497	521.18	0
	Total Gain		
	Total Demolition		521.18

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

Recommendation: Application Permitted

Conditions:

- 2 **Standard Time Condition:** The development hereby permitted shall begin 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:** No development shall commence until a drainage strategy detailing the proposed means of foul and surface 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).

- 4 **Pre-Commencement Condition:** The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the Biodiversity Gain Plan and including:

- (a) a non-technical summary;
- (b) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the Biodiversity Gain Plan; and
- (c) the management measures to maintain habitat in accordance with the Biodiversity Gain Plan from the completion of development.

has been submitted to, and approved in writing by, the local planning authority.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy 31 of the Horsham District Planning Framework (2015).

- 5 **Pre-Commencement (Slab Level) Condition:** A Biodiversity Enhancement Layout for biodiversity enhancements listed in the Preliminary Ecological Appraisal (CSA Environmental, September 2024) shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Layout shall include the following:

- a) detailed designs or product descriptions for biodiversity enhancements; and
- b) locations, orientations and heights for biodiversity enhancements on appropriate drawings.

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 & habitats and allow the LPA to discharge its duties under paragraph 187d of the NPPF 2024 and s40 of the NERC Act 2006 (as amended).

- 6 **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:

- (a) Details of all existing trees and planting to be removed and retained
- (b) Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
- (c) Details of all hard surfacing materials and finishes
- (d) Details of all boundary treatments
- (e) Details of all external lighting

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 (other than those within private gardens) shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 30 years after completion of the development. Any proposed or retained planting outside of private gardens, which 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).

- 7 **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 a minimum provision for gigabit-capable 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).

- 8 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a fast charge electric vehicle charging point for that dwelling has been installed. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

- 9 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the cycle parking facilities serving it have been provided within the side or rear garden of the dwelling. The facilities shall thereafter be retained for use at all times. 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).

- 10 **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 the approved block plan [001, REV B dated 17.02.2026] 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).

- 11 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling has been provided within the side or rear garden for that dwelling (or use). The facilities shall thereafter be retained for use at all times.

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

- 12 **Regulatory Condition:** All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (CSA Environmental, September 2024) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the Precautionary Method Statement for reptiles in Section 5.12 of the Preliminary Ecological Appraisal (CSA Environmental, September 2024), which avoids impacts on protected species.

This may 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 protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

- 13 **Regulatory Condition:** The dwellings hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to no more than 110 litres per person per day. The subsequently installed water limiting measures shall thereafter be retained.

Reason: To limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015), and 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), Paragraph 193 of the National Planning Policy Framework (2024), and to allow 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 **Regulatory Condition:** All works shall be executed in full accordance with the submitted Arboricultural Impact Assessment/Method Statement [858/LG/NashManor/Arb dated 29.01.2026] and Tree Protection Plan [SJA TPP 26206-041 dated 20.05.2026].

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

- 15 **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).

- 16 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order) the dwelling hereby permitted shall not be enlarged under Class A, E or H of Part 1 within Schedule 2 of the Order without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and due to the veteran tree constraints of the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission is Horsham District Council.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link:
[Submit a biodiversity gain plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/biodiversity-net-gain).

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.

NOTE TO APPLICANT
No soils shall be imported or re-used within the development site until the developer has submitted details of the chemical testing and assessment of the soils which demonstrates the suitability of the soils for the proposed use. The assessment shall be undertaken by a suitably qualified and competent person and full details shall be submitted to and approved in writing by the local planning authority

NOTE TO APPLICANT
If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

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/26/0158
(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

