Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/1876
Thornhill Stables Land , Thornhill Stables Land, Billingshurst Road , Coolham , RH13 8QN

DESCRIPTION:

Removal of Condition 5 of previously approved application DC/24/1486 (Construction of a two storey four bedroom barn style dwelling) Relating to Water Neutrality.

RELEVANT PLANNING HISTORY:

DC/24/1486	Construction of a two storey four bedroom barn style dwelling.	Application Refused on 21.11.2024 Appeal allowed on 28.11.2025 (PINS ref: APP/Z3825/W/25/3361339)
DC/25/1186	Change of use of land from agriculture to a B2 Use (general industry) comprising the importation and processing of timber to produce wood chippings for re-sale.	Application Permitted on 27.10.2025

DESCRIPTION OF THE SITE

The application site is located to is located to the north of Billingshurst Road, and is accessed via a private track. The site currently comprises an agricultural field, with industrial and storage units situated to the rear, beyond the northern boundary. To the west of the site, on the opposite side of the track, there are large detached dwellinghouses.

DESCRIPTION OF THE APPLICATION

This application is submitted under Section 73 of the Town and Country Planning Act 1990 and seeks the removal of Condition 5 of planning permission DC/24/1486.

The condition currently requires the development to achieve water neutrality mitigation prior to occupation.

The applicant notes in their supporting statement that matters relating to water neutrality have now fallen away and that the condition is no longer necessary.

Whilst the application seeks removal of the condition, it is acknowledged that Horsham District Council's standard practice remains to control residential water consumption through a condition limiting internal water use to 110 litres per person per day.

The proposal therefore seeks:

- removal of the existing water neutrality condition; and
- replacement with a standard water efficiency condition.

No physical alterations to the approved development are proposed.

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

Shipley Neighbourhood Plan 2019-2031:
Policy 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)
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

PUBLIC CONSULTATIONS:

Representations:

Parish Comments:

Shipley Parish Council: No Comment

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

Water Neutrality:

A 2021 Position Statement issued by Natural England identified that it could not be concluded, with the required degree of scientific certainty, that new development within the Sussex North Water Supply Zone would not have an adverse effect on the integrity of the Arun Valley Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar sites.

As a consequence, and in order to comply with the legal duties set out in the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations), all new residential development within the affected area was required to demonstrate water neutrality.

On 31 October 2025, Natural England formally withdrew the 2021 Position Statement, citing a package of strategic measures that it was satisfied would adequately safeguard the Arun Valley designated sites. Principal amongst these measures is a reduction in Southern Water's abstraction licence, anticipated to take effect by March 2026.

Notwithstanding the withdrawal of the position statement, the abstraction licence amendment has not yet been formally implemented. As such, Horsham District Council, acting as the competent authority under the Habitats Regulations, cannot yet rely solely on the licence change when assessing potential impacts on the Arun Valley sites.

To enable development to continue to come forward in the interim period, the Council has agreed with Natural England that the significant water savings achieved by Southern Water during 2024/25 — primarily through its programme of leakage reduction — can be attributed to new development without increasing abstraction beyond baseline levels.

These measures have generated approximately 3,240,000 litres per day of water savings, which may be allocated to new development. While these savings were originally intended to support the Sussex North Water Certification Scheme (SNWCS), the scheme will no longer be launched following the withdrawal of Natural England's position statement.

Natural England's Standing Advice dated 10 November 2025 confirms that it raises no objection to the use of these Southern Water savings to enable development to proceed. The standing advice confirms that it constitutes Natural England's formal response under Regulation 63(3) of the Habitats Regulations for planning applications seeking to rely on these water savings.

Officers have undertaken an Appropriate Assessment which demonstrates that the anticipated increase in mains water consumption arising from this development, when considered cumulatively with other permissions granted since 31 October 2025, would not exceed the available 3,240,000 litres per day water savings.

Accordingly, Officers are satisfied that the development will not result in an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. The proposal therefore complies with Regulations 63 and 70 of the Conservation of

Habitats and Species Regulations 2017, Policy 31 of the Horsham District Planning Framework, and paragraph 193 of the National Planning Policy Framework.

Approved Water Neutrality Statement

The original planning permission (DC/24/1486) was supported by an approved Water Neutrality Report prepared by CGS Civils Ltd (Ref: C3236, Rev P). The report demonstrated that water neutrality would be achieved through a combination of:

- high levels of on-site water efficiency, including low-use fittings and appliances;
- rainwater harvesting and water re-use measures; and
- the purchase of off-site water neutrality credits to offset residual demand.

At the time planning permission was granted, this approach was necessary to comply with the water neutrality restrictions then in force across the Sussex North Water Resource Zone.

Removal of Water Neutrality Condition

Given the subsequent changes to the water neutrality position, the requirement for bespoke mitigation measures — including the purchase of off-site credits — is no longer necessary for this development.

