Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/1955
Deer Fields Park, Emms Lane, Brooks Green, Horsham, RH13 0TR

DESCRIPTION:
Variation of Condition 1 and Removal of Conditions 5 and 7 of previously approved application DC/23/1235 (Change of use of the land from agricultural to the use as a holiday caravan park for forty-seven static caravans for holiday use from 1st February to 5th January) relating to water neutrality.

RELEVANT PLANNING HISTORY:

DC/23/1235	Change of use of the land from agricultural to the use as a holiday caravan park for forty-seven static caravans for holiday use from 1st February to 5th January	Application 17.06.2024	Permitted on
DISC/24/0218	Application for Approval of Details Reserved by Condition 3 to approved application DC/23/1235	Application 21.10.2024	Permitted on

DESCRIPTION OF THE SITE

The application site comprises land to the north of Hilltop Country Park, located between Emms Lane to the west and Trout Lane to the east at Brooks Green, within Horsham District, West Sussex (RH13 0TR). The site lies immediately to the north of the existing Bluebell Park Caravan Park and forms part of a wider cluster of established holiday caravan sites in this rural location.

The site is situated outside of any defined built-up area and is therefore within the countryside for the purposes of planning policy. It is characterised by mature boundary landscaping and tree belts, which provide a high degree of visual containment and screening from surrounding land and public vantage points, including Emms Lane. The surrounding area is predominantly rural in character, with sporadic residential development and areas of agricultural land. Ancient woodland lies beyond the eastern boundary of the site.

The site benefits from an extant planning permission under reference DC/23/1235, which established the lawful change of use of the land from agricultural use to a holiday caravan park for the stationing of 47 static caravans for holiday use.

DESCRIPTION OF THE APPLICATION

This application is submitted under Section 73 of the Town and Country Planning Act 1990 to vary the conditions attached to planning permission DC/23/1235.

The application seeks the following amendments:

- Condition 1 (Approved Plans) is to be varied to remove reference to five approved drawings relating solely to rainwater harvesting and water neutrality mitigation works, and to remove

reference to the approved Water Neutrality Strategy. For clarity, the drawings to be removed are noted as follows:

- RAIN WATER HARVESTING GENERAL ARRANGEMENT STRATEGY: ENV22018-00-DR-1000, REV 00
- RAIN WATER HARVESTING STRATEGY 1 OF 2: ENV22018-00-DR-1001, REV 00
- RAIN WATER HARVESTING STRATEGY 2 OF 2: ENV22018-00-DR-1002, REV 00
- RAIN WATER HARVESTING DETAILS PLAN 1 OF 2: ENV22018-00-DR-1003, REV 00
- RAIN WATER HARVESTING DETAILS PLAN 2 OF 2: ENV22018-00-DR-1004, REV 00

- Conditions 5 and 7 are to be removed in their entirety and replaced with the Council's standard condition requiring compliance with Part G of the Building Regulations in respect of water efficiency.

No other conditions are affected. No physical changes are proposed to the approved development, and the description of development remains unaltered.

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 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
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

Shipley Washington Neighbourhood Plan
HD3 – High Quality Design

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 6: Climate Change
Strategic Policy 9: Water Neutrality
Strategic Policy 11: Environmental Protection
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles

Supplementary Planning Guidance:
Planning Obligations and Affordable Housing SPD (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:
PUBLIC CONSULTATIONS:
Representations:
0 letters of Objection or Support have been received

Parish Comments:
Shipley Parish Council: No objection (17/12/2026)

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 Section 73 Amendment

Section 73 provides a statutory mechanism to vary or remove conditions attached to an existing planning permission, where the resulting development remains acceptable in planning terms.

In this instance, the principle of the development has already been robustly established through the grant of planning permission DC/23/1235, following a detailed assessment of countryside impact, tourism need, landscape character, ecology, amenity and highways considerations.

The proposed Section 73 amendments do not seek to alter:

- the approved change of use;
- the number or layout of caravans;
- the scale, form or appearance of the development;
- access arrangements; or
- any other environmental or operational controls secured by condition.

The amendments are limited solely to updating the water-related conditions to reflect the Council's current water neutrality position. As such, the principle of the development remains unchanged.

Water Neutrality:

At the time planning permission DC/23/1235 was granted, the site was assessed against Natural England advice relating to water neutrality within the Sussex North Water Supply Zone. This resulted in

the imposition of conditions and approved plans requiring specific water efficiency measures, rainwater harvesting and off-site offsetting.

