



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/2075

Pentland, New Hall Lane, Small Dole, West Sussex, BN5 9YH

DESCRIPTION:

Removal of Conditions 8 and 9 of previously approved application DC/21/1523 (Erection of a detached two-storey dwellinghouse) Relating to water neutrality. Variation of conditions 10 (EV charging points), 12 (cycle parking) and 14 (landscaping) following submission of further details.

RELEVANT PLANNING HISTORY:

DC/21/1523	Erection of a detached two-storey dwellinghouse.	Application Permitted on 10.01.2023
------------	--	--

DESCRIPTION OF THE SITE

The application site is located to the south-west boundary of Pentland, within the built-up area boundary of Henfield. The host dwelling, Pentland is a detached two storey dwellinghouse occupying a generous plot. The area is characterised by detached dwellings and there are examples in the immediate vicinity of infill development. The higher density development of New Hall Lane is situated to the east and south of the site.

DESCRIPTION OF THE APPLICATION

The application seeks the removal of Conditions 8 and 9 attached to planning permission DC/21/1523 for the erection of a detached two-storey dwelling. These conditions required the development to demonstrate water neutrality in accordance with Natural England's previous guidance.

The proposal also seeks approval of details submitted to comply with Conditions 10 (electric vehicle charging provision), 12 (cycle parking) and 14 (landscaping). Supporting information including specifications, plans and photographs has been submitted.

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 15 - Strategic Policy: Housing Provision

Policy 16 - Strategic Policy: Meeting Local Housing Needs

Policy 24 - Strategic Policy: Environmental Protection

Policy 25 - Strategic Policy: The Natural Environment and Landscape Character

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 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 - Parking

Neighbourhood Plan:

The Henfield Neighbourhood Plan was formally made on 23 June 2021.

Policy 1: A Spatial Plan for the Parish

Policy 4: Transport, Access and Car Parking

Policy 12: Design Standards for New Development

Henfield Parish Design Statement:

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 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)

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:

HDC Landscape Architect: No Objection - Landscape proposals have been implemented prior to approval. Notwithstanding, due to the minor scale and location there are no concerns with proposals from a landscape point of view and with the information provided in order to discharge Condition 14.

WSCC Highways: No Objection - Supporting photographs of an EV charging point and cycle storage shed have been submitted to the satisfaction of the LHA.

PUBLIC CONSULTATIONS:

Representations:

None Received

Parish Comments:

Hefield Parish Council: No Objection

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 8 and 9

The application seeks the removal of Condition 8 and 9 attached to planning permission DC/21/1523, 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 eco-logical 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 742,856 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/21/1523, 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 8 and 9 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 8 and 9 is considered acceptable, and the development permitted under DC/21/1523 can proceed without further water neutrality restrictions, without giving rise to harm to protected European sites.

Discharge of Conditions 10, 12, and 14

Planning Application DC/21/1523 was granted consent on 10.01.2023. Consent is sought to discharge the details reserved by conditions 10, 12, and 14.

Condition 10

Pre-occupation Condition: No part of the development hereby permitted shall be occupied until a scheme for the provision of electrical vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed prior to first occupation of the development and shall thereafter remain as such.

Reason: To provide electric vehicle car charging space for the use in accordance with Policies 35 and 41 of the Horsham District Planning Framework (2015) and the WSCC Parking Standards (2019).

West Sussex Highway Authority have reviewed the following documents to discharge Condition 10:

- EV Charger Specification
- EV Charger Datasheet
- Photographs

The information provides all required details, Condition 10 can therefore be discharged. The requirements of the condition have been satisfied.

Condition 12

Pre-Occupation Condition: No part of the development hereby permitted shall be occupied until details of secure and covered cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the approved cycle parking facilities associated with that dwelling or use 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).

West Sussex Highway Authority have reviewed the following document to discharge Condition 12:

- Photographs

The photos provide all required details, Condition 12 can therefore be discharged. The requirements of the condition have been satisfied.