The original justification for Condition 5 was directly linked to the 2021 Natural England Position Statement, which has now been withdrawn. As such, the continued imposition of the condition would no longer meet the statutory tests for planning conditions, as it is no longer:

- necessary;
- relevant to the development; or
- reasonable.

It is therefore considered appropriate to remove Condition 5 from planning permission DC/24/1486.

Water Efficiency

Notwithstanding the above, Horsham District Council policy continues to require all new residential development to incorporate measures to minimise water consumption.

Policy 36 of the Horsham District Planning Framework seeks to ensure the efficient use of natural resources, including water. The Council's established practice is to secure this requirement through a planning condition limiting internal water consumption to:

110 litres per person per day, in accordance with the optional requirement of Building Regulations Part G.

This requirement is distinct from water neutrality mitigation and remains applicable irrespective of the wider water neutrality position.

The approved Water Neutrality Report demonstrates that the development is capable of achieving water consumption levels significantly below the 110 litres per person per day standard through the use of water-efficient fittings and rainwater harvesting measures.

Officers are therefore satisfied that the amended proposal would continue to deliver a high standard of water efficiency, with no material increase in water demand above that previously approved.

The proposal is considered to accord with Policies 35, 36, 37 and 38 of the Horsham District Planning Framework (2015) and paragraphs 157 and 183 of the National Planning Policy Framework (2024).

A replacement condition will be imposed requiring the dwelling to achieve a water consumption rate of no more than 110 litres per person per day, in accordance with Building Regulations Part G.

Section 73 Assessment

Section 73 of the Town and Country Planning Act 1990 allows for the variation or removal of conditions attached to a planning permission. In this case:

- the proposal does not alter the approved development;
- it does not result in any material change to the scheme; and
- it does not raise any new planning considerations beyond water use.

The development remains acceptable in planning terms, subject to the imposition of an updated condition.

Conclusion

The water neutrality condition attached to planning permission DC/24/1486 was imposed in response to circumstances that no longer apply. Its continued retention would not meet the statutory tests for planning conditions.

However, it remains appropriate to control water efficiency through a standard condition limiting internal water consumption to 110 litres per person per day, in accordance with Horsham District Council policy. The proposal is therefore considered acceptable and compliant with the development plan and national planning policy.

Planning permission is GRANTED subject to the following conditions. This permission shall be read in conjunction with planning permission DC/24/1486. All conditions attached to that permission remain unchanged except for Condition 5, which is replaced as set out below.

Recommendation: Application Permitted

Conditions:

1 **A list of the approved plans**

2 **Standard Time Condition:** The development hereby permitted must be commenced by the 28.10.2028.

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

3 **Pre-Commencement Condition:** No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

(a) A preliminary risk assessment which has identified:
- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from contamination at the site.

The following aspects (b) - (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

(b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.

(c) The intrusive site investigation results following (b) and, based on these, a detailed method statement, giving full details of the remediation measures required and how they are to be undertaken.

(d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

The development shall thereafter be carried out in accordance with the approved details. Any changes to these components require the consent of the local planning authority.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

4 **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).

5 **NOT USED**

6 **Pre-Occupation Condition:** Prior to the first occupation of each dwelling, 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 shall be 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).

7 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a plan showing the layout of the proposed development and the provision of car parking spaces for vehicles has been submitted to and approved in writing by the Local Planning Authority. The dwelling hereby permitted shall be occupied or use hereby permitted commenced 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)

8 **Pre-Occupation Condition**: No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and Policy 40 of the Horsham District Planning Framework (2015).

9 **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 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 (Priority habitats & species) and Policy 31 of the Horsham Development Framework.

10 **Regulatory Condition**: No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR136, or a 'Further Licence') and with the proposals detailed on plan "Land at Thornhill Stables: Impact plan for great crested newt District Licensing (Version 1)" dated 11th November 2024.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML-OR149, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

11 **Regulatory Condition**: No development hereby permitted shall take place except in accordance with Part 1 of the Great Crested Newt Mitigation Principles, as set out in the District Licence (WML-OR136, or a 'Further Licence'), and works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML-OR149, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

12 **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/25/1876
Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location & Block plan		DE1257 / 01 REV P1	27.03.2024
Floor plan	Proposed ground	DE1257 / 02 REV P1	27.03.2024
Floor plan	Proposed first	DE1257 / 03 REV P1	27.03.2024

Roof plan	Proposed	DE1257 / 04 REV P1	27.03.2024
Elevation plan	Proposed	DE1257 / 05 REV P1	27.03.2024

DELEGATED

Case Officer sign/initial Daniel Holmes Date: 30/01/2026

Authorising Officer sign/initial Tamara Dale Date: 30/01/2026