Subsequent to the grant of permission, the Council's approach to water neutrality has changed. It is now understood that the bespoke water neutrality mitigation previously required is no longer necessary for this form of development. This has been confirmed through discussions with the Council's Principal Planning Officer.

In light of this, it is considered reasonable to vary Condition 1 to remove reference to the water neutrality drawings and the Water Neutrality Strategy, and to remove Condition 5, which secures detailed water neutrality mitigation measures.

The proposed amendments ensure that the permission reflects the Council's current position and avoids the retention of conditions that are no longer required.

Water Efficiency

In place of the removed water neutrality condition, it is proposed to impose a standard condition requiring compliance with Part G of the Building Regulations.

Part G provides a nationally recognised mechanism for securing water efficiency through the specification of fittings and appliances and is enforced through the Building Control process. It is considered that this approach provides an appropriate and proportionate level of control over water efficiency for the approved development.

Section 73 Assessment and Conclusion:

This Section 73 application seeks a limited and targeted variation to the conditions attached to planning permission DC/23/1235, solely to reflect updated water neutrality requirements and current best practice in relation to water efficiency.

The application does not propose any physical changes to the development, nor does it alter the principle, scale, layout or impacts of the approved holiday caravan park. All other planning conditions remain in force and continue to regulate the development appropriately.

The proposed amendments:

- align the permission with the Council's current water neutrality position;
- remove conditions and approved plans that are no longer necessary or relevant;
- retain appropriate control over water efficiency through compliance with Part G of the Building Regulations; and
- result in no material planning harm.

For these reasons, the Section 73 application is considered acceptable in planning terms. This permission is granted subject to the conditions attached to planning permission DC/23/1235, including the variation of condition 1, the deletion of Conditions 5 and 7, and the addition of Condition 21 below.

Recommendation: Application Permitted

Conditions:

2 **Standard Time Condition:** The development hereby permitted must be commenced by the 17.06.2027.

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

3 **Regulatory Condition**: The construction site set up shall take place in full accordance with the details approved under DISC/24/0218 and 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).

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

- All trees on the site shown for retention on approved drawing number EE-20-07001-04 rev 00, as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).
- Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.
- Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

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

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

5 CONDITION REMOVED

6 **Pre-Occupation Condition**: Prior to the first occupation (or use) of any part of the holiday caravan park hereby permitted, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Biodiversity Enhancement & Lighting Strategy (Epoch Ecology, July 2023) shall be submitted to and approved in writing by the local planning authority.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species and allow the Local Planning Authority to discharge its duties under the s40 of the NERC Act 2006 (as amended).

7 CONDITION REMOVED

8 **Pre-Occupation Condition**: Prior to the first occupation (or use) of any part of the holiday caravan park hereby permitted, a plan showing the layout of the proposed development and the provision of car parking spaces for vehicles shall have been submitted to and approved in writing by the Local Planning Authority. No caravan shall be first occupied until the parking spaces associated with it have been provided in accordance with the approved details. The areas of land so provided shall thereafter be retained for the parking of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of all highways in accordance with Policy 40 of the Horsham District Planning Framework (2015)

9 **Pre-Occupation Condition**: Prior to the first occupation (or use) of any part of the holiday caravan park hereby permitted, details of secure [and covered] cycle parking facilities for the occupants of, and visitors to, the caravan park shall have been submitted to and approved in writing by the Local Planning Authority. No caravan shall be occupied until the approved cycle parking facilities associated with that caravan have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

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**: Prior to the first occupation (or use) of any part of the holiday caravan park hereby permitted, full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained (if applicable)
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
- Details of all hard surfacing materials and finishes
- Details of all boundary treatments
- 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 shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

11 **Pre-Occupation Condition**: Prior to the first occupation (or use) of any part of the holiday caravan park hereby permitted, a landscape management and maintenance plan (including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility) for all communal landscape areas shall be submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015).

12 **Pre-Occupation Condition**: Prior to the first occupation (or use) of any part of the holiday caravan park hereby permitted, provision for the storage of refuse/recycling shall be made for each caravan in accordance with details to be submitted to and approved in writing by the Local Planning Authority. 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).