Condition 14

Pre-Occupation Condition: No part of the development hereby permitted shall be first occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained
- 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

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 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).

HDC Landscape Officer has reviewed the following document to discharge Condition 14:

- Photographs
- Garden Plan
- Planting and Biodiversity Details

As the details have already been completed and given that it is a minor application, Condition 14 can be discharged upon the advice of the Landscape Officer. The requirements of the condition have been satisfied.

Conclusions:

The policy context relating to water neutrality has materially changed following Natural England's withdrawal of its September 2021 Position Statement and confirmation that verified water savings achieved by Southern Water can be relied upon to offset the water demand from new development. An Appropriate Assessment undertaken by the Local Planning Authority concludes that the development would not result in an adverse effect on the integrity of the Arun Valley SAC, SPA or Ramsar sites. Consequently, Conditions 8 and 9 are no longer necessary.

In addition, the information submitted in relation to EV charging, cycle parking and landscaping demonstrates that the requirements of Conditions 10, 12 and 14 have been satisfactorily implemented. The proposal therefore complies with the relevant policies of the HDPF and the development remains acceptable in planning terms.

Recommendation: Application Permitted

Conditions:

- | | |
|---|----------|
| 2 | Not Used |
| 3 | Not Used |
| 4 | Not Used |

- 5 **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/23/0237, unless otherwise agreed in writing by the Local Planning Authority.

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.

- 6 **Regulatory Condition:** The Biodiversity Enhancement Strategy for Protected and Priority shall be carried out in full accordance with the details approved under application reference DISC/23/0237, unless otherwise agreed in writing by the Local Planning Authority.

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 31 of the Horsham District Planning Framework.

- 7 **Regulatory Condition:** The materials of the development hereby permitted shall be carried out in full accordance with the details approved under application reference DISC/23/0237, unless otherwise agreed in writing by the Local Planning Authority.

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 33 of the Horsham District Planning Framework.

- 8 Not Used

- 9 Not Used

- 10 **Regulatory Condition:** The EV charging hereby permitted shall remain accordance with the 'EV Charger Specification', 'EV Charger Datasheet' and photographs, submitted 12.12.2025, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide electric vehicle car charging space for the use in accordance with Policies 35 and 41 of the Horsham District Planning Framework (2015) and the WSCC Parking Standards (2019).

- 11 **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 ref 2275 - 3, received 30.06.2021 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).

- 12 **Regulatory Condition:** The cycle parking hereby permitted shall remain as per the photographs received 12.12.2025, unless otherwise agreed in writing by the Local Planning Authority.

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).

- 13 **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. 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).

- 14 **Regulatory Condition:** The Landscaping details hereby permitted shall be carried out in full accordance with the details received 12.12.2025, unless otherwise agreed in writing by the Local Planning Authority.
- 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).
- 15 **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).
- 16 **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays
- Reason: To safeguard the amenities of neighbouring occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).
- 17 **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 no development falling within Classes A, AA, B and C of Part 1 or Class AD of Part 20 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.
- Reason: In the interest of visual amenity and to protect the amenities of the adjoining neighbours in accordance with Policy 33 of the Horsham District Planning Framework (2015).
- 18 **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).
- 19 **Regulatory Condition:** The dwelling 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/25/2075

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan		2275-6	12.12.2025
Supporting Statement	Covering letter	P-086	12.12.2025
Plans	Garden plan	NONE	12.12.2025
Photos		NONE	12.12.2025
Supporting Docs	EV Charger specification	NONE	12.12.2025
Supporting Docs	EV charger datasheet	NONE	12.12.2025
Supporting Statement	planting and biodiversity details	NONE	12.12.2025

DELEGATED

Case Officer sign/initial Shazia Penne Date: 05.03.2026

Authorising Officer sign/initial RHERMITAGE Date: 09.03.2026