13 **Regulatory Condition**: The holiday caravan park hereby permitted shall not be occupied between the 6th January and the 1st February in each year unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that approved holiday accommodation is not used continuously throughout the year in the interests of sustainable development and reducing the pressure on local services, to protect the appearance and character of the area, in accordance with Policy 11 and 26 of the Horsham District Planning Framework (2015).

14 **Regulatory Condition**: The total number of caravans on the site shall at no time exceed 47.

Reason: To avoid an overcrowded appearance and to secure satisfactory standards of space and amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

15 **Regulatory Condition**: The holiday caravan site and position of the 47 holiday caravans shall at all times be laid out in accordance with the approved Block Plan (drawing number BG Hilltop-02 Rev C dated 28/06/23).

Reason: To enable the Local Planning Authority to retain control on the appearance of the site in the interest of protecting the ecological and landscape impact of the development in accordance with Policies 31 and 33 of the Horsham District Planning Framework (2015).

16 **Regulatory Condition**: The owners / operators of the holiday caravan park shall maintain an up-to-date register, log and license agreements of the names of all owners / occupiers of caravans on the site and of their main home addresses and shall make the information available at all reasonable times, to the Local Planning Authority.

Reason: To ensure that approved holiday accommodation is not used for unauthorised permanent residential occupation in the interests of sustainable development and reducing the pressure on local services, to protect the appearance and character of the area and to ensure that adequate provision is retained for holiday accommodation, in accordance with Policy 11 and 26 of the Horsham District Planning Framework (2015).

17 **Regulatory Condition**: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Epoch Ecology, July 2023) and Biodiversity Enhancement & Lighting Strategy (Epoch Ecology, July 2023), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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 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.

18 **Regulatory Condition**: The foul and surface water disposal measures for the development hereby approved shall be carried out in strict accordance with the details as shown on plan

references ENV22018-00-DR-2001 Rev 00, ENV22018-00-DR-2002 Rev 00, and ENV22018-00-DR-2003 Rev 00.

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).

19 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or Orders amending or revoking and re-enacting the same, no gate, fence, wall or other means of enclosure shall be erected or constructed on the caravan site without express planning consent from the Local Planning Authority first being obtained.

Reason: In order to safeguard the character and visual amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

20 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or Orders amending or revoking and re-enacting the same, no works constituting development required by the conditions of a site licence for the time being in force under Part I of the Caravans Sites and Control of Development Act 1960, shall be commenced without the prior approval in writing of detailed plans and specifications by the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control and secure a satisfactory development of the site in accordance with Policy 26 and 33 of the Horsham District Planning Framework (2015).

21 **Regulatory Condition:** The caravans 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).

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/25/1955

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	Biodiversity Enhancement & Lighting Strategy by Epoch Ecology Ltd dated 30.07.2022	NONE	23.06.2023
Supporting Statement	Arboricultural Impact Assessment Arboricultural Method Statement by Epoch Ecology Ltd dated	NONE	23.06.2023

	10.04.2023		
Supporting Statement	Preliminary Ecological Appraisal by Epoch Ecology Ltd dated 10.07.2023	NONE	23.06.2023
Supporting Statement	Tree Survey / Tree Schedule by Epoch Ecology Ltd dated 10.04.2023	T01	23.06.2023
Tree plan		EE-20-07001-04 REV 00	23.06.2023
Layout plan	Drainage General Strategy	ENV22018-00-DR-2000 REV 00	23.06.2023
Layout plan	Drainage Strategy 1 of 3	ENV22018-00-DR-2001 REV 00	23.06.2023
Layout plan	Drainage Strategy 2 of 3	ENV22018-00-DR-2002 REV 00	23.06.2023
Layout plan	Drainage Strategy 3 of 3	ENV22018-00-DR-2003 REV 00	23.06.2023
Section plan	Drainage Details	ENV22018-00-DR-2004 REV 00	23.06.2023
Supporting Statement	Water Neutrality Strategy by Water Design Engineers dated 06.10.2023	ENV22004	03.11.2023
Site plan	Site Plan	BG-Hilltop-02 Rev C	29.06.2023
Location plan	Location Plan	BG-Hilltop-03 Rev A	29.06.2023
Supporting Statement	Drainage Strategy Report by Water Design Engineers dated 23.05.2023	DSR01- ENV22018	29.06.2023
Supporting Statement	Planning	NONE	03.12.2025

DELEGATED

Case Officer sign/initial Daniel Holmes Date: 05/02/2026

Authorising Officer sign/initial RHERMITAGE Date: 09.02.2026